Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Catherine Diersing, Superintendent
(9835) The Bloomington Project School
ECC: Daniel Baron, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9835) The Bloomington Project School
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	64%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	86%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

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As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Pettibone, Superintendent
(15) Adams Central Community Schools
ECC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(15) Adams Central Community Schools
November 4, 2011

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11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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MEMORANDUM

TO: Mr Wylie Sirk, Superintendent
(25) North Adams Community Schools
ECC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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MEMORANDUM

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ECC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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TO: Mr Scott Litwiller, Superintendent
(35) South Adams Schools
ECC: Michele Neumann, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Steven Yager, Superintendent
(125) M S D Southwest Allen County
ECC: Roxanne May, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(125) M S D Southwest Allen County
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	98%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Steven Yager, Superintendent
(125) M S D Southwest Allen County
ECC: Roxanne May, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Christopher Himsel, Superintendent
(225) Northwest Allen County Schools
ECC: Jada Conner, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(225) Northwest Allen County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	81%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	92%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Wendy Robinson, Superintendent
(235) Fort Wayne Community Schools
ECC: Theresa Oberley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(235) Fort Wayne Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

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SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Karyle Green, Superintendent
(255) East Allen County Schools
ECC: Connie Delong, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(255) East Allen County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	74%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Karyle Green, Superintendent
(255) East Allen County Schools
ECC: Connie Delong, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Quick, Superintendent
(365) Bartholomew Con School Corp
ECC: Dr George Van Horn, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(365) Bartholomew Con School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	45%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr John Quick, Superintendent
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Kathy Griffey, Superintendent
(370) Flat Rock-Hawcreek School Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(370) Flat Rock-Hawcreek School Corp
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Kathy Griffey, Superintendent
(370) Flat Rock-Hawcreek School Corp
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Destin Haas, Superintendent
(395) Benton Community School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(395) Benton Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Destin Haas, Superintendent
(395) Benton Community School Corp
ECC: Patricia Kem, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ken Kline, Superintendent
(515) Blackford County Schools
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(515) Blackford County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ken Kline, Superintendent
(515) Blackford County Schools
ECC: Janet McShurley, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Judi Hendrix, Superintendent
(615) Western Boone Co Com Sch Dist
ECC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(615) Western Boone Co Com Sch Dist
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SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Scott Robison, Superintendent
(630) Zionsville Community Schools
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(630) Zionsville Community Schools
November 4, 2011

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FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Taylor, Superintendent
(665) Lebanon Community School Corp
ECC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(665) Lebanon Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	61%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Shaffer, Superintendent
(670) Brown County School Corporation
ECC: Dr George Van Horn, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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(750) Carroll Consolidated Sch Corp
CC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ralph Walker, Superintendent
(755) Delphi Community School Corp
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(755) Delphi Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ralph Walker, Superintendent
(755) Delphi Community School Corp
ECC: Thomas Adams, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr David Bess, Superintendent
(775) Pioneer Regional School Corp
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(775) Pioneer Regional School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	91%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr David Bess, Superintendent
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ECC: Thomas Adams, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Bevan, Superintendent
(815) Southeastern School Corp
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Michele Starkey, Superintendent
(875) Logansport Community Sch Corp
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(875) Logansport Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Michele Starkey, Superintendent
(875) Logansport Community Sch Corp
ECC: Thomas Adams, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Monty Schneider, Superintendent
(940) West Clark Community Schools
ECC: Ann Schnepf, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(940) West Clark Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	64%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	97%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Monty Schneider, Superintendent
(940) West Clark Community Schools
ECC: Ann Schnepf, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

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FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Interim Kimberly Knott, Superintendent
(1000) Clarksville Com School Corp
ECC: Ann Schnepf, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1000) Clarksville Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	99%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Interim Kimberly Knott, Superintendent
(1000) Clarksville Com School Corp
ECC: Ann Schnepf, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Stephen Daeschner, Superintendent
(1010) Greater Clark County Schools
CC: Ann Schnepf, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1010) Greater Clark County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	65%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Ann Schnepf, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Daniel Schroeder, Superintendent
(1125) Clay Community Schools
ECC: Dr. Rhonda Lawrence, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1125) Clay Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	86%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Daniel Schroeder, Superintendent
(1125) Clay Community Schools
ECC: Dr. Rhonda Lawrence, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brent Kaufman, Superintendent
(1150) Clinton Central School Corp
CC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(1150) Clinton Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	89%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Charles Fink, Superintendent
(1160) Clinton Prairie School Corp
ECC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(1160) Clinton Prairie School Corp
November 4, 2011

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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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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(1160) Clinton Prairie School Corp
ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Les Bivens, Superintendent
(1170) Community Schools of Frankfort
ECC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1170) Community Schools of Frankfort
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	57%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Les Bivens, Superintendent
(1170) Community Schools of Frankfort
ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Hanna, Superintendent
(1180) Rossville Con School District
ECC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1180) Rossville Con School District
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Hanna, Superintendent
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ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mark Eastridge, Superintendent
(1300) Crawford Co Com School Corp
CC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Mark Eastridge, Superintendent
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Brian Harmon, Superintendent
(1315) Barr-Reeve Com Schools Inc
CC: Mary Rodimel, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1315) Barr-Reeve Com Schools Inc
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Brian Harmon, Superintendent
(1315) Barr-Reeve Com Schools Inc
ECC: Mary Rodimel, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Robert Bell, Superintendent
(1375) North Daviess Com Schools
CC: Mary Rodimel, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1375) North Daviess Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Robert Bell, Superintendent
(1375) North Daviess Com Schools
ECC: Mary Rodimel, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Hatton, Superintendent
(1405) Washington Com Schools
ECC: Mary Rodimel, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1405) Washington Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	62%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Hatton, Superintendent
(1405) Washington Com Schools
ECC: Mary Rodimel, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeffrey Hendrix, Superintendent
(1560) Sunman-Dearborn Com Sch Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1560) Sunman-Dearborn Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Jeffrey Hendrix, Superintendent
(1560) Sunman-Dearborn Com Sch Corp
ECC: Cheryl Corning, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Book, Superintendent
(1600) South Dearborn Com School Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1600) South Dearborn Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	77%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Book, Superintendent
(1600) South Dearborn Com School Corp
ECC: Cheryl Corning, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Karl Galey, Superintendent
(1620) Lawrenceburg Com School Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1620) Lawrenceburg Com School Corp
November 4, 2011

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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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SUPPORTING STUDENT SUCCESS

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TO: Mr Karl Galey, Superintendent
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ECC: Cheryl Corning, Local Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dan Roach, Superintendent
(1655) Decatur County Com Schools
ECC: Dr George Van Horn, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1655) Decatur County Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	68%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dan Roach, Superintendent
(1655) Decatur County Com Schools
ECC: Dr George Van Horn, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Tom Hunter, Superintendent
(1730) Greensburg Community Schools
ECC: Dr George Van Horn, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1730) Greensburg Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Tom Hunter, Superintendent
(1730) Greensburg Community Schools
ECC: Dr George Van Horn, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeffrey Stephens, Superintendent
(1805) DeKalb Co Eastern Com Sch Dist
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1805) DeKalb Co Eastern Com Sch Dist
November 4, 2011

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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeffrey Stephens, Superintendent
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ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dennis Stockdale, Superintendent
(1820) Garrett-Keyser-Butler Com
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dennis Stockdale, Superintendent
(1820) Garrett-Keyser-Butler Com
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sherry Grate, Superintendent
(1835) DeKalb Co Ctl United Sch Dist
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1835) DeKalb Co Ctl United Sch Dist
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	61%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sherry Grate, Superintendent
(1835) DeKalb Co Ctl United Sch Dist
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Steven Hall, Superintendent
(1875) Delaware Community School Corp
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(1875) Delaware Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen McColley, Superintendent
(1885) Wes-Del Community Schools
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(1885) Wes-Del Community Schools
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Bryan Rausch, Superintendent
(1895) Liberty-Perry Com School Corp
ECC: Lisa Waber, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(1895) Liberty-Perry Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dennis Chambers, Superintendent
(1900) Cowan Community School Corp
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(1900) Cowan Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Jennifer McCormick, Superintendent
(1910) Yorktown Community Schools
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Eric King, Superintendent
(1970) Muncie Community Schools
ECC: Janet McShurley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(1970) Muncie Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	92%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Eric King, Superintendent
(1970) Muncie Community Schools
ECC: Janet McShurley, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dan Balka, Superintendent
(2040) Northeast Dubois Co Sch Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2040) Northeast Dubois Co Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	99%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dan Balka, Superintendent
(2040) Northeast Dubois Co Sch Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard Allen, Superintendent
(2100) Southeast Dubois Co Sch Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(2100) Southeast Dubois Co Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard Allen, Superintendent
(2100) Southeast Dubois Co Sch Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Terry Enlow, Superintendent
(2110) Southwest Dubois Co Sch Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2110) Southwest Dubois Co Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	60%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Terry Enlow, Superintendent
(2110) Southwest Dubois Co Sch Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jerrill Vandeventer, Superintendent
(2120) Greater Jasper Con Schs
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(2120) Greater Jasper Con Schs
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jerrill Vandeventer, Superintendent
(2120) Greater Jasper Con Schs
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Tumey, Superintendent
(2155) Fairfield Community Schools
ECC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(2155) Fairfield Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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ECC: Dr Mary Beth Hamilton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jim Dubois, Superintendent
(2260) Baugo Community Schools
ECC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(2260) Baugo Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr George Dyer, Superintendent
(2270) Concord Community Schools
CC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2270) Concord Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr George Dyer, Superintendent
(2270) Concord Community Schools
ECC: Dr Mary Beth Hamilton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jim Conner, Superintendent
(2275) Middlebury Community Schools
ECC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(2275) Middlebury Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Joe Sabo, Superintendent
(2285) Wa-Nee Community Schools
ECC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(2285) Wa-Nee Community Schools
November 4, 2011

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SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Mark Mow, Superintendent
(2305) Elkhart Community Schools
CC: Mary Jo Sartorius, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2305) Elkhart Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	31%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	98%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Mark Mow, Superintendent
(2305) Elkhart Community Schools
ECC: Mary Jo Sartorius, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Stahly, Superintendent
(2315) Goshen Community Schools
ECC: Dr Mary Beth Hamilton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2315) Goshen Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	82%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Stahly, Superintendent
(2315) Goshen Community Schools
ECC: Dr Mary Beth Hamilton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Russell Hodges, Superintendent
(2395) Fayette County School Corp
ECC: Jan Dunham, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(2395) Fayette County School Corp
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Russell Hodges, Superintendent
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Hibbard, Superintendent
(2400) New Albany-Floyd Co Con Sch
ECC: Michele Ferree, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2400) New Albany-Floyd Co Con Sch
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	84%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Bruce Hibbard, Superintendent
(2400) New Albany-Floyd Co Con Sch
ECC: Michele Ferree, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Judith Bush, Superintendent
(2435) Attica Consolidated Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2435) Attica Consolidated Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Judith Bush, Superintendent
(2435) Attica Consolidated Sch Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr T Kirk Booe, Superintendent
(2440) Covington Community Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2440) Covington Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	94%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr T Kirk Booe, Superintendent
(2440) Covington Community Sch Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Corey Austin, Superintendent
(2455) Southeast Fountain School Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(2455) Southeast Fountain School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Corey Austin, Superintendent
(2455) Southeast Fountain School Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr William Glentzer, Superintendent
(2475) Franklin County Com Sch Corp
ECC: Liza Bates, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2475) Franklin County Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	51%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr William Glentzer, Superintendent
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ECC: Liza Bates, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Debra Howe, Superintendent
(2645) Rochester Community Sch Corp
ECC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dan Foster, Superintendent
(2650) Caston School Corporation
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Franzy Fleck, Superintendent
(2725) East Gibson School Corporation
ECC: Lisa Brewer, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2725) East Gibson School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Franzy Fleck, Superintendent
(2725) East Gibson School Corporation
ECC: Lisa Brewer, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr R Miller, Superintendent
(2735) North Gibson School Corp
ECC: Lisa Brewer, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2735) North Gibson School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	93%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr R Miller, Superintendent
(2735) North Gibson School Corp
ECC: Lisa Brewer, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Stacey Humbaugh, Superintendent
(2765) South Gibson School Corp
ECC: Lisa Brewer, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(2765) South Gibson School Corp
November 4, 2011

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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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Stacey Humbaugh, Superintendent
(2765) South Gibson School Corp
ECC: Lisa Brewer, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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RISK INDEX

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jerry Harshman, Superintendent
(2815) Eastbrook Community Sch Corp
ECC: Lynn Gosser, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2815) Eastbrook Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jerry Harshman, Superintendent
(2815) Eastbrook Community Sch Corp
ECC: Lynn Gosser, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Trout, Superintendent
(2825) Madison-Grant United Sch Corp
CC: Lynn Gosser, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2825) Madison-Grant United Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Trout, Superintendent
(2825) Madison-Grant United Sch Corp
ECC: Lynn Gosser, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Powell, Superintendent
(2855) Mississinewa Community School Corp
CC: Lynn Gosser, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(2855) Mississinewa Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Powell, Superintendent
(2855) Mississinewa Community School Corp
ECC: Lynn Gosser, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Edwards, Superintendent
(2865) Marion Community Schools
ECC: Lynn Gosser, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(2865) Marion Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	43%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Edwards, Superintendent
(2865) Marion Community Schools
ECC: Lynn Gosser, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Sichting, Superintendent
(2920) Bloomfield School District
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2920) Bloomfield School District
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Sichting, Superintendent
(2920) Bloomfield School District
ECC: Judy Flowers, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Mungle, Superintendent
(2940) Eastern Greene Schools
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(2940) Eastern Greene Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Mungle, Superintendent
(2940) Eastern Greene Schools
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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FFY 2009 (SY 09-10)

RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Nicholas Karazsia, Superintendent
(2950) Linton-Stockton School Corp
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(2950) Linton-Stockton School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	96%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Nicholas Karazsia, Superintendent
(2950) Linton-Stockton School Corp
ECC: Judy Flowers, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Mogan, Superintendent
(2960) M S D Shakamak Schools
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(2960) M S D Shakamak Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Mogan, Superintendent
(2960) M S D Shakamak Schools
ECC: Judy Flowers, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Layton Wall, Superintendent
(2980) White River Valley Sch Dist
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(2980) White River Valley Sch Dist
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Brian Smith, Superintendent
(3005) Hamilton Southeastern Schools
ECC: Tom Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Anthony Cook, Superintendent
(3025) Hamilton Heights School Corp
CC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3025) Hamilton Heights School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Anthony Cook, Superintendent
(3025) Hamilton Heights School Corp
ECC: Dr Steve Wornhoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mark Keen, Superintendent
(3030) Westfield-Washington Schools
CC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3030) Westfield-Washington Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	95%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mark Keen, Superintendent
(3030) Westfield-Washington Schools
ECC: Dr Steve Wornhoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Derek Arrowood, Superintendent
(3055) Sheridan Community Schools
ECC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(3055) Sheridan Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	40%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Derek Arrowood, Superintendent
(3055) Sheridan Community Schools
ECC: Dr Steve Wornhoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeff Swensson, Superintendent
(3060) Carmel Clay Schools
ECC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(3060) Carmel Clay Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	77%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	92%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeff Swensson, Superintendent
(3060) Carmel Clay Schools
ECC: Dr Steve Wornhoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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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. The methodology and definition that had been utilized was as follows:

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Libbie Conner, Superintendent
(3070) Noblesville Schools
CC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3070) Noblesville Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Libbie Conner, Superintendent
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FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Halik, Superintendent
(3115) Southern Hancock Co Com Sch Corp
ECC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(3115) Southern Hancock Co Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	91%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Linda Gellert, Superintendent
(3125) Greenfield-Central Com Schools
ECC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(3125) Greenfield-Central Com Schools
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr William Riggs, Superintendent
(3135) Mt Vernon Community Sch Corp
ECC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3135) Mt Vernon Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	91%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr William Riggs, Superintendent
(3135) Mt Vernon Community Sch Corp
ECC: Karen Niemeier, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Harris, Superintendent
(3145) Eastern Hancock Co Com Sch Corp
CC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3145) Eastern Hancock Co Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	97%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Harris, Superintendent
(3145) Eastern Hancock Co Com Sch Corp
ECC: Karen Niemeier, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Steve Morris, Superintendent
(3160) Lanesville Community School Corp
ECC: Dr Bev Garrison, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(3160) Lanesville Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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(3160) Lanesville Community School Corp
ECC: Dr Bev Garrison, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Roeder, Superintendent
(3180) North Harrison Com School Corp
ECC: Dr Bev Garrison, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3180) North Harrison Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	82%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Roeder, Superintendent
(3180) North Harrison Com School Corp
ECC: Dr Bev Garrison, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Neyland Clark, Superintendent
(3190) South Harrison Com Schools
ECC: Dr Bev Garrison, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3190) South Harrison Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Neyland Clark, Superintendent
(3190) South Harrison Com Schools
ECC: Dr Bev Garrison, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard King, Superintendent
(3295) North West Hendricks Schools
CC: Tracey Shriver, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3295) North West Hendricks Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	60%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard King, Superintendent
(3295) North West Hendricks Schools
ECC: Tracey Shriver, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jim Snapp, Superintendent
(3305) Brownsburg Community Sch Corp
ECC: Dr Scott Wyndham, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(3305) Brownsburg Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	64%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jim Snapp, Superintendent
(3305) Brownsburg Community Sch Corp
ECC: Dr Scott Wyndham, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Timothy Ogle, Superintendent
(3315) Avon Community School Corp
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3315) Avon Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	91%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Timothy Ogle, Superintendent
(3315) Avon Community School Corp
ECC: Lucy Witte, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Denis Ward, Superintendent
(3325) Danville Community School Corp
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(3325) Danville Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	92%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	75%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Scott Olinger, Superintendent
(3330) Plainfield Community Sch Corp
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Patrick Spray, Superintendent
(3335) Mill Creek Community Sch Corp
ECC: Nancy Holsapple, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3335) Mill Creek Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	60%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Patrick Spray, Superintendent
(3335) Mill Creek Community Sch Corp
ECC: Nancy Holsapple, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Welsh, Superintendent
(3405) Blue River Valley Schools
ECC: Angie Vickery, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(3405) Blue River Valley Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mr Stephen Welsh, Superintendent
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SUBJECT: State Issuance of Local Determinations

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Candis Haskell, Superintendent
(3415) South Henry School Corp
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(3415) South Henry School Corp
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ron Green, Superintendent
(3435) Shenandoah School Corporation
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(3435) Shenandoah School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ron Green, Superintendent
(3435) Shenandoah School Corporation
ECC: Amy Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Fisher, Superintendent
(3445) New Castle Community Sch Corp
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3445) New Castle Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Fisher, Superintendent
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ECC: Amy Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Gary Storie, Superintendent
(3455) C A Beard Memorial School Corp
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(3455) C A Beard Memorial School Corp
November 4, 2011

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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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Gary Storie, Superintendent
(3455) C A Beard Memorial School Corp
ECC: Amy Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Magers, Superintendent
(3460) Taylor Community School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(3460) Taylor Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Magers, Superintendent
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ECC: Cheryl Harshman, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ryan Snoddy, Superintendent
(3470) Northwestern School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3470) Northwestern School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	91%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ryan Snoddy, Superintendent
(3470) Northwestern School Corp
ECC: Cheryl Harshman, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Tracy Caddell, Superintendent
(3480) Eastern Howard School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3480) Eastern Howard School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Tracy Caddell, Superintendent
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FROM: Nicole Norvell, Director of Special Education
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As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peter O'Rourke, Superintendent
(3490) Western School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(3490) Western School Corp
November 4, 2011

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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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peter O'Rourke, Superintendent
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ECC: Cheryl Harshman, Local Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jeff Hauswald, Superintendent
(3500) Kokomo-Center Twp Con Sch Corp
ECC: Dawn McGrath, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3500) Kokomo-Center Twp Con Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	68%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	93%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jeff Hauswald, Superintendent
(3500) Kokomo-Center Twp Con Sch Corp
ECC: Dawn McGrath, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Tracey Shafer, Superintendent
(3625) Huntington Co Com Sch Corp
ECC: Bob McCaslin, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3625) Huntington Co Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	93%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Tracey Shafer, Superintendent
(3625) Huntington Co Com Sch Corp
ECC: Bob McCaslin, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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FFY 2010 (SY 10-11)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Reed, Superintendent
(3640) Medora Community School Corp
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(3640) Medora Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Reed, Superintendent
(3640) Medora Community School Corp
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Teran Armstrong, Superintendent
(3675) Seymour Community Schools
CC: Dr George Van Horn, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3675) Seymour Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	88%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Teran Armstrong, Superintendent
(3675) Seymour Community Schools
ECC: Dr George Van Horn, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Roger Bane, Superintendent
(3695) Brownstown Cnt Com Sch Corp
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3695) Brownstown Cnt Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Roger Bane, Superintendent
(3695) Brownstown Cnt Com Sch Corp
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Terry Goodin, Superintendent
(3710) Crothersville Community Schools
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(3710) Crothersville Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Terry Goodin, Superintendent
(3710) Crothersville Community Schools
ECC: Connie Griffith, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Glenn Krueger, Superintendent
(3785) Kankakee Valley School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(3785) Kankakee Valley School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Glenn Krueger, Superintendent
(3785) Kankakee Valley School Corp
ECC: Patricia Kem, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ned Speicher, Superintendent
(3815) Rensselaer Central School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3815) Rensselaer Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ned Speicher, Superintendent
(3815) Rensselaer Central School Corp
ECC: Patricia Kem, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Timothy Long, Superintendent
(3945) Jay School Corp
ECC: David Chastain, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(3945) Jay School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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SUPPORTING STUDENT SUCCESS

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Patterson, Superintendent
(3995) Madison Consolidated Schools
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(3995) Madison Consolidated Schools
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SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Telfer, Superintendent
(4000) Southwestern-Jefferson Co Con
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4000) Southwestern-Jefferson Co Con
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Telfer, Superintendent
(4000) Southwestern-Jefferson Co Con
ECC: Connie Griffith, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Michael Bushong, Superintendent
(4015) Jennings County Schools
ECC: Becky Jackson, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4015) Jennings County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Michael Bushong, Superintendent
(4015) Jennings County Schools
ECC: Becky Jackson, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Kevin Caress, Superintendent
(4145) Clark-Pleasant Com School Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4145) Clark-Pleasant Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Kevin Caress, Superintendent
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Emmett Lippe, Superintendent
(4205) Center Grove Com Sch Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(4205) Center Grove Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	78%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Emmett Lippe, Superintendent
(4205) Center Grove Com Sch Corp
ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard Arkanoff, Superintendent
(4215) Edinburgh Community Sch Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4215) Edinburgh Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard Arkanoff, Superintendent
(4215) Edinburgh Community Sch Corp
ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr David Clendening, Superintendent
(4225) Franklin Community School Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4225) Franklin Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr David Clendening, Superintendent
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ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr David Edds, Superintendent
(4245) Greenwood Community Sch Corp
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4245) Greenwood Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Mark Millis, Superintendent
(4255) Nineveh-Hensley-Jackson United
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4255) Nineveh-Hensley-Jackson United
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	95%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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SUPPORTING STUDENT SUCCESS

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ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Darrel Bobe, Superintendent
(4315) North Knox School Corp
ECC: Saundra Lange, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Bradley Case, Superintendent
(4325) South Knox School Corp
ECC: Saundra Lange, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Nonte, Superintendent
(4335) Vincennes Community Sch Corp
ECC: Saundra Lange, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4335) Vincennes Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Thomas Nonte, Superintendent
(4335) Vincennes Community Sch Corp
ECC: Saundra Lange, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Edington, Superintendent
(4345) Wawasee Community School Corp
ECC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4345) Wawasee Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	92%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Edington, Superintendent
(4345) Wawasee Community School Corp
ECC: Deborah Blatz, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Craig Hintz, Superintendent
(4415) Warsaw Community Schools
CC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4415) Warsaw Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	58%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Craig Hintz, Superintendent
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brett Boggs, Superintendent
(4445) Tippecanoe Valley School Corp
ECC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(4445) Tippecanoe Valley School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brett Boggs, Superintendent
(4445) Tippecanoe Valley School Corp
ECC: Deborah Blatz, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Steven Clason, Superintendent
(4455) Whitko Community School Corp
ECC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4455) Whitko Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Alan Middleton, Superintendent
(4515) Prairie Heights Com Sch Corp
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(4515) Prairie Heights Com Sch Corp
November 4, 2011

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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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Randall Zimmerly, Superintendent
(4525) Westview School Corporation
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(4525) Westview School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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SUPPORTING STUDENT SUCCESS

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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RISK RATIO

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Risa Herber, Superintendent
(4535) Lakeland School Corporation
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4535) Lakeland School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mrs Risa Herber, Superintendent
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ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Carol Kaiser, Superintendent
(4580) Hanover Community School Corp
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(4580) Hanover Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Rice, Superintendent
(4590) River Forest Community Sch Corp
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Tony Lux, Superintendent
(4600) Merrillville Community School
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4600) Merrillville Community School
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	22%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Tony Lux, Superintendent
(4600) Merrillville Community School
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Lawrence Veracco, Superintendent
(4615) Lake Central School Corp
ECC: Joan Machuca, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4615) Lake Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	82%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	95%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Lawrence Veracco, Superintendent
(4615) Lake Central School Corp
ECC: Joan Machuca, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Alice Neal, Superintendent
(4645) Tri-Creek School Corporation
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(4645) Tri-Creek School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	36%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Alice Neal, Superintendent
(4645) Tri-Creek School Corporation
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sharon Johnson-Shirley, Superintendent
(4650) Lake Ridge Schools
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4650) Lake Ridge Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sharon Johnson-Shirley, Superintendent
(4650) Lake Ridge Schools
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Teresa Eineman, Superintendent
(4660) Crown Point Community Sch Corp
CC: Krystyn Syzmoniak, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4660) Crown Point Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	30%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Teresa Eineman, Superintendent
(4660) Crown Point Community Sch Corp
ECC: Krystyn Syzmoniak, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Harding, Superintendent
(4670) School City of East Chicago
ECC: Joan McCormick, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4670) School City of East Chicago
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	42%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Harding, Superintendent
(4670) School City of East Chicago
ECC: Joan McCormick, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dan DeHaven, Superintendent
(4680) Lake Station Community Schools
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4680) Lake Station Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
12 – Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	20%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Dan DeHaven, Superintendent
(4680) Lake Station Community Schools
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Myrtle Campbell, Superintendent
(4690) Gary Community School Corp
ECC: Ed Fraire, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4690) Gary Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	89%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	87%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	62%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Myrtle Campbell, Superintendent
(4690) Gary Community School Corp
ECC: Ed Fraire, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peter Morikis, Superintendent
(4700) Griffith Public Schools
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4700) Griffith Public Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	30%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peter Morikis, Superintendent
(4700) Griffith Public Schools
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Walter Watkins, Superintendent
(4710) School City of Hammond
ECC: Connie Manous, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(4710) School City of Hammond
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	76%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Walter Watkins, Superintendent
(4710) School City of Hammond
ECC: Connie Manous, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Boskovich, Superintendent
(4720) School Town of Highland
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4720) School Town of Highland
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	30%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Boskovich, Superintendent
(4720) School Town of Highland
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peggy Buffington, Superintendent
(4730) School City of Hobart
ECC: Jane Sanderson-Winkoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4730) School City of Hobart
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	22%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peggy Buffington, Superintendent
(4730) School City of Hobart
ECC: Jane Sanderson-Winkoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr William Pfister, Superintendent
(4740) School Town of Munster
ECC: Joan Machuca, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(4740) School Town of Munster
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr William Pfister, Superintendent
(4740) School Town of Munster
ECC: Joan Machuca, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sandra Martinez, Superintendent
(4760) Whiting School City
ECC: Dr Sandra Martinez, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4760) Whiting School City
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sandra Martinez, Superintendent
(4760) Whiting School City
ECC: Dr Sandra Martinez, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Norm Kleist, Superintendent
(4770) Cass Township Schools
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(4770) Cass Township Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Norm Kleist, Superintendent
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ECC: Paula Nichols, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Dermody, Superintendent
(4805) New Prairie United School Corp
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(4805) New Prairie United School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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ECC: Paula Nichols, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Thorne, Superintendent
(4860) M S D of New Durham Township
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(4860) M S D of New Durham Township
November 4, 2011

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SUPPORTING STUDENT SUCCESS

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ECC: Paula Nichols, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Norm Kleist, Superintendent
(4900) Dewey Prairie Cons School Corp
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4900) Dewey Prairie Cons School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Norm Kleist, Superintendent
(4900) Dewey Prairie Cons School Corp
ECC: Paula Nichols, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Barbara Eason-Watkins, Superintendent
(4925) Michigan City Area Schools
ECC: Paula Earley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4925) Michigan City Area Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	87%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Christopher Smith Ed S, Superintendent
(4940) South Central Com School Corp
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(4940) South Central Com School Corp
November 4, 2011

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Judith DeMuth, Superintendent
(4945) LaPorte Community School Corp
ECC: Paula Nichols, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(4945) LaPorte Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	89%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Judith DeMuth, Superintendent
(4945) LaPorte Community School Corp
ECC: Paula Nichols, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dennis Turner, Superintendent
(5075) North Lawrence Com Schools
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5075) North Lawrence Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	76%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dennis Turner, Superintendent
(5075) North Lawrence Com Schools
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Lantis, Superintendent
(5085) Mitchell Community Schools
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5085) Mitchell Community Schools
November 4, 2011

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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.	91%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Lantis, Superintendent
(5085) Mitchell Community Schools
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Robert Fields, Superintendent
(5245) Frankton-Lapel Community Schs
CC: Dr Steve Wornhoff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5245) Frankton-Lapel Community Schs
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Robert Fields, Superintendent
(5245) Frankton-Lapel Community Schs
ECC: Dr Steve Wornhoff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Warmke, Superintendent
(5255) South Madison Com Sch Corp
ECC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5255) South Madison Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	93%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	94%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Warmke, Superintendent
(5255) South Madison Com Sch Corp
ECC: Karen Niemeier, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Alice Mehaffey, Superintendent
(5265) Alexandria Com School Corp
ECC: Angie Vickery, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5265) Alexandria Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	80%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Alice Mehaffey, Superintendent
(5265) Alexandria Com School Corp
ECC: Angie Vickery, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Felix Chow, Superintendent
(5275) Anderson Community School Corp
ECC: Angie Vickery, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5275) Anderson Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	91%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	32%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Glen Nelson, Superintendent
(5280) Elwood Community School Corp
ECC: Angie Vickery, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5280) Elwood Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Glen Nelson, Superintendent
(5280) Elwood Community School Corp
ECC: Angie Vickery, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Donald Stinson, Superintendent
(5300) M S D Decatur Township
ECC: Lillian Youngblood, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(5300) M S D Decatur Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	95%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Walter Bourke, Superintendent
(5310) Franklin Township Com Sch Corp
ECC: Lillian Youngblood, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(5310) Franklin Township Com Sch Corp
November 4, 2011

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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	95%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Walter Bourke, Superintendent
(5310) Franklin Township Com Sch Corp
ECC: Lillian Youngblood, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Concetta Raimondi, Superintendent
(5330) M S D Lawrence Township
ECC: Bill Dreibelbis, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5330) M S D Lawrence Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	92%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Concetta Raimondi, Superintendent
(5330) M S D Lawrence Township
ECC: Bill Dreibelbis, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Little, Superintendent
(5340) M S D Perry Township
ECC: Lillian Youngblood, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(5340) M S D Perry Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	89%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Little, Superintendent
(5340) M S D Perry Township
ECC: Lillian Youngblood, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Nathaniel Jones, Superintendent
(5350) M S D Pike Township
ECC: Megan Ahlers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(5350) M S D Pike Township
November 4, 2011

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20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Nathaniel Jones, Superintendent
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peggy Hinckley, Superintendent
(5360) M S D Warren Township
ECC: Amy Royse, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5360) M S D Warren Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	63%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Peggy Hinckley, Superintendent
(5360) M S D Warren Township
ECC: Amy Royse, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Mervilde, Superintendent
(5370) M S D Washington Township
ECC: Dr Karol Farrell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5370) M S D Washington Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	96%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	97%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Mervilde, Superintendent
(5370) M S D Washington Township
ECC: Dr Karol Farrell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeffrey Butts, Superintendent
(5375) M S D Wayne Township
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(5375) M S D Wayne Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	92%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	96%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jeffrey Butts, Superintendent
(5375) M S D Wayne Township
ECC: Lucy Witte, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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RISK INDEX

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Paul Kaiser, Superintendent
(5380) Beech Grove City Schools
ECC: Lillian Youngblood, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5380) Beech Grove City Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	89%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Lillian Youngblood, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Eugene White, Superintendent
(5385) Indianapolis Public Schools
ECC: Robb Warriner, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5385) Indianapolis Public Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	95%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Robb Warriner, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kenneth Hull, Superintendent
(5400) School Town of Speedway
CC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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(5400) School Town of Speedway
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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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brad Schuldt, Superintendent
(5455) Culver Community Schools Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jennifer Lucht, Superintendent
(5470) Argos Community Schools
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5470) Argos Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jennifer Lucht, Superintendent
(5470) Argos Community Schools
ECC: Bob Wise, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Russ Mikel, Superintendent
(5480) Bremen Public Schools
ECC: Deborah Blatz, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5480) Bremen Public Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	71%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Russ Mikel, Superintendent
(5480) Bremen Public Schools
ECC: Deborah Blatz, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Tyree, Superintendent
(5485) Plymouth Community School Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5485) Plymouth Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Tyree, Superintendent
(5485) Plymouth Community School Corp
ECC: Bob Wise, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Carl Hilling, Superintendent
(5495) Triton School Corporation
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5495) Triton School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Carl Hilling, Superintendent
(5495) Triton School Corporation
ECC: Bob Wise, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Anthony Nonte, Superintendent
(5520) Shoals Community School Corp
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5520) Shoals Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	98%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Anthony Nonte, Superintendent
(5520) Shoals Community School Corp
ECC: Janie Jones, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Larry Weitkamp, Superintendent
(5525) Loogootee Community Sch Corp
ECC: Mary Rodimel, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(5525) Loogootee Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Larry Weitkamp, Superintendent
(5525) Loogootee Community Sch Corp
ECC: Mary Rodimel, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Douglas Arnold, Superintendent
(5615) Maconaquah School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5615) Maconaquah School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Douglas Arnold, Superintendent
(5615) Maconaquah School Corp
ECC: Cheryl Harshman, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Mary Irwin, Superintendent
(5620) North Miami Community Schools
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5620) North Miami Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Mary Irwin, Superintendent
(5620) North Miami Community Schools
ECC: Thomas Adams, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Joel Martin, Superintendent
(5625) Oak Hill United School Corp
ECC: Lynn Gosser, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5625) Oak Hill United School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Joel Martin, Superintendent
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FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Charles Brimbury, Superintendent
(5635) Peru Community Schools
ECC: Tony England, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5635) Peru Community Schools
November 4, 2011

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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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SUPPORTING STUDENT SUCCESS

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Steven Kain, Superintendent
(5705) Richland-Bean Blossom C S C
ECC: Laura Durig, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5705) Richland-Bean Blossom C S C
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	84%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Steven Kain, Superintendent
(5705) Richland-Bean Blossom C S C
ECC: Laura Durig, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Judith DeMuth, Superintendent
(5740) Monroe County Com Sch Corp
ECC: Dr Kathleen Hugo, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5740) Monroe County Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	98%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Judith DeMuth, Superintendent
(5740) Monroe County Com Sch Corp
ECC: Dr Kathleen Hugo, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Colleen Moran, Superintendent
(5835) North Montgomery Com Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(5835) North Montgomery Com Sch Corp
November 4, 2011

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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.	89%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Colleen Moran, Superintendent
(5835) North Montgomery Com Sch Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr J Bret Lewis, Superintendent
(5845) South Montgomery Com Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5845) South Montgomery Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr J Bret Lewis, Superintendent
(5845) South Montgomery Com Sch Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Kathleen Steele, Superintendent
(5855) Crawfordsville Com Schools
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5855) Crawfordsville Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	73%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	98%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Kathleen Steele, Superintendent
(5855) Crawfordsville Com Schools
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Julie Wood, Superintendent
(5900) Monroe-Gregg School District
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5900) Monroe-Gregg School District
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	71%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	74%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Julie Wood, Superintendent
(5900) Monroe-Gregg School District
ECC: Lucy Witte, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Murray Pride, Superintendent
(5910) Eminence Community School Corp
ECC: Nancy Holsapple, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(5910) Eminence Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Murray Pride, Superintendent
(5910) Eminence Community School Corp
ECC: Nancy Holsapple, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Ron Furniss, Superintendent
(5925) M S D Martinsville Schools
ECC: Don Adkins, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5925) M S D Martinsville Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	63%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Ron Furniss, Superintendent
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ECC: Don Adkins, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brad Lindsay, Superintendent
(5930) Mooresville Con School Corp
ECC: Lucy Witte, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(5930) Mooresville Con School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	38%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brian Smith, Superintendent
(5945) North Newton School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(5945) North Newton School Corp
November 4, 2011

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SUPPORTING STUDENT SUCCESS

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ECC: Patricia Kem, Local Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kenneth Rudnick, Superintendent
(5995) South Newton School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(5995) South Newton School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kenneth Rudnick, Superintendent
(5995) South Newton School Corp
ECC: Patricia Kem, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Chris Daughtry, Superintendent
(6055) Central Noble Com School Corp
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6055) Central Noble Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Chris Daughtry, Superintendent
(6055) Central Noble Com School Corp
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Ann Linson, Superintendent
(6060) East Noble School Corp
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6060) East Noble School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Ann Linson, Superintendent
(6060) East Noble School Corp
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dennis VanDuyne, Superintendent
(6065) West Noble School Corporation
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6065) West Noble School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	38%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dennis VanDuyne, Superintendent
(6065) West Noble School Corporation
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Patz, Superintendent
(6080) Rising Sun-Ohio Co Com
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6080) Rising Sun-Ohio Co Com
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	75%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Patz, Superintendent
(6080) Rising Sun-Ohio Co Com
ECC: Cheryl Corning, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Terrell, Superintendent
(6145) Orleans Community Schools
ECC: Janie Jones, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6145) Orleans Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mr James Terrell, Superintendent
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RISK INDEX

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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Alva Sibbitt, Superintendent
(6155) Paoli Community School Corp
ECC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(6155) Paoli Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Todd Pritchett, Superintendent
(6160) Springs Valley Com School Corp
ECC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6160) Springs Valley Com School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mr Todd Pritchett, Superintendent
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ECC: Melissa Lancaster, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Greg Linton, Superintendent
(6195) Spencer-Owen Community Schools
ECC: Laura Durig, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6195) Spencer-Owen Community Schools
November 4, 2011

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SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Leonard Orr, Superintendent
(6260) Southwest Parke Com Sch Corp
ECC: Jeffery Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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November 4, 2011

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FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Randall Kerkhoff, Superintendent
(6300) Rockville Community School Corp
ECC: Jeffery Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6300) Rockville Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	93%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Randall Kerkhoff, Superintendent
(6300) Rockville Community School Corp
ECC: Jeffery Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Rohr, Superintendent
(6310) Turkey Run Community Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(6310) Turkey Run Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Rohr, Superintendent
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ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Mary Roberson, Superintendent
(6325) Perry Central Com Schools Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6325) Perry Central Com Schools Corp
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Mary Roberson, Superintendent
(6325) Perry Central Com Schools Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Marion Chapman, Superintendent
(6340) Cannelton City Schools
CC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6340) Cannelton City Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Marion Chapman, Superintendent
(6340) Cannelton City Schools
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ronald Etienne, Superintendent
(6350) Tell City-Troy Twp School Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6350) Tell City-Troy Twp School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	60%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ronald Etienne, Superintendent
(6350) Tell City-Troy Twp School Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr D Thomas, Superintendent
(6445) Pike County School Corp
ECC: Mary Sandifar, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6445) Pike County School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr D Thomas, Superintendent
(6445) Pike County School Corp
ECC: Mary Sandifar, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr George Letz, Superintendent
(6460) M S D Boone Township
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(6460) M S D Boone Township
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr George Letz, Superintendent
(6460) M S D Boone Township
ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dirk Baer, Superintendent
(6470) Duneland School Corporation
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6470) Duneland School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	70%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Dirk Baer, Superintendent
(6470) Duneland School Corporation
ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Rod Gardin, Superintendent
(6510) East Porter County School Corp
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6510) East Porter County School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Rod Gardin, Superintendent
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ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Nicholas Brown, Superintendent
(6520) Porter Township School Corp
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(6520) Porter Township School Corp
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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FROM: Nicole Norvell, Director of Special Education
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FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Hunter, Superintendent
(6530) Union Township School Corp
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6530) Union Township School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr John Hunter, Superintendent
(6530) Union Township School Corp
ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Berta, Superintendent
(6550) Portage Township Schools
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6550) Portage Township Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	71%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Berta, Superintendent
(6550) Portage Township Schools
ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Andrew Melin, Superintendent
(6560) Valparaiso Community Schools
ECC: Diane Massa, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(6560) Valparaiso Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	68%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Andrew Melin, Superintendent
(6560) Valparaiso Community Schools
ECC: Diane Massa, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Kopatich, Superintendent
(6590) M S D Mount Vernon
ECC: Fran Wood-Osborne, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6590) M S D Mount Vernon
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	87%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Kopatich, Superintendent
(6590) M S D Mount Vernon
ECC: Fran Wood-Osborne, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Todd Camp, Superintendent
(6600) M S D North Posey Co Schools
ECC: Fran Wood-Osborne, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6600) M S D North Posey Co Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	83%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Todd Camp, Superintendent
(6600) M S D North Posey Co Schools
ECC: Fran Wood-Osborne, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Fran Thoele, Superintendent
(6610) New Harmony Town & Twp Con Sch
ECC: Fran Wood-Osborne, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6610) New Harmony Town & Twp Con Sch
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Fran Thoele, Superintendent
(6610) New Harmony Town & Twp Con Sch
ECC: Fran Wood-Osborne, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Klitzman, Superintendent
(6620) Eastern Pulaski Com Sch Corp
ECC: Thomas Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(6620) Eastern Pulaski Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Klitzman, Superintendent
(6620) Eastern Pulaski Com Sch Corp
ECC: Thomas Adams, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Charles Mellon, Superintendent
(6630) West Central School Corp
ECC: Patricia Kem, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6630) West Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	1%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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SUBJECT: State Issuance of Local Determinations

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Bruce Bernhardt, Superintendent
(6705) South Putnam Community Schools
ECC: Nancy Holsapple, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(6705) South Putnam Community Schools
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mary Lovejoy, Superintendent
(6715) North Putnam Community Schools
ECC: Nancy Holsapple, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Carrie Milner, Superintendent
(6750) Cloverdale Community Schools
ECC: Nancy Holsapple, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6750) Cloverdale Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Carrie Milner, Superintendent
(6750) Cloverdale Community Schools
ECC: Nancy Holsapple, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Green, Superintendent
(6755) Greencastle Community Sch Corp
ECC: Kim Sullivan, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6755) Greencastle Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	96%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	69%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	85%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Green, Superintendent
(6755) Greencastle Community Sch Corp
ECC: Kim Sullivan, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Philip Wray, Superintendent
(6795) Union School Corporation
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6795) Union School Corporation
November 4, 2011

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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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Philip Wray, Superintendent
(6795) Union School Corporation
ECC: Amy Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr. Donnie Bowsman, Superintendent
(6805) Randolph Southern School Corp
ECC: Lisa Waber, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(6805) Randolph Southern School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr. Donnie Bowsman, Superintendent
(6805) Randolph Southern School Corp
ECC: Lisa Waber, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Shane Robbins, Superintendent
(6820) Monroe Central School Corp
ECC: Lisa Waber, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6820) Monroe Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Shane Robbins, Superintendent
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ECC: Lisa Waber, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Gregory Hinshaw, Superintendent
(6825) Randolph Central School Corp
ECC: Lisa Waber, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6825) Randolph Central School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	93%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brent Lehman, Superintendent
(6835) Randolph Eastern School Corp
ECC: Lisa Waber, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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SUPPORTING STUDENT SUCCESS

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Mehrle, Superintendent
(6865) South Ripley Com Sch Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6865) South Ripley Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	74%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Mehrle, Superintendent
(6865) South Ripley Com Sch Corp
ECC: Cheryl Corning, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr James Roberts, Superintendent
(6895) Batesville Community Sch Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6895) Batesville Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	86%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr William Narwold, Superintendent
(6900) Jac-Cen-Del Community Sch Corp
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(6900) Jac-Cen-Del Community Sch Corp
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13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	76%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Reale, Superintendent
(6910) Milan Community Schools
ECC: Cheryl Corning, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6910) Milan Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	73%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Thomas Reale, Superintendent
(6910) Milan Community Schools
ECC: Cheryl Corning, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Williams, Superintendent
(6995) Rush County Schools
ECC: Jan Dunham, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(6995) Rush County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr John Williams, Superintendent
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ECC: Jan Dunham, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Richard Reese, Superintendent
(7150) John Glenn School Corporation
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(7150) John Glenn School Corporation
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jerry Thacker, Superintendent
(7175) Penn-Harris-Madison Sch Corp
ECC: Pam Von Rahl, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(7175) Penn-Harris-Madison Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	92%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Jerry Thacker, Superintendent
(7175) Penn-Harris-Madison Sch Corp
ECC: Pam Von Rahl, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Towner, Superintendent
(7200) School City of Mishawaka
CC: Pam Von Rahl, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7200) School City of Mishawaka
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Towner, Superintendent
(7200) School City of Mishawaka
ECC: Pam Von Rahl, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr. Carole Schmidt, Superintendent
(7205) South Bend Community Sch Corp
ECC: Donna Krol, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(7205) South Bend Community Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	97%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	71%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr. Carole Schmidt, Superintendent
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RISK INDEX

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RISK INDEX

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Terry Barker, Superintendent
(7215) Union-North United School Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(7215) Union-North United School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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(7215) Union-North United School Corp
ECC: Bob Wise, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Berley Goodin, Superintendent
(7230) Scott County School District 1
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7230) Scott County School District 1
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Berley Goodin, Superintendent
(7230) Scott County School District 1
ECC: Connie Griffith, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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RISK RATIO

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Philip Deardorff, Superintendent
(7255) Scott County School District 2
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7255) Scott County School District 2
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	76%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Philip Deardorff, Superintendent
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FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Donald Swisher, Superintendent
(7285) Shelby Eastern Schools
ECC: Michelle Neff, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(7285) Shelby Eastern Schools
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Michelle Neff, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Ellen Welk, Superintendent
(7350) Northwestern Con School Corp
ECC: Karen Niemeier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7350) Northwestern Con School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Ellen Welk, Superintendent
(7350) Northwestern Con School Corp
ECC: Karen Niemeier, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Terry Sargent, Superintendent
(7360) Southwestern Con Sch Shelby Co
ECC: Pam Wright, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

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Compliance Data Report FFY 2009 (SY 09-10)
(7360) Southwestern Con Sch Shelby Co
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Terry Sargent, Superintendent
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ECC: Pam Wright, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Adams, Superintendent
(7365) Shelbyville Central Schools
ECC: Kathy West, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(7365) Shelbyville Central Schools
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13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	88%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Adams, Superintendent
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Scherry, Superintendent
(7385) North Spencer County Sch Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(7385) North Spencer County Sch Corp
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Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Scherry, Superintendent
(7385) North Spencer County Sch Corp
ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr H Mike Robinson, Superintendent
(7445) South Spencer County Sch Corp
ECC: Pam Bell, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7445) South Spencer County Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	44%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr H Mike Robinson, Superintendent
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ECC: Pam Bell, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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SUBJECT: State Issuance of Local Determinations

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- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Steven Disney, Superintendent
(7495) Oregon-Davis School Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(7495) Oregon-Davis School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	94%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Lynn Johnson, Superintendent
(7515) North Judson-San Pierre Sch Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(7515) North Judson-San Pierre Sch Corp
November 4, 2011

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SUPPORTING STUDENT SUCCESS

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr A J Gappa, Superintendent
(7525) Knox Community School Corp
ECC: Bob Wise, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7525) Knox Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mr A J Gappa, Superintendent
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ECC: Bob Wise, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ben Roederer, Superintendent
(7605) Fremont Community Schools
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7605) Fremont Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jon Willman, Superintendent
(7610) Hamilton Community Schools
CC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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RISK RATIO

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Brent Wilson, Superintendent
(7615) M S D Steuben County
ECC: Mary Burton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7615) M S D Steuben County
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Brent Wilson, Superintendent
(7615) M S D Steuben County
ECC: Mary Burton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mark Baker, Superintendent
(7645) Northeast School Corp
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7645) Northeast School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Mark Baker, Superintendent
(7645) Northeast School Corp
ECC: Judy Flowers, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Walter Hoke, Superintendent
(7715) Southwest School Corp
ECC: Judy Flowers, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(7715) Southwest School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	56%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Walter Hoke, Superintendent
(7715) Southwest School Corp
ECC: Judy Flowers, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Elizabeth Tharp-Jones, Superintendent
(7775) Switzerland County School Corp
ECC: Connie Griffith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(7775) Switzerland County School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Elizabeth Tharp-Jones, Superintendent
(7775) Switzerland County School Corp
ECC: Connie Griffith, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Edward Eiler, Superintendent
(7855) Lafayette School Corporation
ECC: James Sands, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7855) Lafayette School Corporation
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	77%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Edward Eiler, Superintendent
(7855) Lafayette School Corporation
ECC: James Sands, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Scott Hanback, Superintendent
(7865) Tippecanoe School Corp
ECC: James Sands, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7865) Tippecanoe School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: James Sands, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Rocky Killion, Superintendent
(7875) West Lafayette Com School Corp
ECC: James Sands, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Compliance Data Report FFY 2009 (SY 09-10)
(7875) West Lafayette Com School Corp
November 4, 2011

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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.	83%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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FROM: Nicole Norvell, Director of Special Education
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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Lee Williford, Superintendent
(7935) Tri-Central Community Schools
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(7935) Tri-Central Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Lee Williford, Superintendent
(7935) Tri-Central Community Schools
ECC: Cheryl Harshman, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Zach Rozelle, Superintendent
(7950) Union Co/Clg Corner Joint Sch Dist
ECC: Liza Bates, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(7950) Union Co/Clg Corner Joint Sch Dist
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	63%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	95%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Zach Rozelle, Superintendent
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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Vincent Bertram, Superintendent
(7995) Evansville Vanderburgh Sch Corp
ECC: Jamie Smith, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(7995) Evansville Vanderburgh Sch Corp
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Vincent Bertram, Superintendent
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Turner, Superintendent
(8010) North Vermillion Com Sch Corp
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8010) North Vermillion Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Michael Turner, Superintendent
(8010) North Vermillion Com Sch Corp
ECC: Tom Barth, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Chapman, Superintendent
(8020) South Vermillion Com Sch Corp
ECC: Jeffery Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(8020) South Vermillion Com Sch Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Chapman, Superintendent
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ECC: Jeffery Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Daniel Tanoos, Superintendent
(8030) Vigo County School Corp
ECC: Jeffery Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(8030) Vigo County School Corp
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Diana Showalter, Superintendent
(8045) Manchester Community Schools
ECC: Tony England, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(8045) Manchester Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	71%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Diana Showalter, Superintendent
(8045) Manchester Community Schools
ECC: Tony England, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sandra Weaver, Superintendent
(8050) M S D Wabash County Schools
ECC: Tony England, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8050) M S D Wabash County Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	98%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	75%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sandra Weaver, Superintendent
(8050) M S D Wabash County Schools
ECC: Tony England, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Celia Herrell-Shand, Superintendent
(8060) Wabash City Schools
ECC: Tony England, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(8060) Wabash City Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Dr Celia Herrell-Shand, Superintendent
(8060) Wabash City Schools
ECC: Tony England, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Ralph Shrader, Superintendent
(8115) M S D Warren County
ECC: Tom Barth, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(8115) M S D Warren County
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brad Schneider, Superintendent
(8130) Warrick County School Corp
ECC: Tad Powless, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8130) Warrick County School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	88%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	93%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Brad Schneider, Superintendent
(8130) Warrick County School Corp
ECC: Tad Powless, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

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430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
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RISK RATIO

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RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr D Lynn Reed, Superintendent
(8205) Salem Community Schools
CC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8205) Salem Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr D Lynn Reed, Superintendent
(8205) Salem Community Schools
ECC: Melissa Lancaster, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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FFY 2009 (SY 09-10)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Phyllis Amick, Superintendent
(8215) East Washington School Corp
ECC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Compliance Data Report FFY 2009 (SY 09-10)
(8215) East Washington School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	67%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Phyllis Amick, Superintendent
(8215) East Washington School Corp
ECC: Melissa Lancaster, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Gerald Jackson, Superintendent
(8220) West Washington School Corp
ECC: Melissa Lancaster, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

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Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8220) West Washington School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Gerald Jackson, Superintendent
(8220) West Washington School Corp
ECC: Melissa Lancaster, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Joseph Backmeyer, Superintendent
(8305) Nettle Creek School Corp
ECC: Amy Blake, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8305) Nettle Creek School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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TO: Mr Joseph Backmeyer, Superintendent
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ECC: Amy Blake, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Robert Mahon, Superintendent
(8355) Western Wayne Schools
CC: Liza Bates, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Philip Stevenson, Superintendent
(8360) Centerville-Abington Com Schs
ECC: Jan Dunham, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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(8360) Centerville-Abington Com Schs
November 4, 2011

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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.	50%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Philip Stevenson, Superintendent
(8360) Centerville-Abington Com Schs
ECC: Jan Dunham, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Bailey, Superintendent
(8375) Northeastern Wayne Schools
ECC: Liza Bates, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8375) Northeastern Wayne Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	33%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Stephen Bailey, Superintendent
(8375) Northeastern Wayne Schools
ECC: Liza Bates, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

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The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Allen Bourff, Superintendent
(8385) Richmond Community Schools
ECC: Barb Bergdoll, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(8385) Richmond Community Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	99%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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.	80%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Allen Bourff, Superintendent
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ECC: Barb Bergdoll, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Craig, Superintendent
(8425) Southern Wells Com Schools
CC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(8425) Southern Wells Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"	FFY 2009 Rate for State
430 Black CD in LEA "A" / 7,996 Black Enrollment in LEA "A"	17,984 CD in State / 1,047,071 Enrollment in State
FFY 2009 LEA Risk Index = 0.0538 or 5.38%	FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2009 LEA "A" Risk Ratio = 5.38% / 1.72%

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
420 Black CD in LEA "A" / 9,658 Black Enrollment in LEA "A"	16,757 CD in State / 1,043,330 Enrollment in State
FFY 2010 LEA Risk Index = 0.0435 or 4.35%	FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

FFY 2010 LEA "A" Risk Ratio = 4.35% / 1.61%

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Scott Mills, Superintendent
(8435) Northern Wells Com Schools
ECC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8435) Northern Wells Com Schools
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	86%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Scott Mills, Superintendent
(8435) Northern Wells Com Schools
ECC: Michele Neumann, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
- Indicator 12: Part C to B Transition, percent of children with an IEP by the 3rd birthday
- Indicator 13: Secondary Transition, percent of youth age 14 or in 9th grade with measureable annual IEP goals and transition services
- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

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In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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RISK INDEX

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RISK RATIO

FFY 2009 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"	FFY 2010 Rate for State
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FFY 2010 LEA Risk Ratio = LEA – Risk Index for Black in CD / State Risk Index for all in CD

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Wayne Barker, Superintendent
(8445) M S D Bluffton-Harrison
ECC: Michele Neumann, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(8445) M S D Bluffton-Harrison
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	90%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Noncompliance was identified in FFY 2009 and the SEA has verified that the systemic noncompliance has been corrected. No finding is issued for FFY2010 and no further action is required.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Wayne Barker, Superintendent
(8445) M S D Bluffton-Harrison
ECC: Michele Neumann, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Bergdoll, Superintendent
(7945) Tipton Community School Corp
ECC: Cheryl Harshman, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Compliance Data Report FFY 2009 (SY 09-10)
(7945) Tipton Community School Corp
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	84%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr David Bergdoll, Superintendent
(7945) Tipton Community School Corp
ECC: Cheryl Harshman, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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RISK INDEX

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RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Vicki Snyder, Superintendent
(9315) Signature School Inc
ECC: Larry Bass, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9315) Signature School Inc
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Vicki Snyder, Superintendent
(9315) Signature School Inc
ECC: Larry Bass, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"

430 Black CD in LEA "A"
7,996 Black Enrollment in LEA "A"

FFY 2009 LEA Risk Index = 0.0538 or 5.38%

FFY 2009 Rate for State

17,984 CD in State
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RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kevin Teasley, Superintendent
(9480) Fountain Square Academy
ECC: Pegie Frazier, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(9480) Fountain Square Academy
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	93%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kevin Teasley, Superintendent
(9480) Fountain Square Academy
ECC: Pegie Frazier, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Pamela Decker, Superintendent
(9495) Joshua Academy
CC: Larry Bass, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(9495) Joshua Academy
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SUPPORTING STUDENT SUCCESS

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Charlotte Jackson, Superintendent
(9555) East Chicago Urban Enterprise Acad
CC: Charlotte Jackson, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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SUPPORTING STUDENT SUCCESS

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For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"

430 Black CD in LEA "A"
7,996 Black Enrollment in LEA "A"

FFY 2009 LEA Risk Index = 0.0538 or 5.38%

FFY 2009 Rate for State

17,984 CD in State
1,047,071 Enrollment in State

FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

FFY 2009 LEA "A" Risk Ratio = $\frac{5.38\%}{1.72\%}$

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"

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9,658 Black Enrollment in LEA "A"

FFY 2010 LEA Risk Index = 0.0435 or 4.35%

FFY 2010 Rate for State

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1,043,330 Enrollment in State

FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

FFY 2010 LEA "A" Risk Ratio = $\frac{4.35\%}{1.61\%}$

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kevin Handley, Superintendent
(9565) Galileo Charter School
ECC: Kevin Handley, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9565) Galileo Charter School
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Kevin Handley, Superintendent
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ECC: Kevin Handley, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr James Durst, Superintendent
(9605) IN Sch for the Blind & Vis Imprd
ECC: James Durst, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: CEO David Geeslin, Superintendent
(9610) Indiana School For The Deaf
CC: David Geeslin, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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SUPPORTING STUDENT SUCCESS

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FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

FFY 2009 LEA "A" Risk Ratio = $\frac{5.38\%}{1.72\%}$

FFY 2009 LEA "A" Risk Ratio = 3.13

FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"

420 Black CD in LEA "A"
9,658 Black Enrollment in LEA "A"

FFY 2010 LEA Risk Index = 0.0435 or 4.35%

FFY 2010 Rate for State

16,757 CD in State
1,043,330 Enrollment in State

FFY 2010 State Risk Index = 0.0161 or 1.61%

RISK RATIO

FFY 2010 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

FFY 2010 LEA "A" Risk Ratio = $\frac{4.35\%}{1.61\%}$

FFY 2010 LEA "A" Risk Ratio = 2.70

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Charlie Schlegel, Superintendent
(9645) Challenge Foundation Academy
ECC: Charles Schlegel, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
- Indicator 20: Varies based on egregiousness of noncompliance

Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9645) Challenge Foundation Academy
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	0%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Charlie Schlegel, Superintendent
(9645) Challenge Foundation Academy
ECC: Charles Schlegel, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Gale Stone, Superintendent
(9655) Hope Academy
ECC: Gail Stone, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

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Compliance Data Report FFY 2009 (SY 09-10)
(9655) Hope Academy
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	No	100% timely and accurate	Varies	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Gale Stone, Superintendent
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ECC: Gail Stone, Local Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Scott Syverson, Superintendent
(9660) Stonegate Early Clg HS for Sci/Tec
ECC: Mark Cosand, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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(9660) Stonegate Early Clg HS for Sci/Tec
November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Trisha Armstrong, Superintendent
(9665) Geist Montessori Academy
CC: Trisha Armstrong, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9665) Geist Montessori Academy
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Trisha Armstrong, Superintendent
(9665) Geist Montessori Academy
ECC: Trisha Armstrong, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
- Indicator 10: Disproportionate Representation in Specific Disability Categories as a result of inappropriate identification
- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"

430 Black CD in LEA "A"
7,996 Black Enrollment in LEA "A"

FFY 2009 LEA Risk Index = 0.0538 or 5.38%

FFY 2009 Rate for State

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1,047,071 Enrollment in State

FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

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FFY 2010 (SY 10-11)

RISK INDEX

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FFY 2010 Rate for State

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1,043,330 Enrollment in State

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RISK RATIO

FFY 2010 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Scott Bess, Superintendent
(9670) Indianapolis Metropolitan High Sch
CC: Scott Bess, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(9670) Indianapolis Metropolitan High Sch
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

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ECC: Scott Bess, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Dr Sean Egan, Superintendent
(9705) Hammond Academy of Science & Technology
ECC: Tracy Davis, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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ECC: Tracy Davis, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Connie Zittnan, Superintendent
(9720) Padua Academy
ECC: Connie Zittnan, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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November 4, 2011

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
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FFY 2009 (SY 09-10)

RISK INDEX

FFY 2009 Rate for LEA "A"

430 Black CD in LEA "A"
7,996 Black Enrollment in LEA "A"

FFY 2009 LEA Risk Index = 0.0538 or 5.38%

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1,047,071 Enrollment in State

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RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

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FFY 2010 (SY 10-11)

RISK INDEX

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Janice Adams, Superintendent
(9795) Dr Robert H Faulkner Academy
ECC: Janice Adams, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(9795) Dr Robert H Faulkner Academy
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
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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.	100%	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	No action needed.
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Jason Bryant, Superintendent
(9820) Imagine MASTer on Broadway
ECC: Esther Baird, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mrs Yolanda Turner-Smith, Superintendent
(9845) Xavier School of Excellence
ECC: Vito Bianco, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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FFY 2009 State Risk Index = 0.0172 or 1.72%

RISK RATIO

FFY 2009 LEA Risk Ratio = $\frac{\text{LEA – Risk Index for Black in CD}}{\text{State Risk Index for all in CD}}$

FFY 2009 LEA "A" Risk Ratio = $\frac{5.38\%}{1.72\%}$

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FFY 2010 (SY 10-11)

RISK INDEX

FFY 2010 Rate for LEA "A"

420 Black CD in LEA "A"
9,658 Black Enrollment in LEA "A"

FFY 2010 LEA Risk Index = 0.0435 or 4.35%

FFY 2010 Rate for State

16,757 CD in State
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Arlette Tinsley, Superintendent
(9860) International School of Columbus
ECC: Kim Sutton, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
- Indicator 13: Summer - Sample of Transition IEPs and correction of IEPs from previous year
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Some LEAs may have already corrected some instances of noncompliance identified in this correspondence. The findings provided in this notice are based on original submitted data representing the full year of activity from July 1, 2010 to June 30, 2011. If you have any questions particular to how your data was used for this process or have any other concerns, please contact Bethany Cecil at 317-232-0566 or bcecil@doe.in.gov.

Compliance Data Report FFY 2009 (SY 09-10)
(9860) International School of Columbus
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	100%	100%	Indiana Transition Requirements Summer Review	No action needed.
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Ms Arlette Tinsley, Superintendent
(9860) International School of Columbus
ECC: Kim Sutton, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: State Issuance of Local Determinations

As outlined in the Individuals with Disabilities Education Act (IDEA), section CFR§300.600, each state must make determinations annually regarding the performance of each Local Educational Agency (LEA). For FFY 2008 (SY 2008-2009) those determinations were made on November 9, 2010. The following information regarding federal indicators is needed in order to calculate local determinations:

- Indicator 9: Disproportionate Representation in Special Education as a result of inappropriate identification
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- Indicator 11: Child Find, percent of children determined eligible within 50 days
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- Indicator 15: Monitoring, general supervision system identifies and corrects noncompliance within one year
- Indicator 20: Timeliness of State Reported Data and Reports, state reported data are timely and accurate

The above information is required for all years in order to meet the requirements outlined in IDEA. For FFY 2009 (SY 2009-2010) Indiana has all necessary information obtained to make local determinations with the exception of information pertaining to Indicators 9 and 10.

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. The methodology and definition that had been utilized was as follows:

Indiana defines disproportionate representation (or disproportionality) of racial and ethnic groups(cognitive disability, specific learning disabilities, emotional disabilities speech language impairments, other health impairments, and autism) in special education and related services as a risk ratio greater than 2.0 (for over-representation) and a risk index that is equal to or greater than the state average or a risk ratio less than 0.5 (for under-representation) and a risk index less than half the State average in special education and related services, for two consecutive years.

The concern that was raised by OSEP indicated that when the calculations were completed, different "bars" were set for each racial/ethnic group and this represented a lack of racial/ethnic neutrality. In acknowledgement of those issues, Indiana has submitted to OSEP the revised definition:

Indiana defines disproportionate representation of racial and ethnic groups in special education & related services and in specific disability categories as a risk ratio greater than 2.0 or a risk ratio less than 0.5 for two consecutive years.

In calculating the risk ratio, Indiana will change its methodology to assure race neutrality by comparing each racial/ethnic group risk index for students with disabilities to the state risk index for all students with disabilities (see attached example). This change in methodology has forced the recalculation of data and thus made issuing local determinations by November 9, 2011 not possible. New calculations are currently being completed and any LEA that has been identified as being statistically noncompliant for Indicators 9 and/or 10 will be notified as to next steps. The calculations as well as the review of policies, procedures and practices will be completed by February 2012 and local determinations will be made at that time.

For all other Indicators listed above, LEAs will receive notifications of any identified noncompliance by November 9, 2011. Please direct questions pertaining to this memorandum to 317-232-0570 or via email to specialeducation@doe.in.gov. When sending email communications regarding this memorandum please title them "Local Determinations".

Attachment –

Example: LEA "A" Risk Ratio exceeds 2.0 for two consecutive years. The LEA is identified as having an "Over" Disproportionate Representation of Black Students in the cognitive disability category.

Disproportionate Representation – Black Students:

		Total Student Enrollment	Total Black Student Enrollment	Total Students Served in the Cognitive Disability Category	Total Black Students served in the Cognitive Disability Category	Risk Index	Risk Ratio
FFY 2009	STATE	1,047,071	128,231	17,984	4529	1.72%	
(SY 09/10)	LEA "A"	31,549	7,996	980	430	5.38%	3.13
FFY 2010	STATE	1,043,330	134375	16,757	4187	1.61%	
(SY 10/11)	LEA "A"	30,325	9,658	946	420	4.35%	2.70

FFY 2009 (SY 09-10)

RISK INDEX

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430 Black CD in LEA "A"
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Director G John Aytekin, Superintendent
(9895) Indiana Math Science Academy North
ECC: Michael Parsons, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

In accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and as required by the United States Department of Education, Office of Special Education Programs (OSEP), the Indiana Department of Education (IDOE) maintains an annual routine of issuing Findings of Noncompliance on the Indicators established by IDEA 2004 and OSEP.

Indicator data is collected year-round and analyzed for noncompliance on Indicators 11 (initial evaluation timelines), 12 (early childhood transitions), 13 (post-secondary transition) and 20 (timely and accurate data reporting). Attached to this letter is a Compliance Data Report detailing your Local Educational Agency's (LEA) Indicator performance during the past school year. The report also includes a description of each indicator, the target for compliance, the source of the data, and any required corrective action.

This letter serves as formal written notification of any findings made by the IDOE with respect to these indicators based on data from FFY 2010 (SY 10-11). If your LEA has received a finding on any one of the indicators, then your LEA must immediately take action to correct any issue(s) of noncompliance. This may include changing policies, procedures and/or practices that contributed to or resulted in noncompliance, as well as implementing the required steps to correct the identified noncompliance.

Pursuant to 20 USC § 1416(a)(3), noncompliance must be corrected as soon as possible but in no case greater than one-year from the date of the issuance of this correspondence. The opportunity to provide the IDOE with evidence of corrected noncompliance will be as follows:

- Indicators 11 & 12: April 1 – June 30 - Evaluation data review and completion of any incomplete evaluations from previous year
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Compliance Data Report FFY 2009 (SY 09-10)
(9895) Indiana Math Science Academy North
November 4, 2011

Compliance Indicator	FFY 2010 (SY 10-11) LEA Results	FFY 2010 (SY 10-11) Target	Data Source	Required Corrective Action
11 – Percent of children who were evaluated within 50 days of receiving parental consent for initial evaluation including the percent of children who were evaluated within 20 days of the beginning of the Response to Intervention timeline.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
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.	N/A	100%	DOE-EV Report, July 1, 2010 to June 30, 2011	N/A
13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	N/A	100%	Indiana Transition Requirements Summer Review	N/A
20 – Reported data are timely and accurate.	Yes	100% timely and accurate	Varies	No action needed.

Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Director G John Aytekin, Superintendent
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ECC: Michael Parsons, Local Director of Special Education
FROM: Nicole Norvell, Director of Special Education
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

MEMORANDUM

TO: Mr Scott Bess, Superintendent
(9910) Excel Center for Adult Learners
ECC: Scott Bess, Special Education Planning District Director
FROM: Nicole Norvell, Director of Special Education
DATE: November 4, 2011
SUBJECT: Notification of Noncompliance for FFY 2010 (SY 10-11)

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13 – Percent of youth aged 14 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.	88%	100%	Indiana Transition Requirements Summer Review	Finding of Noncompliance. Please identify root-cause of noncompliance. An IDOE consultant will be in contact within thirty (30) days.
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Indiana Department of Education
SUPPORTING STUDENT SUCCESS

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