



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE
SERVICES

June 23, 2014

Ms. Glenda Ritz
Superintendent of Public Instruction
Indiana Department of Education
Room 228 State House
Indianapolis, Indiana 46204-2798

Dear Superintendent Ritz:

I am writing to advise you of the U. S. Department of Education's (Department) 2014 determination under section 616 of the Individuals with Disabilities Education Act (IDEA). The Department has determined that Indiana meets the requirements and purposes of Part B of the IDEA. This determination is based on the totality of the State's data and information, including the Federal fiscal year (FFY) 2012 Annual Performance Plan (APR) and revised State Performance Plan (SPP), other State-reported data, and other publicly available information.

As you know, the Office of Special Education Programs (OSEP) is implementing a revised accountability framework designed to more directly support States in improving results for infants, toddlers, children and youth with disabilities, and their families. Section 616(a)(2) of the IDEA requires that the primary focus of IDEA monitoring be on improving educational results and functional outcomes for children with disabilities, and ensuring that States meet the IDEA program requirements.

OSEP's previous accountability system placed a heavy emphasis on compliance and we have seen an improvement in States' compliance over the past seven years of IDEA determinations. OSEP's new accountability framework, called Results Driven Accountability (RDA), brings into focus the educational results and functional outcomes for children with disabilities while balancing those results with the compliance requirements of IDEA. Protecting the rights of children with disabilities and their families is a key responsibility of State educational agencies (SEAs) and local educational agencies (LEAs), but it is not sufficient if children are not attaining the knowledge and skills necessary to achieve the goals of IDEA as reflected in Congressional findings in section 601(c)(1) of the IDEA Improvement Act of 2004: equality of opportunity, full participation, independent living, and economic self-sufficiency.

From the start, OSEP committed to several key principles to guide the development of a new accountability framework, including transparency, stakeholder involvement, and burden reduction. In keeping with these principles, over the past two years we have solicited input from stakeholders on multiple occasions and published a new SPP/APR for FFYs 2013 through 2018. The revised SPP/APR significantly reduces data collection and reporting burden by States, and shifts the focus to improving educational results and functional outcomes for children with disabilities by requiring each State to develop and implement a State Systemic Improvement Plan (SSIP).

The Department is committed to supporting States in the development and implementation of the SSIP which is designed to improve results for all children, including children with disabilities,

and is investing significant resources toward that commitment. OSEP is implementing a system of differentiated monitoring and support, using data on performance (i.e., results data) and other information about a State to determine the appropriate intensity, focus, and nature of the oversight and support that each State will receive as part of RDA. OSEP's technical assistance network will be a key component of differentiated support to States and, through States, to local programs. We believe that only through a coordinated effort across the education system will we positively affect the school and life trajectories of children with disabilities.

In making determinations in 2013, the Department used a compliance matrix that included compliance data on multiple factors, thereby allowing us to consider the totality of a State's compliance data. In the 2013 determination letters, OSEP informed States that it would use results data when making determinations in 2014. OSEP published a Request for Information to solicit comments regarding how results data could be used in making IDEA determinations in 2014 and beyond, and has carefully reviewed these comments in deciding how to use results data in making determinations in 2014.

Your State's 2014 determination is based on the data reflected in the State's "2014 Part B Compliance Matrix" and "2014 Results Driven Accountability Matrix." Enclosed with this determination letter are the following: (1) the State's "2014 Part B Compliance Matrix" and "2014 Results Driven Accountability Matrix;" (2) a document entitled "How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2014: Part B," which provides a detailed description of how OSEP evaluated States' data using the Compliance and RDA Matrices; (3) your State's FFY 2012 Response Table, which provides OSEP's analysis of the State's FFY 2012 APR and revised SPP; and (4) a Data Display, which presents certain State-reported data in a transparent, user-friendly manner. The Data Display will be posted on OSEP's Web site and will be helpful for the public in getting a broader picture of State performance in key areas.

For the 2014 determinations, the Department is using results data on the participation of children with disabilities on regular Statewide assessments; the proficiency gap between children with disabilities and all children on regular Statewide assessments; and the performance of children with disabilities on the National Assessment of Educational Progress (NAEP). At this time, we can meaningfully use data on the participation rate, and proficiency gap, on regular Statewide assessments. We plan to measure growth in the proficiency of children with disabilities when States have transitioned to college- and career- ready standards and assessments. In the interim, we are using data from NAEP on the performance of children with disabilities, which provide a consistent and fair benchmark for performance of children across all States. In the future, OSEP plans to use only regular Statewide assessment data, rather than NAEP data, for annual determinations, including data on the growth in proficiency of children with disabilities on Statewide assessments.

As noted above, the State's 2014 determination is Meets Requirements. A State's 2014 RDA Determination is Meets Requirements if the RDA Percentage is at least 80%, unless the Department has imposed Special Conditions on the State's last three (FFYs 2011, 2012, and 2013) IDEA Part B grant awards, and those Special Conditions are in effect at the time of the 2014 determination.

As a reminder, your State must report annually to the public on the performance of each LEA located in the State on the targets in the SPP as soon as practicable, but no later than 120 days

after the State's submission of its FFY 2012 APR. In addition, your State must: (1) review LEA performance against targets in the State's SPP; (2) determine if each LEA "meets the requirements" of Part B, or "needs assistance," "needs intervention," or "needs substantial intervention" in implementing Part B of the IDEA; (3) take appropriate enforcement action; and (4) inform each LEA of its determination. Finally, please ensure that your APR, updated SPP, and report on the performance of each LEA located in the State on the targets in the SPP are posted on the SEA's Web site and made available to the public.

OSEP appreciates the State's efforts to improve results for children and youth with disabilities and looks forward to working with your State over the next year as we continue our important work of improving the lives of children with disabilities and their families. If you have any questions, would like to discuss this further, or want to request technical assistance, please contact Jennifer Wolfsheimer, your OSEP State Contact, at 202-245-6090.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a large loop at the end.

Melody Musgrove, Ed.D
Director
Office of Special Education Programs

Enclosures

cc: State Director of Special Education

Indiana Part B FFY 2012 SPP/APR Response Table

Part B SPP/APR Indicators

1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]
2. Percent of youth with IEPs dropping out of high school. [Results Indicator]
3. Statewide assessments: A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP/AMO targets for the disability subgroup. [Results Indicator] B. Participation rate for children with IEPs on statewide assessments. [Results Indicator] C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]
4. Rates of suspension and expulsion A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; [Results Indicator] B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. [Compliance Indicator]
5. Percent of children with IEPs aged 6 through 21 served: A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]
6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential facility. [Results Indicator]
7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. [Results Indicator]
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator]

10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. [Compliance Indicator]
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. [Compliance Indicator]
13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. [Compliance Indicator]
14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: A. Enrolled in higher education within one year of leaving high school; B. Enrolled in higher education or competitively employed within one year of leaving high school. C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. [Results Indicator]
15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. [Compliance Indicator]
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]

Timeliness of State Complaint and Due Process Hearing Decisions
(Collected as Part of IDEA Section 618 Data rather than through an SPP/APR Indicator)

Timely Resolution of State Complaints: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

Timely Adjudication of Due Process Hearing Requests: Percent of adjudicated due process hearing requests that were adjudicated within the timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

Indiana Part B FFY 2012 SPP/APR Results Data Summary

INDICATOR	FFY 2011 DATA	FFY 2012 DATA	FFY 2012 TARGET
1. Graduation	65.31%	71.72%	≥ 95% ¹
2. Drop Out	10.76%	8.54%	≤ 20% ²
3. A. Percent of Districts Meeting AMO for Disability Subgroup	77%	77.59%	≥ 77.5%
B. Statewide Assessment Participation Rate – Reading	95.5%	96.1%	≥ 95%
B. Statewide Assessment Participation Rate – Math	95.6%	96.5%	≥ 95%
C. Proficiency Rate - Reading	52.7%	50.5%	≥ 39%
C. Proficiency Rate - Math	62.1%	48%	≥ 45%
4. A. Percent of Districts with Significant Discrepancy in Suspension/Expulsion	1.41%	1.98%	≤ 1%
5. Educational Environment for Children with IEPs 6-21			
A. In Regular Education 80% or More of Day	69.28%	68.81%	≥ 60.43%
B. In Regular Education Less than 40% of Day	12.03%	10.9%	≤ 15.24%
C. In Separate Schools, Residential Facilities, or Homebound/Hospitals	2.26%	2.19%	≤ 1.19%
6. Percent of children aged 3 through 5 with IEPs attending:			
A. Regular early childhood program and receiving majority of special education and related services in regular early childhood program;	38.70%	40.34%	≥ 38.71%
B. Separate special education class, separate school or residential facility.	35.20%	33.32%	≤ 35.19%
7. Preschool Outcomes	See Attached Table	See Attached Table	See Attached Table
8. Parents Reporting Schools Facilitated Parent Involvement	70.7%	71.1%	≥ 42.8%
14. Percent of Youth No Longer in School, within One Year of Leaving High School:			
A. Enrolled in Higher Education	33.9%	35.9%	≥ 35.8%
B. Enrolled in Higher Education or Competitively Employed	62.1%	63.8%	≥ 51.1%
C. Enrolled in Higher Education or Other Postsecondary Education or Training or Competitively Employed or in Some Other Employment	77.9%	78%	≥ 87.6%
18. Hearing Requests Resolved through Resolution Session Agreements	83.02%	73.33%	≥ 31.6%
19. Mediations Held that Resulted in Mediation Agreements	76.47%	76.19%	≥ 53.6%

¹ As used in this table, the symbol “≥” means that, to meet the target, the State’s data must be greater than or equal to the established target.

² As used in this table, the symbol “≤” means that, to meet the target, the State’s data must be less than or equal to the established target.

7. Percent of Preschool Children Aged 3 through 5 with IEPs Who Demonstrate Improved Outcomes

Summary Statement 1 ³	FFY 2011 Data	FFY 2012 Data	FFY 2012 Target
Outcome A: Positive social-emotional skills (including social relationships) (%)	78.3%	73.7%	≥ 54%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	77.7%	81.3%	≥ 67%
Outcome C: Use of appropriate behaviors to meet their needs (%)	80%	83.2%	≥ 78.5%
Summary Statement 2 ⁴	FFY 2011 Data	FFY 2012 Data	FFY 2012 Target
Outcome A: Positive social-emotional skills (including social relationships) (%)	20.1%	25.8%	≥ 42.5%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	13.3%	16%	≥ 49.5%
Outcome C: Use of appropriate behaviors to meet their needs (%)	13.9%	17.4%	≥ 66%

³ **Summary Statement 1:** Of those preschool children who entered or exited the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

⁴ **Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Indiana FFY 2012 Results Data Summary Notes

INDICATOR 3A: The State is reporting Annual Measurable Objectives (AMOs) data used for accountability reporting under Title I of the Elementary and Secondary Education Act (ESEA) as a result of ESEA flexibility.

The State established a new target for FFY 2012 and OSEP accepts that target.

INDICATOR 3B: The State provided a Web link to 2012 publicly-reported assessment results.

INDICATOR 3C: The State provided a Web link to 2012 publicly-reported assessment results.

INDICATOR 4A: The State provided updated FFY 2011 data for Indicator 4A.

The State reported its definition of “significant discrepancy.”

The State reported that seven districts were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.

The State reported that 279 of 352 districts did not meet the State-established minimum “n” size requirement of ten students in a given population.

The State reported that it reviewed the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2012. The State identified noncompliance through this review.

The State reported that it revised (or required the affected districts to revise), the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2012.

The State reported that noncompliance identified in FFY 2011 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected in a timely manner.

The State reported that the one remaining finding of noncompliance identified in FFY 2008 was corrected.

REQUIRED ACTIONS

The State must report, in its FFY 2013 APR, on the correction of noncompliance that the State identified in FFY 2012 as a result of the review it conducted pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each LEA with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.⁵ In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 7:

REQUIRED ACTIONS

The State must report progress data and actual target data for FFY 2013 in the FFY 2013 APR.

⁵ OSEP Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008, requires that the State report that it verified that each LEA with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

Indiana Part B FFY 2012 SPP/APR Compliance Summary

INDICATOR	FFY 2011 DATA	FFY 2012 DATA	FFY 2012 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2011
4B. Significant disproportionality in suspension/expulsion by race/ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	2.0%	1.7%	0%	The State reported that four of seven findings of noncompliance identified in FFY 2011 were corrected in a timely manner and that the three remaining findings were subsequently corrected by February 2014.
9. Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	0%	0%	0%	The State reported that it did not identify any findings of noncompliance in FFY 2011.
10. Disproportionate representation by disability of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	3.18%	1.13%	0%	The State reported that four of 11 findings of noncompliance identified in FFY 2011 were corrected in a timely manner and that the seven remaining findings were subsequently corrected by February 2014.
11. Timely Initial Evaluation	97.9%	97.85%	100%	The State reported that 41 of 45 findings of noncompliance identified in FFY 2011 were corrected in a timely manner and that the four remaining findings were subsequently corrected by February 2014.
12. Early Childhood Transition	98.93%	99.04%	100%	The State reported that 29 of 30 findings of noncompliance identified in FFY 2011 were corrected in a timely manner and that the one remaining finding was subsequently corrected by February 2014.
13. Secondary Transition	73.32%	79%	100%	The State reported that all 49 of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.

INDICATOR	FFY 2011 DATA	FFY 2012 DATA	FFY 2012 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2011
15. Timely Correction	88.4%	90.24%	100%	The State reported that 148 of 164 findings of noncompliance identified in FFY 2011 were corrected in a timely manner and that 15 findings were subsequently corrected by February 2014. The State reported on the actions it took to address the uncorrected noncompliance.
20. Timely and Accurate Data	100%	97.78%	100%	

Indiana Part B FFY 2012 State Complaint and Hearing Data from IDEA Section 618 Data Reports

REQUIREMENT	FFY 2011 DATA	FFY 2012 DATA
Timely resolution of complaints	100%	100%
Timely adjudication of due process hearing requests	50% (based on two due process hearings)	100% (based on five due process hearings)

Indiana FFY 2012 Compliance Data Summary Notes

INDICATOR 4B: The State provided updated FFY 2011 data for Indicator 4B.

The State reported its definition of “significant discrepancy.”

The State reported that 15 districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State reported that it reviewed the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2011. The State also reported that six districts were identified as having policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

The State reported that 290 of 352 districts did not meet the State-established minimum “n” size requirement of ten or more students with disabilities in any of the racial or ethnic groups suspended or expelled for more than ten days in a school year.

The State reported that it revised (or required the affected districts to revise), the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2012.

For districts identified with significant discrepancies in FFY 2011 whose policies, procedures, and practices were reviewed, consistent with 34 CFR §300.170(b), the State reported on whether there were changes to the policies, procedures, and practices since the last review; if so, whether those changes comply with requirements regarding the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b); and whether practices in this area continue to comply with applicable requirements.

The State reported that noncompliance identified in FFY 2011 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected.

The State reported that the one finding of noncompliance identified in FFY 2009 was corrected.

REQUIRED ACTIONS

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. The State must demonstrate, in the FFY 2013 APR, that the districts identified with noncompliance in FFY 2012 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 9: The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.

The State provided its definition of “disproportionate representation.”

The State reported that all of the 352 districts met the State-established minimum “n” size requirement of “30 students with disabilities in a given population.”

INDICATOR 10: The State reported that 16 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that four districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.

The State provided its definition of “disproportionate representation.”

The State reported that seven of 352 districts did not meet the State-established minimum “n” size requirement of “30 students with disabilities in a given population.”

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2012 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. The State must demonstrate, in the FFY 2013 APR, that the districts identified in FFY 2012 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 11: The State reported that three findings of noncompliance identified in FFY 2010 and the one finding of noncompliance identified in FFY 2007 were corrected.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each LEA with noncompliance identified in FFY 2012 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 12:

OSEP's FFY 2011 SPP/APR Response Table required the State, in the FFY 2012 APR, to (1) demonstrate that the remaining one uncorrected finding of noncompliance identified in FFY 2010 was corrected; (2) verify correction of the remaining finding of noncompliance identified in 2010, consistent with the requirements in OSEP Memorandum 09-02 (OSEP Memo 09-02); and (3) describe the specific actions that were taken to verify the correction. The State provided none of the required information.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each LEA with noncompliance identified in FFY 2012 for this indicator, and the one LEA with remaining noncompliance identified in FFY 2010 for which the State did not report on correction: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 13:

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each LEA with noncompliance identified in FFY 2012 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 15: The State reported that the 16 remaining findings of noncompliance identified in FFY 2010, the one remaining finding of noncompliance identified in FFY 2008, and the one remaining finding of noncompliance identified in FFY 2007 were corrected.

REQUIRED ACTIONS

The State must report, with the FFY 2013 SPP/APR, that it has corrected the one remaining finding of noncompliance identified in FFY 2011 that was not reported as corrected in the FFY 2012 APR.

When reporting with the FFY 2013 APR on the correction of the remaining finding of noncompliance identified in FFY 2011, the State must report that it verified that the LEA with the remaining finding of noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

In addition, in responding to Indicators 4B, 10, 11, 12, and 13 in the FFY 2013 SPP/APR, the State must report on correction of the noncompliance described in this table under those indicators.

INDICATOR 20: The State's FFY 2012 data for this indicator are 100%. However, OSEP recalculated the data for this indicator to be 97.78%.

Indiana		
Part B Results Driven Accountability Matrix: 2014		
Reading Component Elements	Performance	Score
Percentage of 4th and 8th Grade Children with Disabilities Participating in Regular Statewide Assessments	68.00%	1
Proficiency Gap for 4th and 8th Grade Children with Disabilities on Regular Statewide Assessments	24.00%	2
Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	31.00%	2
Percentage of 4th Grade Children with Disabilities Excluded from Testing on the National Assessment of Educational Progress	12.00%	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	42.00%	2
Percentage of 8th Grade Children with Disabilities Excluded from Testing on the National Assessment of Educational Progress	12.00%	1
Math Component Elements	Performance	Score
Percentage of 4th and 8th Grade Children with Disabilities Participating in Regular State Assessment	69.00%	1
Proficiency Gap for 4th and 8th Grade Children with Disabilities on Regular Statewide Assessments	19.00%	2
Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	63.00%	2
Percentage of 4th Grade Children with Disabilities Excluded from Testing on the National Assessment of Educational Progress	8.00%	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	41.00%	2
Percentage of 8th Grade Children with Disabilities Excluded from Testing on the National Assessment of Educational Progress	11.00%	1
Graduation Component Elements¹	Performance	Score
(Placeholder for FFY 2013)	(Placeholder for FFY 2013)	(Placeholder for FFY 2013)

Results Total Points Available	Results Points Earned	Results Performance
20	18	90.00%
Compliance Total Points Available	Compliance Points Earned²	Compliance Performance
22	20	90.91%
Results Driven Accountability Percentage and Determination³		
90.45%	MEETS REQUIREMENTS (green)	

1. The Department is committed to using graduation data in determinations but identified potential discrepancies between States with respect to what is included as a regular high school diploma for children with disabilities, as reported to the Department. To ensure that States are treated equitably, we will work with States to address these discrepancies and plan to use graduation data in the 2015 Part B determinations.

2. Review the Part B Compliance Matrix for a breakdown of compliance points earned.

3. Review "How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2014: Part B" for a detailed description of how the Compliance Performance Percentage, Results Performance Percentage and the Results Driven Accountability Percentage and Determination were calculated.

Indiana Part B Compliance Matrix: 2014

Part B Compliance Indicator ¹	Performance	Full Correction of Findings of Noncompliance Identified in FFY 2011	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	1.70%	Y	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0.00%	N/A	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	1.13%	Y	2
Indicator 11: Timely initial evaluation	97.85%	Y	2
Indicator 12: IEP developed and implemented by third birthday	99.04%	Y	2
Indicator 13: Secondary transition	79.00%	Y	1
Indicator 15: Timely correction	90.24%		1
Indicator 20: Timely and accurate State-reported data	97.78%		2
Timely State Complaint Decisions	100.00%		2
Timely Due Process Hearing Decisions	100.00%		2
Longstanding Noncompliance			2
Special Conditions	NONE		
Uncorrected identified noncompliance	NONE		
	Total Compliance Score		20

Points Earned	Total Possible Points	Compliance Performance
20	22	90.91%

1. The complete language for each indicator is located on page one of the State's Part B FFY 2012 SPP/APR Response Table.