

New Hampshire Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.</p>	<p>The State's FFY 2007 reported data for this indicator are 71 %. These data represent slippage from the FFY 2006 data of 75%. The State did not meet its FFY 2007 target of 87%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1,2010.</p>
<p>[Results Indicator]</p>		
<p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.</p>	<p>The State's FFY 2007 reported data for this indicator are 3.9%. These data represent slippage from the FFY 2006 data of 3 .0%. The State did not meet its FFY 2007 target of 3.5%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1,2010.</p>
<p>(Results Indicator]</p>		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p>	<p>The State's FFY 2007 reported data for this indicator are 35%. These data represent slippage from the FFY 2006 data of 41 %. The State did not meet its FFY 2007 target of 44%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1,2010.</p>
<p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's A yP objectives for progress for disability subgroup.</p>		
<p>[Results Indicator]</p>		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p>	<p>The State's FFY 2007 reported data for this indicator are 97.8% for reading and 97.6% for math. These data represent slippage from the FFY 2006 data of 98.8% for reading and 98.6% for math.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment</p>	<p>The State met its FFY 2007 target of 96.1 %. OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009 the required data for grade 10. The State submitted this data.</p>	

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<p>against alternate achievement standards. [Results Indicator]</p>		
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. (Results Indicator)</p>	<p>The State's FFY 2007 reported data for this indicator are 31.9% for reading and 26.9% for math. These data represent progress from the FFY 2006 data of 29.12% for reading and slippage from the FFY 2006 data of 28.36% for math. The State did not meet its FFY 2007 targets of 48.23% for reading and 56.89% for math. OSEP's June 6, 2008 FFY 2006 <i>SPP/APR</i> response table required the State to include in the FFY 2007 APR, due February 2, 2009, the data for grade 10. The State submitted the required data.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>4. Rates of suspension and expulsion: A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and (Results Indicator)</p>	<p>The State's FFY 2007 reported data for this indicator are 4.32%. The State reported revised FFY 2006 data of .62%. These data represent slippage from the revised FFY 2006 data of .62%. The State did not meet its FFY 2007 target of 2.2%. OSEP's June 6, 2008 FFY 2006 <i>SPP/APR</i> response table required the State to include in the FFY 2007 APR, due February 2, 2009 a description of the results of the State's examination of data from FFY 2007 (2007-2008). The State provided the required information. OSEP's June 6, 2008 FFY 2006 <i>SPP/APR</i> response table also required the State to include in the FFY 2007 APR, due February 2, 2009, a description of the review, and if appropriate, revision, of 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 for the LEAs identified with significant discrepancies in FFY 2006, as required by 34 CFR §300.170(b). For the LEA identified with significant discrepancies for FFY 2006, the State described how it required the LEA to review its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010. As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must describe the review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of the IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for LEAs identified with significant discrepancies in 2007, as required by 34</p>

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

States were not required to report on this indicator for FFY 2007.

The State is not required to report on this indicator in the FFY 2008 APR, due February 1,2010.

[Results Indicator]

7. Percent of preschool children with IEPs who demonstrate improved:

The State's FFY 2007 reported progress data for this indicator are:

The State reported the required progress data and improvement activities. The State must provide baseline, target and improvement activities with the FFY 2008 APR, due February 1,2010.

- 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.

07 -08 Preschool Outcome Progress Data

a. % of preschoolers who did not <u>improve functioning.</u>	2		
b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged <u>peers.</u>	11	10	10
c. % of preschoolers who improved to a level nearer to same-aged peers but did <u>not reach it.</u>	4	11	8
d. % of preschoolers who improved functioning to reach a level comparable <u>to same-aged peers.</u>	22	26	30
e. % of preschoolers who maintained functioning at a level comparable to <u>same-aged peers.</u>	62	52	53
Total (approx. 100%)	101.00	100.00	102.00
	%	%	%

The State revised the improvement activities for the remaining years of the

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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]	SPP and OSEP accepts those revisions. The State revised the baseline, targets and improvement activities for this indicator and OSEP accepts those revisions. Baseline data was set in FFY 2007 at 32%. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The State changed the methodology for data collection and distribution to parents (census) and revised the baseline and targets to reflect the change. A comparison of data submitted in FFY 06 and FFY 07 could not be completed. OSEP's June 6, 2008 FFY 2006 SPP/APR response required the State to include in the FFY 2007 APR, due February 2,2009 information that the State ensured that its FFY 2007 data is derived from census data, from a sampling plan approved by OSEP, or another method approved by OSEP. The State reported that the FFY 2007 data was derived from census data.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1,2010
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]	The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%. The State met its FFY 2007 target of 0%.	OSEP appreciates the State's efforts regarding this 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]	The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 06 data of 0%. The State met its FFY 2007 target of 0%. The State reported the actual number (zero) of districts determined in FFY 2007 to have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.	OSEP appreciates the State's efforts regarding this indicator.
11. Percent of children with parental consent to evaluate, who were evaluated within 60 dayS (or	The State's FFY 2007 reported data for this indicator are 77%. These data represent slippage from the FFY 2006 data of 95%.	The State reported that noncompliance identified in FFY 2006 with the timely initial evaluations requirements in 34 CFR

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Monitoring Priorities and Indicators State-established timeline).

[Compliance Indicator]

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The State did not meet its FFY 2007 target of 100%.

The State reported 58 of the 58 findings of noncompliance in FFY 2006 were timely corrected.

OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009 a report demonstrating that the five outstanding findings of noncompliance from FFY 2005 were corrected.

The State reported that five of five findings of noncompliance from FFY 2005 have been subsequently corrected.

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]

The State's FFY 2007 reported data for this indicator are 92%. These data represent progress from the FFY 2006 data of 66%.

The State did not meet its FFY 2007 target of 100%.

OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009 the range of delays beyond the third birthday when eligibility was determined and the IEP was

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§300.301(c)(I) was corrected in a timely manner and the noncompliance identified in FFY 2005 was subsequently corrected.

The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §300.301(c)(I), including reporting correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.

The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02 dated October 17, 2008 (OSEP Memo 09-02).

If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.

The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §300.124(b), including reporting correction of the noncompliance the State reported under this indicator in the FFY 2006 and 2007

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	<p>developed and implemented. The State provided the required range of delays. OSEP's June 6, 2008 FFY 2006 <i>SPP/APR</i> response table also required the State to include in the FFY 2007 APR, due February 2, 2009, data demonstrating correction of the noncompliance identified in the FFY 2006 APR. The State reported that, due to problems with the collection of data for this indicator for FFY 2006, it did not make any findings of noncompliance based on FFY 2006 data until October 27, 2008 and will report on the correction of this noncompliance in the FFY 2008 APR, due February 1, 2010.</p>	<p>APRs.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2006 and 2007 APRs: (1) is correctly implementing the specific regulatory requirements; and (2) has developed and implemented the IEP although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 56%. These data represent progress from the FFY 2006 data of 40%. The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 16 of 18 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that one of the remaining two findings was subsequently corrected. For the uncorrected noncompliance, the State reported taking actions including monitoring and mandatory technical assistance.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the secondary transition requirements in 34 CFR §300.320(b) was partially corrected. Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR, due February 1, 2010, that it has verified that the LEAs with noncompliance reported by the State under this indicator in the FFY 2006 and FFY 2007 APRs: (1) are correctly implementing the specific regulatory requirements; and (2) has</p>

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		developed an IEP that includes the required transition content for each individual case of noncompliance, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.</p> <p>(Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 91 %. These data represent progress from the FFY 2006 data of 87%. The State met its FFY 2007 target of 87%.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1,2010.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 91 %. These data represent progress from the FFY 2006 data of 72%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 155 of 170 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that ten of the remaining 15 subsequently were corrected. For the uncorrected noncompliance, the State reported that it would regularly monitor the districts, require additional corrective actions to identify root cause, and require mandatory technical assistance.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required that the State include in the FFY 2007 APR, information that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2005.</p> <p>The State reported that of the ten remaining findings of noncompliance identified in FFY 2005, seven were corrected. For the three findings that were uncorrected, the State reported that it took action including onsite visits for technical assistance specific to the findings of noncompliance, compliance verification visits, and review of implementation of corrective action plans to</p>	<p>The State reported that remaining noncompliance identified in FFY 2005 and FFY 2006 was not corrected.</p> <p>The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2008 APR, due February 1, 2010, that it has corrected this noncompliance</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007 in accordance with 20 D.S.C. 1232d (b)(3)(E) and 34 CFR §§300.149 and 300.600(e) and OSEP</p>

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determine status of correction. In addition, NHDOE reported that it would consider redirection of funds if issues are not corrected by July 2009 and would continue to monitor the districts, require additional corrective actions and require mandatory technical assistance.

The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.

Memo 09-02.

In reporting on correction of noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.

In addition, in responding to Indicators 11, 12, and 13 in the FFY 2008 APR due February 1, 2010, the State must report on correction of noncompliance described in this table under those indicators.

In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.

16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

[Compliance Indicator]

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

The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.

The State met its FFY 2007 target of 100%.

The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.

The State met its FFY 2007 target of 100%.

OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.

OSEP appreciates the State's efforts in achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.

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Monitoring Priorities and Indicators [Compliance Indicator]	Status of APR Data/JSPR Revision Issues	OSEP Analysis/Next Steps
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]	The State's FFY 2007 reported data for this indicator are 100%. The FFY 2006 data were 38.7%. The State met its FFY 2007 target of 38.7%.	OSEP appreciates the State's efforts to improve performance.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State's FFY 2007 reported data for this indicator are 100%. The FFY 2006 data were 51.5%. The State met its FFY 2007 target of 81 %.	OSEP appreciates the State's efforts to improve performance.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 89%. These data represent progress from the FFY 2006 data of 85.6% %. The State did not meet its FFY 2007 target of 100%.	The State must review its improvement activities and revise, if appropriate, to ensure they will enable the State to provide in the FFY 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely and accurate data requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.