

**New Hampshire Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 91.11%. The State compared the data to the FFY 2008 618 data of 71%. The State met its FFY 2009 target of 75%.</p> <p>The State reported that its Consolidated State Performance Report (CSPR) did not include graduation rate data for students with disabilities. However, the State indicated that it was able to use the CSPR actual data and the ESEA calculation to determine the 2008-2009 graduation rate for students with disabilities for the FFY 2009 APR submission, even though the data were not reported in the CSPR.</p> <p>The State provided a detailed progress report in its APR on the status of implementing a data collection system that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 2.3%. This represents progress from the FFY 2008 data of 4.53%. The State met its FFY 2009 target of 3.4%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 24.63%. These data represent slippage from the FFY 2008 data of 34%. The State did not meet its FFY 2009 target of 46%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with IEPs on statewide</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 97.71% for reading and 97.81% for math. The State's FFY 2008 data for this indicator were 98.21% for reading and 97.94% for math. The State met its FFY 2009 targets of 97%.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results. However, the data posted at the Web link provided by the State do not show that the State met the reporting requirements in 34 CFR §300.160(f), for the following reason: the data do not provide the number of children with disabilities who were provided accommodations in order to participate in those assessments at the State, district and school levels. The State reported that it did not include this data because all students in the State, including nondisabled students, are eligible for test accommodations as determined appropriate on an individual basis.</p>	<p>The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f).</p> <p>Specifically, the State has not reported the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2010 APR, due February 1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).</p>
<p>3. Participation and performance of</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP looks forward to the</p>

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<p>children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's reported data for this indicator are 38.45% for reading and 33.96% for math. These data represent progress from the FFY 2008 data of 35.18% for reading and 29.22% for math.</p> <p>The State did not meet its FFY 2009 targets of 63.01% for reading and 69.13% for math.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results.</p>	<p>State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>4. Rates of suspension and expulsion:</p> <p>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; and</p> <p>[Results Indicator]</p>	<p>The State revised the baseline and target for FFY 2009 for this indicator and OSEP accepts those revisions. The State provided targets for FFY 2011 and FFY 2012, and an improvement activity through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets for FFY 2011 and the targets for FFY 2012.</p> <p>The State FFY 2009 reported data for this indicator are 2.87%. OSEP was unable to determine whether there was progress or slippage because the State revised the methodology for calculating this indicator. The State met its FFY 2009 target of 2.87%.</p> <p>State reported its definition of "significant discrepancy."</p> <p>The State reported that eight out of 174 districts did not meet the State-established minimum "n" of 11 children with IEPs in the district and four students with IEPs suspended or expelled for greater than ten days and were excluded from the calculation.</p> <p>The State reported that it reviewed the LEAs' policies, procedures, and practices related 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 LEAs identified with significant discrepancies based on FFY 2008 data. The State did not identify noncompliance through this review.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2009 reported baseline is 0%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>OSEP will be carefully reviewing each State's methodology for</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>										
<p>ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</p>	<p>State reported its definition of “significant discrepancy.”</p> <p>The State reported that four 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 also reported that no 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.</p> <p>The State reported that it reviewed the LEAs’ policies, procedures, and practices related 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 LEAs identified with significant discrepancies based on FFY 2008 data. The State did not identify any noncompliance through this review.</p> <p>The State reported that nine out of 174 districts did not meet the State-established minimum “n” of 11 children with IEPs in any racial/ethnic subgroup in the district and four students with IEPs suspended or expelled for greater than ten days in the population of students with IEPs in each race and ethnic category and were excluded from the calculation.</p>	<p>identifying “significant discrepancy” and will contact the State if there are questions or concerns.</p>										
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State revised the baseline and FFY 2009 and FFY 2010 targets for this indicator and OSEP accepts those revisions. The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets and targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="562 1230 1591 1502"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Revised Baseline Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">45.02</td> <td align="center">48.71</td> <td align="center">48.71</td> <td></td> </tr> </tbody> </table>		<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	45.02	48.71	48.71		<p>OSEP appreciates the State’s efforts to improve performance.</p>
	<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>								
A. % Inside the regular class 80% or more of the day	45.02	48.71	48.71									

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	B. % Inside the regular class less than 40% of the day	26.98	19.18	19.18		
	C. % In separate schools, residential facilities, or homebound/hospital placements	3.20	2.82	2.82		
	The State provided revised baseline data using FFY 2009 data. Therefore, OSEP is not comparing the FFY 2009 data to FFY 2008 data. The State met its revised FFY 2009 targets.					
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	The State is not required to report on this indicator in the FFY 2009 APR.					The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p>	<p>The State revised the baseline and FFY 2009 and FFY 2010 targets for this indicator and OSEP accepts those revisions.</p> <p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets and targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p>					The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.
	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline</u>	<u>FFY 2009 Target</u>		

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[Results Indicator]			<u>Data</u>			
	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	63.8%	66.3%	66.3%		
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	65.7%	67.1%	67.1%		
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	78.7%	68.5%	68.5%		
	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Revised Baseline Data</u>	<u>FFY 2009 Target</u>		
	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	82.1%	71.3%	71.3%		
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	75.8%	53.4%	53.4%		
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	78.7%	63.1%	63.1%		
	The State provided revised baseline data using FFY 2009 data. Therefore, OSEP is not comparing the FFY 2009 data to FFY 2008 data. The State met its revised FFY 2009 targets for this indicator.					
	8. Percent of parents with a child receiving special education services	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that				OSEP appreciates the State's

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<p>who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator is 47%. These data represent progress from the FFY 2008 data of 45%. The State met its FFY 2009 target of 34%.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.</p>	<p>efforts to improve performance.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 161 of 174 districts did not meet the State-established minimum "n" size requirement of 40 students enrolled in the district in two or more racial/ethnic subgroups, and within those subgroups at least ten students identified as receiving special education and related services, and were excluded from the calculation.</p> <p>The State reported that three districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no district was identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that one district was identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that zero districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that 161 of 174 districts did not meet the State-established minimum</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>

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	<p>“n” size requirement of 40 students enrolled in the district in two or more racial/ethnic subgroups, and within those subgroups at least ten students identified in specific disability categories for the racial/ethnic subgroup being compared, and were excluded from the calculation.</p>	
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 95%. The State revised the calculation to appropriately reflect the measurement for this indicator. Therefore, OSEP is not comparing the FFY 2009 data to the FFY 2008 data. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 81 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer</p>

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		<p>within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 1008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 97%. These data represent progress from the FFY 2008 data of 95%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 21 of its findings of noncompliance identified in FFY 2008 based on FFY 2007 data for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR</p>

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		<p>§300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>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</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2009 reported baseline data for this indicator are 47%.</p>	<p>Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about the State's very low FFY 2009 data (below 75%) for this indicator. In 2012, OSEP will consider the State's FFY 2010 data for Indicator 13 in determinations.</p> <p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR</p>

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<p>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.</p> <p>[Compliance Indicator]</p>		<p>§§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>

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<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>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.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011, and FFY 2012.</p> <p>The State's reported FFY 2009 baseline data for this indicator are:</p> <p>A. 43.2% enrolled in higher education within one year of leaving high school;</p> <p>B. 70.2% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 82.6% 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.</p>	<p>The State must report actual target data for FFY 2010 in the FFY 2010 APR, due February 1, 2012.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 99.4%. These represent progress from the FFY 2008 data of 96%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 167 of 168 findings of noncompliance in FFY 2008 were corrected in a timely manner and that the one remaining finding was subsequently corrected by February 1, 2011.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to report in the FFY 2009 APR, due February 1, 2011, that the remaining six findings of noncompliance identified in FFY 2007 and the remaining two findings that were not reported as corrected in the FFY 2006 APR were corrected.</p> <p>The State reported that all 6 of the FFY 2007 findings of noncompliance and both FFY 2006 findings of noncompliance were corrected.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that the State timely corrected noncompliance identified in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 3B, 11, 12, and 13 in the FFY 2010 APR due February 1, 2012, the State must report on correction of the noncompliance described in this table under those indicators.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 60%. These data represent progress from the FFY 2008 data of 22%. The State did not meet its FFY 2009 target of 100%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, for every complaint filed between February 1, 2010 and October 31, 2010 and whose timeline is extended beyond the 60-day timeline, documentation of the reason for the extension, including the exceptional</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34</p>

**New Hampshire Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>means of dispute resolution, if available in the State. [Compliance Indicator]</p>	<p>circumstances that existed with respect to that complaint to justify the extension, or other reasons permitted under 34 CFR §300.152(b) (1). The State provided all of the required information.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2007 and 2008 APRs, was advised of available technical assistance, and was required to report, with the FFY 2009 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.</p>	<p>CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines. [Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data are based on six due process hearings. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 69%. These data represent slippage from the FFY 2008 data of 84%. The State met its FFY 2009 target of 60%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 82%. These data represent progress from the FFY 2008 data of 78%. The State did not meet its FFY 2009 target of</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

**New Hampshire Part B FFY 2009 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	84%.	
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 92.86%. These data represent progress from the FFY 2008 data of 90.47%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2007 and 2008 APRs, was advised of available technical assistance, and was required to report, with the FFY 2009 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.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric.</p>