

State of Utah

Individuals with Disabilities Education Act 2004

Annual Performance Report

FFY 2010
(2010-2011)

Prepared by the
Utah State Office of Education

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PART B ANNUAL PERFORMANCE REPORT

In accordance with 20 U.S.C. 1416b(2)(C)(ii) and 34 CFR 300.602 the State of Utah must report annually to the Secretary on the performance of the State under the State Performance Plan (SPP). This report is called the Part B Annual Performance Report (APR). The following report represents these requirements. Utah's State Performance Plan, indicators, and targets were developed with broad stakeholder input and publicly disseminated. The Part B APR describes Utah's progress on the State Performance Plan.

Overview of the Process

In order to implement the SPP and develop the APR, Education Specialists at the Utah State Office of Education (USOE) were assigned specific indicators. The Specialists' roles were to facilitate the implementation of the improvement activities and to collect and analyze the required data. The Education Specialists then facilitated any necessary revisions in order to maintain or improve results and meet or exceed the State's targets. The State Special Education Director and Coordinators provided oversight to the process. Various USOE data collection systems were developed, redesigned, and enhanced to support required elements of the APR process.

USOE Special Education Services staff members participated in the 2011 Office of Special Education Programs (OSEP) Leadership Conference held in Washington, DC. Upon their return they shared the information obtained with other staff members involved in the SPP and APR processes. Staff members participated in the OSEP teleconferences and the Mountain Plains Regional Resource Center (MPRRC) Director teleconferences. Further consultation was provided through telephone calls with Utah's OSEP State contact and through site visits made by MPRRC Center staff.

During the FFY 2010 implementation of the SPP, and in preparation for the APR, SPP requirements and indicators continued to be shared with Local Education Agency (LEA) Special Education Directors. Changes and updates in OSEP requirements were articulated during these meetings. This information was also presented at quarterly meetings of the Utah Special Education Advisory Panel (USEAP). Data-based, as well as required revisions were made to SPP indicators in coordination with the February 1, 2012 submission of the Part B Annual Performance Report. The revisions were made with broad stakeholder knowledge and input, after implementation of improvement activities and careful analysis of progress and/or slippage on each indicator. The specific groups that were involved in the stakeholder input are noted in the "Stakeholder Input" section of the State Performance Plan Executive Summary.

SPP and APR information is widely shared. Each February, the State reports to the public on its progress and/or slippage in meeting the measurable and rigorous targets found in the SPP. The APR is posted on the Utah State Office of Education's website and referenced in the *Utah Special Educator*, a print and web-based publication provided to every special educator and administrator in Utah, as well as the State Superintendent's annual report. The APR is shared at the first regularly scheduled meeting of the USEAP and with the LEA Special Education Directors after submission. Results are also shared with the Utah Parent Center. Prior to April 15th of each year, the USOE prepares and publishes a summary of indicators that are required to be publicly reported for each LEA. The report is posted on the USOE website and is made available for posting on LEA websites. A presentation is made on or before April 15 to USEAP, LEA Special Education Directors, Charter School Directors, and other stakeholders as appropriate.

Activities to Meet Targets

In order to maintain focus on data-based decisions and on improving outcomes for students with disabilities, additional revisions to the SPP and new or revised activities have been determined after careful analysis of results and reported in this APR. Each improvement activity was reviewed and revised as necessary to best meet the intent of the indicators and to measure progress. The revisions have been added to the State Performance Plan in coordination with the February 1, 2012 submission. The revisions were made with broad stakeholder input, after implementation of improvement activities and careful analysis of progress and/or slippage on each indicator, and the improvement activity review.

Sampling Methodology

Sampling is utilized for Indicators 8 and 14. The sampling methodology that is used is explained in the body of those indicators. The sampling plans for Indicators 8 and 14 have been formally approved by OSEP. The sampling plan for Indicator 14 was approved in July, 2007. The sampling plan for Indicator 8 was approved in December, 2007.

Non-required Indicators for FFY 2010 APR:

Indicator 6 is not required to be included with the February 1, 2012 submission of the APR.

Numbers of LEAs Included in the APR

The number of LEAs for Indicators 4A and 4B is 112; the number of LEAs for Indicators 3, 9, and 10 is 119. This is because Indicators 4A and 4B are using 2009-2010 data, while Indicators 3, 9, and 10 use 2010-2011 data. Utah's number of LEAs increases annually due to the increase in number of public charter schools.

Utah's Special Education Monitoring Process

The State's general supervision system includes the Utah Program Improvement Planning System (UPIPS) monitoring process and dispute resolution process. The Utah Program Improvement Planning System was developed to ensure that each LEA is included in the formal monitoring process. A stratified sample of LEAs is included in each year's cohort. The selection criteria for LEAs in each cohort include the following variables: student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique configuration of Utah's 41 school districts, there are three school districts of 50,000 plus students. Three of the five cohorts for monitoring contain one of these very large school districts, and the remaining two include two school districts with enrollments of at least 25,000 students. Each of the five cohorts also includes school districts of medium and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum. The mean percentage of English Language Learner (ELL) students and of non-white students based on total enrollment varies. These data substantiate the representativeness of each cohort. LEAs are selected for State monitoring after being assigned to a cohort based upon location and size. Charter schools were assigned to the monitoring cycle as follows. As new charter schools open, they are assigned to the following year's monitoring cycle. They are not randomly assigned to a monitoring year because it is more important to let Utah charter schools know immediately what the rules and regulations are regarding IDEA. If they were randomly assigned to a monitoring year, it could be five years before a given charter school was monitored.

Each LEA is monitored each year throughout the five years using Self Assessment, on-site visits, Desk Audits, annual performance reports, and/or data reporting. Dispute resolution system data from complaints and hearings is also reviewed and included as part of the monitoring process. The UPIPS monitoring process places increased responsibility on each LEA by involving them in a continuous cycle of identification and improvement. In Year 1, the LEA is charged with involving key stakeholders in the development of a Self Assessment report that analyzes the LEA's effectiveness in ensuring compliance and improving results for students. The LEA then develops a Corrective Action Plan (CAP) and Program Improvement Plan (PIP) that targets areas identified as needing improvement and aligns those identified areas with LEA interventions designed to correct them. Each year of the cycle, the USOE performs a Desk Audit of each LEA which includes an off-site review of the LEA data, submitted as part of the Self Assessment Report and from annual 618 data. Based on the results of the annual Desk Audit, an on-site visit may be scheduled during which random student files will be reviewed for each visited LEA to collect additional data that validate the accuracy of the LEAs' self-collected data and to determine if improvement efforts, as part of the CAP and PIP, have been successful. During Years 2-5 the UPIPS process also tracks the status of each LEA's CAP and PIP, including the correction of identified compliance errors

within one year. The CAP is evaluated each year for evidence of completion of activities and results of those activities are then verified through additional student file reviews and 618 data. Some LEAs may have multiple on-site visits based upon their annual Desk Audit.

As uncorrected noncompliance is identified, it is reported as a finding. A finding is a written notification from the State to an LEA that contains the State's conclusion that the LEA program is in noncompliance and includes the citation of the statute or regulation and a description of the data supporting the conclusion. Written notifications of findings occur as soon as possible and generally within three months of discovery. Except for findings identified through State complaints or due process hearings, individual instances of noncompliance in an LEA involving the same legal requirement under IDEA and Utah Special Education Rules are grouped together as one finding. An LEA will have multiple findings of noncompliance for the same time period if the LEA is noncompliant with more than one legal requirement. Upon written notification of noncompliance from the USOE, the LEA must correct the noncompliance in its policies, procedures, and practices as soon as possible, but in no case later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected, as well as submit additional updated documentation demonstrating that the LEA is correctly implementing the regulatory requirement. In addition, LEAs are required to write a Corrective Action Plan (CAP) to address their process for ensuring that the regulatory requirements are being implemented correctly throughout the LEA. LEAs that have findings of noncompliance are required to document additional professional development on the regulatory requirements and submit additional monitoring data which demonstrates correction of the noncompliance in LEA policies, procedures, and practices, including completion of overdue evaluation(s), IEPs, etc. LEAs whose CAP does not result in the correction of the noncompliance within one year receive enforcement actions from the USOE; actions are selected to target the root cause of the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds.

LEAs who identify and correct noncompliance prior to being issued a finding of noncompliance by the USOE do not receive a finding, as per the OSEP 09-02 Memorandum. In the event that an LEA has findings of noncompliance, the USOE follows guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, the root cause of the noncompliance, and requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific IDEA regulatory requirements. Any identified LEA's findings of noncompliance are required to be corrected as soon as possible and in no case later than one year. LEA progress towards correction of findings of noncompliance is tracked monthly and includes a review of the status of each LEA's Corrective Action Plan (CAP), including the documented complete correction of identified compliance errors. Additionally, the USOE ensures that the errors and missed timelines were corrected and completed for the students in question (Prong 1 of the OSEP 09-02 Memorandum). The CAP is evaluated annually for evidence of corrections of noncompliance issues, completion of professional development activities and, if needed, new procedures developed and implemented to ensure compliance. Results of these activities are verified through additional/subsequent LEA and USOE student file and database reviews (Prong 2 of the OSEP 09-02 Memorandum). While a sample of files were reviewed to determine ongoing LEA compliance with all specific regulatory requirements of IDEA, each file with noncompliance was also reviewed to ensure correction at the individual student level. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with IDEA regulatory requirements. Targeted technical assistance will continue to be provided to achieve the target of 100%.

Conclusion

Utah has made a concerted effort to include stakeholder input in all aspects of the SPP and APR processes. Rich discussions among members of the special education community as well as our USOE general education and Title I partners have occurred. The State has developed and enhanced data systems to ensure accuracy of data. Budgetary processes and professional development activities have been aligned with the SPP and each year's APR. Utah has collected and carefully analyzed the data and

utilized those data to make systemic changes designed to improve results for students with disabilities in the State. As Indicated in the Display I-1, of the 35 targets contained within the indicators that are required to be reported this year, Utah met 25. Utah met the (100% compliance) targets on 6 of the 11 compliance indicators that are required to be submitted. Four out of five of the other compliance indicators reflected 94.58%, 99.60%, 99.83%, and 93.20% levels of compliance within required timelines. Utah remains committed to improving the results for children and youth with disabilities. The USOE has taken immediate action upon reviewing FFY 2010 Indicator 13 data (58% ~~42.44%~~), resulting in changes at the State and LEA levels. The USOE Superintendent of Public Instruction has issued a written statement to all LEA Superintendents/Charter School Directors, Special Education Directors, and LEA staff regarding the need to immediately improve school to post-school transition planning for students with disabilities and the expectation that all LEAs be in 100% compliance with the requirements of 34 CFR §300.320. This request is in conjunction with the recent Utah State Board of Education focus on increasing the college and career readiness of all students, including students with disabilities. In addition, subsequent data collection occurring in FFY 2011 (July 1, 2011 through February 1, 2012) document that Utah's compliance with Indicator 13 has increased significantly to 73.2%, demonstrating that the improvement activities implemented by USOE have had a substantial positive impact on LEA policies, procedures, and practices regarding school to post-school transition. Regardless, the USOE plans to continue with the intense focus on improvement in this indicator, anticipating continued improvement towards the target of 100% compliance, which will be reported in the FFY 2011 APR.

Display I-1: Summary of Utah's Annual Performance Report (APR) for FFY 2010 (2010-2011) – February 2012

Indicator #	Indicator	Indicator Description	2010-11 Actual Data	2010-11 Target	2009-10 Rate	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet Target?
1	Graduation Rate	Percent of youth with IEPs graduating from high school with a regular diploma.	85.1%	83.0%	81.0%	80.1%*	71.1%	72.9%	Y
2	Drop Out Rate	Percent of youth with IEPs dropping out of high school.	4.2%	5.55%	4.50%	5.65%*	4.8%	4.8%	Y
3	Statewide Assessment	Participation and performance of children with IEPs on statewide assessments.							
3A	State AYP Objectives	Percent of the LEAs with a disability subgroup that meets the State's minimum n size that meet the State's AYP targets for the disability subgroup.	81.37%	78%	93%	94.05%	84.0%	89.0%	Y
3B	Participation Rate	Participation rate for children with IEPs.							
	Language Arts Math	Participation rate of grades 3-8 and 10 students. Participation rate of grades 3-8 and 10-12 students.	99.56% 99.42%	95% 95%	99.66% 99.69%	99.58% 99.51%	99.53% 98.06%	99.67% 98.17%	Y Y
3C	Proficiency Rate	Proficiency rate for children with IEPs against grade level, modified, and alternate academic achievement standards.							
	Language Arts	Proficiency rate of grades 3-8. Proficiency rate grade 10.	51.00% 53.58%	83% 82%	48.96% 50.63%	48.19% 45.58%	Combined 3-8 & 10 th grades 41.76%	43.63%	N N
	Math	Proficiency rate of grades 3-8. Proficiency rate of grade 10.	46.43% 25.67%	45% 40%	45.95% 37.53%	42.01% 39.54%			Combined 3-8 & 10 th grades 46.03%
4	Suspension/Expulsion Rates	<i>Rates of Suspension/Expulsion</i>							
4A	Significant Discrepancy	Percent of LEAs that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days for children with IEPs.	0.00%	00.0%	0.00%	0.00%	0.00%	0.00%	Y
4B	Significant Discrepancy by Race or Ethnicity	Percent of LEAs 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.	0.00%	00.0%	***	**	N/A	N/A	Y
5	LRE for Students	Percent of children with IEPs aged 6 through 21 served:							
5A	Regular Classroom	Inside the regular class 80% or more of the day,	54.98%	54.12%	53.58%	52.36%	51.40%	50.64%	Y
5B	Separate Classroom	Inside the regular class less than 40% of the day, and	14.20%	14.91%	15.06%	15.33%	15.40%	15.82%	Y
5C	Separate Facilities	In separate schools, residential facilities, or homebound/hospital placements.	3.08%	3.06%	3.06%	3.23%	3.25%	3.23%	N
6	LRE for Children 3-5	Percent of children aged 3 through 5 with IEPs attending A. regular early childhood program and	****	****	***	**	N/A	N/A	N/A

Indicator #	Indicator	Indicator Description	2010-11 Actual Data	2010-11 Target	2009-10 Rate	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet Target?
		receiving the majority of special education and related services in the regular early childhood program; and B. separate special education class, or residential facility.							
7	Outcomes for Children aged 3-5	Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:							
7A	Social-Emotional	Positive social-emotional skills (including social relationships);	94.83% 56.41%	94.00% 52.74%	1) 94.00% 2) 52.73%	**	N/A	N/A	Y Y
7B	Knowledge and Skills	Acquisition and use of knowledge and skills (including early language/communication and early literacy); and	94.50% 54.78%	93.25% 49.20%	1) 94.10% 2) 51.84%	**	N/A	N/A	Y Y
7C	Behaviors	Use of appropriate behaviors to meet their needs.	94.35% 69.82%	93.69% 67.70%	1) 93.68% 2) 67.97%	**	N/A	N/A	Y Y
8	Parent Involvement	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.	89.5%	87.33%	87.24%	87.3%	85.2%	83.6%	Y
9	Disproportionate by Race/Ethnicity, Overall	Percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	Y
10	Disproportionate by Race/Ethnicity, Disability Category	Percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	Y
11	Evaluation in 60 days	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. (Utah State timeline is 45 school days.)	94.58%	100%	97.41%	96.9%	96.6%	95.2%	N
12	Transition from Part C to Part B	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.	99.6%	100%	98.45%	98.6%	95.1%	93.1%	N
13	Transition Planning on IEP by Age 16	Percent of youth with IEPs aged 16 and above 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 post-secondary goals, and annual IEP goals related to the student's transition service needs. There must also 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.	58% 42.41%	100%	***	* **	78.64%	41.38%	N
14	Postsecondary Outcomes	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	A. 33.1% B. 68.1% C. 80.6%	A. 27.6% B. 54.3% C. 71.8%	***	* **	79.4%	71.5%	Y Y Y

Indicator #	Indicator	Indicator Description	2010-11 Actual Data	2010-11 Target	2009-10 Rate	2008-09 Rate	2007-08 Rate	2006-07 Rate	Did State Meet Target?
		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.							
15	General Supervision: Noncompliance Correction	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.	99.83%	100%	99.48%	99.00%	98.00%	95.00%	N
16	General Supervision: Written 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.	100%	100%	100.00%	100.00%	90.00%	100.00%	Y
17	General Supervision: Due Process	Percent of adjudicated due process hearings that were adjudicated within 45 days 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.	100%	100%	100.00%	100.00%	100.00%	100.00%	Y
18	General Supervision: Part B	Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.	N/A <10	85.00%	N/A <10				
19	General Supervision: Part B	Percent of mediations held that resulted in mediation agreements.	N/A <10	90.00%	N/A <10				
20	General Supervision: Timely and Accurate Data	Percent of state reported data (618 and State Performance Plan and Annual Performance Report) that are timely and accurate.	97.7%	100%	95.24%	97.62%	100.00%	100.00%	N

*Change in indicator/calculation/target.

**Not required for February 1, 2010 submission of the APR.

***Not required for February 1, 2011 submission of the APR

****Not required for February 1, 2012 submission of the APR.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth under ESEA. Graduation rate was calculated as follows: Number of graduates divided by (graduates + dropped out) X 100 = graduation rate. Students who transferred out of the public education system are excluded from the calculation.

FFY	Measurable and Rigorous Target
2010 (Data Year 2009-2010)	85.7% graduation rate or 2 percentage points improvement from the previous year's rate. For FFY 2010, the target used was 83.0% (2 percentage points improvement from FFY 2009). (Note: This target represents the graduation rate target under Title I of the ESEA.)

Actual Data for FFY 2010 (2009-2010 data): 85.1%

Display 1-1: Graduation Rate

	FFY 2009	FFY 2010
# of graduates	2,188	2,243
# of students in the cohort	2,702	2,636
Graduation Rate	81.0%	85.1%

The target of 83.0% (2 percentage points improvement from the previous year's rate) was met.

The USOE applied a formula for the cohort graduation rate required by the No Child Left Behind Act (NCLB) and specifically approved for use in Utah by the United States Department of Education (USDOE). The formula is simply the number of graduates in the cohort divided by the number of graduates plus dropouts in the cohort, with students who transferred out of the public education system excluded from the computation.

To graduate with a regular high school diploma, all students (including students with disabilities) are required to meet State minimum course credit requirements, as specified in Utah State Board of Education Administrative Rule R277-700; LEAs may require additional course credits beyond the State minimum. Students who meet the course credit requirements are awarded a regular high school diploma. Any student who does not meet all graduation requirements may, at the discretion of the LEA, be awarded a Certificate of Completion.

Valid and Reliable Data:

December 1 Child Count and Exit data are submitted electronically to the USOE Data Clearinghouse by LEAs. Data go through an error check system at the USOE Data Clearinghouse with each submission to ensure accuracy and consistency of the data. Data analysis is conducted by various USOE staff members to ensure data are reported accurately. The consistency of data from year to year serves as an additional validation.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2009-2010):

The calculation in FFY 2008, FFY 2009, and FFY 2010 aligns with that used for Title I under the Elementary and Secondary Education Act (ESEA); data indicate that the graduation rate has improved each year. While the ESEA target of 85.7% graduation rate was not met, the required increase of two percentage points over the FFY 2009 rate (from 81.0% in FFY 2009 to 83.0% in FFY 2010) was met in FFY 2010.

Display 1-2: Graduation Rate of Students with Disabilities, Results over Time

	FFY 2008* (Data Year 2007-2008)	FFY 2009 (Data Year 2008-2009)	FFY 2010 (Data Year 2009-2010)
# of graduates	2,234	2,188	2,243
# of students in cohort	2,789	2,702	2,636
Graduation Rate	80.1%	81.0%	85.1%

* A different calculation, one that aligns with ESEA, was used beginning FFY 2008.

Please note that these improvement activities took place between July 1, 2010 and June 30, 2011; this APR is reporting data from 2009-2010. Reporting current improvement activities will enable Utah to monitor the results of these activities. Improvement activities resulted in approval of the USOE's application to receive National Dropout Prevention Center – Students with Disabilities intensive technical assistance. This assistance will increase the knowledge base of USOE staff in evidence-based strategies resulting in improved school completion rates. Targeted professional development activities increased the knowledge base of activity participants related to the impact of school completion on achievement of post-secondary goals.

1. Apply for assistance from the National Dropout Prevention Center – Students with Disabilities (NDPC-SD) to develop programs that will result in increased school completion. Completed.

This activity resulted in:

- The USOE was accepted as an Intensive Technical State in Spring 2011.
 - A State leadership team was formed consisting of representatives of USOE Student Services, the Utah Parent Center, USOE Adult Education, the USOE Behavior Specialist, the Utah Personnel Development Center, and USOE Title III Programs.
 - Regional Educational Laboratory West at WestEd (REL West) contacted the USOE Transition Specialist in June 2011, proposing a partnership with the USOE and NDPC-SD during the period that the USOE will be receiving intensive technical assistance. A “bridge event” was scheduled for November 2011.
2. Work with the USOE leadership and staff to implement directives from the State Board of Education. Completed and ongoing.
 - The USOE Dropout Committee accomplished the following:
 - Participated in the USOE Data Workgroup to define graduates and dropouts and clarify graduation rate calculations for all students.

This activity resulted in clarification of definitions and school completion calculations and reporting as approved by the State Board of Education, Spring 2011. The resulting report, New Graduation Rate Summary Information, may be downloaded at <http://www.schools.utah.gov/data/Educational-Data/Graduation-Dropout-Rates.aspx>.

3. Provide professional development, including assistance in developing and implementing effective transition plans to educators, administrators, and parents. Completed and ongoing.
 - Targeted professional development was provided to over 200 special educators, administrators, and parents in 20 LEAs, the Utah Parent Center, and four State agencies.

Results of this activity include the correction of all Indicator 13 and 15 findings identified through monitoring, as reported in Indicators 13 and 15, and an increased awareness of the potential impact of effective transition planning on improved school completion.

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

Level of compliance for State reported for FFY 2009 for this indicator: 100%

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

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

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

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

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 Participate in the "Strengthening the Senior Year" College and Career Ready Workgroup at the direction of the State Superintendent of Public Instruction.	Fall 2011	USOE Transition Specialist, USOE staff, LEA staff, and LEA administration	This activity was developed at the direction of the Utah State Superintendent of Instruction.
NEW ACTIVITY #2 Participate in NDPC-SD Intensive TA activities with up to ten selected secondary	Fall 2011	USOE Transition Specialist, USOE Staff, NDPC-SD staff, REL West staff	Participation in this activity will provide a structure and resources currently

Activities	Timelines	Resources	Justifications
schools, as outlined in the NDPC-SD framework and training timeline. The selected schools will receive professional development on examining data to identify causes and needs, reviewing and selecting research-based practices to identified causes and needs, and implementing a school plan for improved school completion.			unavailable through the USOE.
NEW ACTIVITY #3 Assist with organizing and participate in “Dropout Prevention: Next Steps for Utah”, a one-day event focused on Utah’s efforts to increase school completion for all students.	November 2011	USOE Transition Specialist, other USOE staff, USOE Staff, REL West staff, NDPC-SD staff	Participation in this activity will provide participants (e.g., educators, administrators, community representatives) information about evidence-based strategies to improve school completion rates.
REVISED ACTIVITY #19 Compare current LEA graduation and dropout data with previous year’s data; survey those LEAs with improved data to identify any participation in professional development or local initiatives that might have contributed to increased school completion.			This activity will be embedded in New Activity #2 above.
REVISED ACTIVITY #21 Analyze existing data to determine patterns of school completion across grade level, LEA/school size or location, race/ethnicity, gender, and ELL/disability status.			This activity will be embedded in New Activity #2 above.
REVISED ACTIVITY #22 Based on data review, develop school completion activities designed to meet student needs, and provide support to LEAs to implement appropriate activities.			This activity will be embedded in New Activity #2 above.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.
(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs are the same measurement and timeline as for all youth under ESEA. Event (single year) dropout rate was calculated as follows: Number of dropouts divided by the total number of potential dropouts X 100 = dropout rate.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2009–2010)	The percent of students with disabilities who drop out of high school will be less than 5.55%.

Actual Data for FFY 2010: 4.2%

Display 2-1: Dropout Rate

	FFY 2010 (Data Year 2009-2010)
# of dropouts	725
# of total students	17,464
Dropout Rate	4.2%

The target of 5.55% was met.

The event (single year) dropout rate is calculated by dividing the number of dropouts (725) by the total number of potential dropouts (17,464). The business rules for determining who is a dropout for all students (including students with disabilities) follow the requirements of the U.S. Department of Education as detailed in their Education Data Exchange Network (EDEN) and National Center for Education Statistics (NCES) Common Core of Data (CCD) specifications.

The USOE 2009 Cohort Graduation Rate and Single Year Dropout Rate Report defines a dropout as: ... an individual who (1) was enrolled in school at some time during a school year, and (2) was not enrolled on October 1 of the following school year, and (3) has not graduated from high school or completed a State or district approved educational program, and (4) does not meet any of the following exclusionary conditions: (a) transfer to another public school district, private school or State or district approved educational program (including correctional or health facility programs), (b) temporary absence due to suspension or school-excused illness, or (c) death.

Students who drop out multiple times in a school year are reported only once for a single school year at the State level. However, students who drop out in more than one year are reported as dropouts for every year in which they drop out.

Valid and Reliable Data:

December 1 Child Count and Exit data are submitted electronically to the USOE Data Clearinghouse by LEAs. Data go through an error check system at the USOE Data Clearinghouse with each submission to ensure accuracy and consistency of the data. Data analysis is conducted by various USOE staff members to ensure data are reported accurately. The consistency of data from year to year serves as an additional validation. Ongoing professional development and technical assistance provided to LEAs have resulted in the continued use of correct exit codes.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

As indicated in Display 2-2, the FFY 2010 dropout rate is lower than the previous year showing progress on this indicator.

Display 2-2: Dropout Rate of Students with Disabilities, Results over Time

	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008* (Data Year 2007-2008)	FFY 2009 (Data Year 2008-2009)	FFY 2010 (Data Year 2009-2010)
# of dropouts	613	830	817	834	928	760	725
# of total students	17,218	17,029	16,900	17,243	16,404	16,877	17,464
Dropout Rate	3.6%	4.9%	4.8%	4.8%	5.7%	4.5%	4.2%

* A different calculation, one that aligns with ESEA, was used beginning FFY 2008.

Please note that these improvement activities took place between July 1, 2010 and June 30, 2011; this APR is reporting data from 2009-2010. Reporting current improvement activities will enable Utah to monitor the results of these activities. Improvement activities resulted in approval of the USOE’s application to receive National Dropout Prevention Center – Students with Disabilities intensive technical assistance. This assistance will increase the knowledge base of USOE staff in evidence-based strategies resulting in improved school completion rates. Targeted professional development activities increased the knowledge base of activity participants related to the impact of school completion on achievement of post-secondary goals.

1. Apply for assistance from the National Dropout Prevention Center – Students with Disabilities (NDPC-SD) to develop programs that will result in increased school completion. Completed.

This activity resulted in:

- The USOE was accepted as an Intensive Technical State in Spring 2011.
- A State leadership team was formed consisting of representatives of USOE Student Services, the Utah Parent Center, USOE Adult Education, the USOE Behavior Specialist, the Utah Personnel Development Center, and USOE Title III Programs.
- Regional Educational Laboratory West at WestEd (REL West) contacted the USOE Transition Specialist in June 2011, proposing a partnership with the USOE and NDPC-SD during the period that the USOE will be receiving intensive technical assistance. A bridge event was scheduled for November 2011.

2. Work with the USOE leadership and staff to implement directives from the State Board of Education. Completed and ongoing.
 - The USOE Dropout Committee accomplished the following:
 - Participated in the USOE Data Workgroup to define graduates and dropouts and clarify graduation rate calculations for all students.

This activity resulted in the clarification of definitions and school completion calculations and reporting as approved by the State Board of Education, Spring 2011. The resulting report, New Graduation Rate Summary Information, may be downloaded at <http://www.schools.utah.gov/data/Educational-Data/Graduation-Dropout-Rates.aspx>.

3. Provide professional development, including assistance in developing and implementing effective transition plans, to educators, administrators, and parents. Completed and ongoing.
 - Targeted professional development was provided to over 200 special educators, administrators, and parents in 20 LEAs, the Utah Parent Center, and four State agencies.

Results of this activity include the correction of all Indicator 13 and 15 findings identified through monitoring, as reported in Indicators 13 and 15, and an increased awareness of the potential impact of effective transition planning on improved school completion.

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

Level of compliance for State reported for FFY 2009 for this indicator: 100%

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

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

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

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

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 Participate in the "Strengthening the Senior Year" College and Career Ready Workgroup at the direction of the State Superintendent of Public	Fall 2011	USOE Transition Specialist, USOE staff, LEA staff, and LEA administration	This activity was developed at the direction of the Utah State Superintendent of Public Instruction.

Activities	Timelines	Resources	Justifications
Instruction.			
<p>NEW ACTIVITY #2 Participate in NDPC-SD Intensive TA activities with up to ten selected secondary schools, as outlined in the NDPC-SD framework and training timeline. The selected schools will receive professional development on examining data to identify causes and needs, reviewing and selecting research-based practices to identify causes and needs, and implementing a school plan for increased school completion.</p>	Fall 2011	USOE Transition Specialist, USOE Staff, NDPC-SD staff, REL West staff	Participation in this activity will provide a structure and resources currently unavailable through the USOE.
<p>NEW ACTIVITY #3 Assist with organizing and participate in “Dropout Prevention: Next Steps for Utah”, a one-day event focused on Utah’s efforts to increase school completion for all students.</p>	November 2011	USOE Transition Specialist, other USOE staff, USOE Staff, REL West staff, NDPC-SD staff	Participation in this activity will provide participants (e.g., educators, administrators, community representatives) information about evidence-based strategies to improve school completion rates.
<p>REVISED ACTIVITY #19 Compare current LEA graduation and dropout data with previous year’s data; survey those LEAs with improved data to identify any participation in professional development or local initiatives that might have contributed to increased school completion.</p>			This activity will be embedded in New Activity #2 above.
<p>REVISED ACTIVITY #21 Analyze existing data to determine patterns of school completion across grade level, LEA/school size or location, race/ethnicity, gender, and ELL/disability status.</p>			This activity will be embedded in New Activity #2 above.
<p>REVISED ACTIVITY #22 Based on data review, develop school completion activities designed to meet student needs, and provide support to LEAs to implement appropriate activities.</p>			This activity will be embedded in New Activity #2 above.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on Statewide assessments:

- A. Percent of the LEAs with a disability subgroup that meets the State's minimum n size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified, and alternate academic achievement standards.

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

Measurement:

- A. AYP percent = [(# of LEAs with a disability subgroup that meets the State's minimum n size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum n size)] times 100.
- B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	<ul style="list-style-type: none"> A. The percent of LEAs that made AYP in the students with disabilities subgroup will increase to 78% by 2010-11. B. The percent of students with disabilities participating in Statewide assessments in language arts will increase to 95% by 2010-2011. The percent of students with disabilities participating in Statewide assessments in math will increase to 95% by 2010-2011. C. The percent of grade 3-8 students and for grade 10 students who are proficient in language arts assessments will be 83%* and 82%*, respectively. <p>The percent of grade 3-8 students and for grade 10 students who are proficient in mathematics assessments will be 45%* and 40%*, respectively.</p> <p>*Utah postponed the scheduled AYP targets increase for 2010-2011 for one year with approval from the U.S. Department of Education. The increase will occur in 2011-2012.</p>

Display 3-1: Actual Data for FFY 2010:

Indicator	Topic	Target	Actual Data	Met or Not Met
3A.	AYP	78%	81.37%	Met
3B.	Participation: Math	95%	99.42%	Met
3B.	Participation: Language Arts	95%	99.56%	Met
3C.	Proficiency: Math 3-8	45%	46.43%	Met
3C.	Proficiency: Math 10	40%	25.67%	Not Met
3C.	Proficiency: Language Arts 3-8	83%	51.00%	Not Met
3C.	Proficiency: Language Arts 10	82%	53.58%	Not Met

Indicator Summary: Four of the seven targets for this indicator were met.

Reporting of Targets and Actual Data:

3A. Actual AYP Data for FFY 2010: 81.37%

Display 3-2: Number and Percent of LEAs That Met the State's AYP Target for the Disability Subgroup (Based on Those LEAs that Met the Minimum n Size for the Disability Subgroup):

FFY	Total Number of LEAs	Number of LEAs Meeting the n Size	Number of LEAs that Meet the Minimum n* Size and Met AYP for FFY 2010	Percent of LEAs That Met AYP
2010 (2010-2011)	119	102	83	83/102 = 81.37%

*Minimum n size for participation is n≥40 and the n size for proficiency or performance is n≥10.

The target of 78% was met.

3B. Actual Participation Data for FFY 2010:

Display 3-3: Participation Rate of Students with Disabilities

(FAY* and non-FAY included)	Math	Language Arts
a. Children with IEPs	38,116	40,090
b. IEPs in regular assessment with no accommodations	11,106	12,170
c. IEPs in regular assessment with accommodations	23,486	24,437
d. IEPs in alternate assessment against grade-level standards	0	0
e. IEPs in alternate assessment against modified standards	0	0
f. IEPs in alternate assessment against alternate standards	3,304	3,308
Account for any children with IEPs that were not participants in the narrative.	220	175
Overall = [(b + c + d + e + f) divided by (a)]	99.42%	99.56%

*Full Academic Year (FAY)

The target of 95% for Math was met.

The target of 95% for Language Arts was met.

3C. Actual Proficiency Rate for FFY 2010:

Display 3-4: Proficiency Rate of Students with Disabilities

(FAY included)	Math 3-8	Math 10	Language Arts 3-8	Language Arts 10
a. Children with IEPs	32,974	2,657	34,074	3,434
b. IEPs in regular assessment with no accommodations	6,817	192	7,236	743
c. IEPs in regular assessment with accommodations	6,270	163	7,731	761
d. IEPs in alternate assessment against grade-level standards	0	0	0	0
e. IEPs in alternate assessment against modified standards	0	0	0	0
f. IEPs in alternate assessment against alternate standards	2,222	327	2,412	336
Overall Percent = [(b + c + d + e + f) divided by (a)]	46.43%	25.67%	51.00%	53.58%

The target of 45% for grades 3-8 for Math was met.

The target of 40% for grade 10 for Math was not met.

The target of 83% for grades 3-8 for Language Arts was not met.

The target of 82% for grade 10 for Language Arts was not met.

3B. Actual Participation Data for FFY 2010:

Display 3-5: Disaggregated Data for Math Participation

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY and non-FAY included)	Math Assessment								
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Total	
								#	%
a. Children with IEPs	6,860	6,977	6,589	6,173	4,889	3,737	2,891	38,116	
b. IEPs in regular assessment with no accommodations	2,690	2,306	1,754	1,350	1,085	801	1,120	11,106	29.14%
c. IEPs in regular assessment with accommodations	3,659	4,175	4,277	4,325	3,308	2,432	1,310	23,486	61.62%
d. IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0%
f. IEPs in alternate assessment against alternate standards	492	477	532	469	468	461	405	3,304	8.67 %
g. Overall (b+c+d+e+f) Baseline	6,841	6,958	6,563	6,144	4,861	3,694	2,835	37,896	99.42%
Children included in "a" but not included in the other counts above.									
Account for any children with IEPs that were not participants in the narrative	19	19	26	29	28	43	56	220	0.58 %
Participation Rate by Grade Level	99.72%	99.73%	99.61%	99.53%	99.43%	98.85%	98.06%	99.42%	

Display 3-6: Disaggregated Data for Reading Participation

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY and non-FAY included)	Language Arts Assessment								
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Total	
								#	%
a. Children with IEPs	6,862	6,977	6,591	6,175	5,207	4,555	3,723	40,090	
b. IEPs in regular assessment with no accommodations	2,700	2,356	1,862	1,523	1,222	1,077	1,430	12,170	30.36 %
c. IEPs in regular assessment with accommodations	3,655	4,128	4,179	4,158	3,489	2,992	1,836	24,437	60.96%
d. IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0	0%
f. IEPs in alternate assessment against alternate standards	492	477	532	469	468	462	408	3,308	8.25%
g. Overall (b+c+d+e+f) Baseline	6,847	6,961	6,573	6,150	5,179	4,531	3,674	39,915	99.56%
Children included in "a" but not included in the other counts above.									
Account for any children with IEPs that were not participants in the narrative	15	16	18	25	28	24	49	175	0.44 %
Participation Rate by Grade Level	99.78%	99.77%	99.73%	99.60%	99.46%	99.47%	98.68%	99.56%	

3.C. Actual Performance Data for FFY 2010:

Display 3-7: Disaggregated Data for Math Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY included)	Math Assessment Performance						Total	
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	#	%
a. Children with IEPs	6,409	6,545	6,155	5,787	4,607	3,471	32,974	
b. IEPs in regular assessment with no accommodations	1,970	1,683	1,251	918	660	335	6,817	20.67%
c. IEPs in regular assessment with accommodations	1,025	1,287	1,232	1,074	1,174	478	6,270	19.02%
d. IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0%
f. IEPs in alternate assessment against alternate standards	357	369	405	367	354	370	2,222	6.74%
g. Overall (b+c+d+e+f) Baseline	3,352	3,339	2,888	2,359	2,188	1,183	15,309	46.43%
Proficiency Rate by Grade Level	52.30%	51.02%	46.92%	40.76%	47.49%	34.08%	46.43%	

Display 3-8: Disaggregated Target Data for Math Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY included)	Math Assessment Performance	Total	
	Grade 10	#	%
a. Children with IEPs	2,657	2,657	
b. IEPs in regular assessment with no accommodations	192	192	7.23%
c. IEPs in regular assessment with accommodations	163	163	6.14%
d. IEPs in alternate assessment against grade-level standards	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0%
f. IEPs in alternate assessment against alternate standards	327	327	12.31%
g. Overall (b+c+d+e+f) Baseline	682	682	25.67%

Display 3-9: Disaggregated Data for Language Arts Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY included)	Language Arts Assessment Performance						Total	
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	#	%
a. Children with IEPs	6,415	6,550	6,166	5,795	4,898	4,250	34,074	
b. IEPs in regular assessment with no accommodations	1,929	1,617	1,248	1,041	687	714	7,236	21.24%
c. IEPs in regular assessment with accommodations	1,293	1,255	1,198	1,398	1,167	1,420	7,731	22.69%
d. IEPs in alternate assessment against grade-level standards	0	0	0	0	0	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0	0	0	0	0	0%
f. IEPs in alternate assessment against alternate standards	393	399	442	395	387	396	2,412	7.08%
g. Overall (b+c+d+e+f) Baseline	3,615	3,271	2,888	2,834	2,241	2,530	17,379	51.00%
Proficiency Rate by Grade Level	56.35%	49.94%	46.84%	48.90%	45.75%	59.53%	51.00%	

Display 3-10: Disaggregated Data for Language Arts Performance: Number and Percent of Students with IEPs that Scored Proficient or Higher

Statewide Assessment FFY 2010 (Data Year 2010-2011) (FAY included)	Language Arts Assessment Performance	Total	
	Grade 10	#	%
a. Children with IEPs	3,434	3,434	
b. IEPs in regular assessment with no accommodations	743	743	21.64%
c. IEPs in regular assessment with accommodations	761	761	22.16%
d. IEPs in alternate assessment against grade-level standards	0	0	0%
e. IEPs in alternate assessment against modified standards	0	0	0%
f. IEPs in alternate assessment against alternate standards	336	336	9.79%
g. Overall (b+c+d+e+f) Baseline	1,840	1,840	53.58%

Valid and Reliable Data:

The accuracy of the data is ensured as they go through quality assurance and quality control established by both the assessment results team and the Information Technology (IT) section at the Utah State Office of Education.

Public Reporting Information:

The Special Education Assessment website, <http://www.schools.utah.gov/sars/Assessment.aspx> has links to numerous documents including:

- The Utah Assessment Participation and Accommodations Policy can be found at http://www.schools.utah.gov/sars/DOCS/assessment/Special_Needs_Accommodations_Policy-pdf.aspx
- Indicator 3
- Utah's CRT and UAA Results for Schools
- Utah's CRT and UAA Results for LEAs

- Utah's CRT and UAA Results for the State
- The Statewide scores for the Direct Writing Assessment (DWA)
- The Utah State Office of Education (USOE) Assessment webpage
- The Utah State Office of Education (USOE) Public School Data Gateway <http://schools.utah.gov>

AYP reports may be accessed from the USOE Assessment Reports webpage at <http://www.schools.utah.gov/assessment/Reports.aspx>.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

The number of LEAs that are meeting the minimum n size for this subgroup has increased over time, from 57 in 2004-2005 to 102 in 2010-2011. Minimum n size for participation is $n \geq 40$ and the n size for proficiency or performance is $n \geq 10$. Thus, maintaining or increasing the percent of LEAs that meet AYP for this subgroup is a challenge but one for which the State of Utah has put forth considerable effort.

Display 3-11: Trend Data for FFY 2008, FFY 2009, and FFY 2010

Indicator	Topic	FFY 2008	FFY 2009	FFY 2010
3A. AYP	Target	66%	72%	78%
	Actual Data	94%	93%	81.37%
	Met or Not Met	Met	Met	Met
3B. Participation: Math	Target	95%	95%	95%
	Actual Data	99.51%	99.69%	99.42%
	Met or Not Met	Met	Met	Met
3B. Participation: Language Arts	Target	95%	95%	95%
	Actual Data	99.58%	99.66%	99.56%
	Met or Not Met	Met	Met	Met
3C. Proficiency: Math 3-8	Target	45%	45%	45%
	Actual Data	42.01%	45.95%	46.43%
	Met or Not Met	Not Met	Met	Met
3C. Proficiency: Math 10 (2010) Math 10-12 (2009-2008)	Target	40%	40%	40%
	Actual Data	39.54%	37.53%	25.67%
	Met or Not Met	Not Met	Not Met	Not Met

3C. Proficiency: Language Arts 3-8	Target	83%	83%	83%
	Actual Data	48.19%	48.96%	51.00%
	Met or Not Met	Not Met	Not Met	Not Met
3C. Proficiency: Language Arts 10	Target	82%	82%	82%
	Actual Data	45.58%	50.63%	53.58%
	Met or Not Met	Not Met	Not Met	Not Met

The participation rate of students with disabilities has increased from 86% (math) and 92% (language arts) in 2004-2005 to over 99% since 2008-2009. The increased participation rate is partially due to professional development provided on the Utah Assessment Participation and Accommodations Policy and the number of educators who have been trained over the past years who implement the policy. The policy and professional development include a description of the assessments in Utah, acceptable and appropriate accommodations, who takes which assessment, and why students with disabilities must participate. Since this professional development is designed for teachers of students with disabilities, it facilitates a better understanding of assessment requirements and practices. The USOE will continue to provide professional development opportunities for Special Education Directors, Assessment Directors, and LEA general and special education staff members on the Utah Assessment Participation and Accommodations Policy.

Since FFY 2008 (2008-2009), the percentage of students with disabilities scoring proficient or above on the Language Arts test has increased from 48% to 51% for students in grades 3-8 and from 46% to 54% for students in grade 10. This increase has not resulted in meeting the targets, but the gap is being reduced.

In FFY 2008, the Mathematics (Elementary and Secondary) core curriculum was significantly revised, resulting in new Mathematics assessments which were more rigorous than in years past. The performance (proficiency level) cut scores on the Mathematics assessments changed, which make direct comparisons between FFY 2007 and subsequent years problematic. The AYP calculation method in Utah for secondary math was changed in 2010-2011 from all math grades 10-12 to 10th grade Algebra 1. In FFY 2009, 3,585 students with disabilities participated in math grades 10-12 or 99.06%, this percentage decreased to 2,835 students or 98.06% in FFY 2010.

Math performance for students in 10th grade Algebra 1 may have decreased due to lack of prior experience in Algebra 1 content to enable students to be proficient in Algebra 1 by the end of 10th grade. Prior to Spring 2011, LEAs were notified of the change in AYP secondary math calculation and the focus intensified on improving instruction for students in general and special education. During 2010-2011, professional development in mathematics progress monitoring was provided along with a pilot math content teacher education program, Project KNOTtT, which helped 22 out of 23 educators pass the mathematics PRAXIS.

The USOE has held numerous professional development opportunities in the areas of literacy and numeracy in collaboration with the Title I and Teaching and Learning Sections. General education and special education teachers attended. The data are beginning to reflect those efforts with an increase in Language Arts proficiency for FFY 2009 which continued in FFY 2010. Proficiency in math grades 3-8 continued to improve in FFY 2010.

Data for 3B included both Full Academic Year (FAY) and non-FAY data and data for 3C are based on FAY (i.e., AYP) data. The calculations in 3B include all students with IEPs, in all grades assessed,

including students not participating in assessments and those not enrolled for a full academic year (FAY). The calculations in 3C include all students with IEPs enrolled for a full academic year.

The target for 3A was set in the FFY 2005 SPP; Utah’s AYP process does not have a 3A-related target. The targets for 3B and 3C are aligned with the AYP targets established in Utah’s Consolidated Accountability Workbook, and thus represent a change from the targets established in the FFY 2005 SPP. The targets are available at http://www.schools.utah.gov/data/Educational-Data/Accountability-School-Performance/AYP_Decision_Tree.aspx.

Each improvement activity was reviewed in terms of its impact on Indicator 3. Improvement activities resulted in the development of resources and implementation of targeted professional development activities, which in turn increased LEA knowledge and available resource materials, thus ensuring appropriate accommodations of students with disabilities as indicated by UPIPS monitoring data. Policies, procedures, and practices have been appropriately aligned to ESEA requirements. This alignment is expected to continue to facilitate the increase in participation and proficiency of students with disabilities on Statewide assessments.

1. Collaboratively provide Statewide professional development on ELA (literacy and reading) instruction and interventions for general and special educators. Completed and ongoing.
 - Short-term results: Provided professional development to 4,300 educators in the ELA Common Core Curriculum.
 - Medium-term results: Continued to provide support to LEAs in the ELA Common Core Curriculum.
 - Long-term results: Changes in policies and practices will ultimately improve student outcomes and assessment data on Criterion-Referenced Tests at both the State and LEA levels.

2. Collaboratively provide Statewide professional development on mathematics (numeracy) instruction and interventions for general and special educators.
 - Short-term results: Provided professional development to 400 special educators in mathematics progress monitoring and 22 out of 23 secondary special educators passed the mathematics PRAXIS who participated in the Project KNOTtT pilot.
 - Medium-term results: Continued to provide professional development in Standards-Based IEPs, mathematics progress monitoring and Project KNOTtT.
 - Long-term results: Changes in policies and practices will ultimately improve student outcomes and assessment data on Criterion-Referenced Tests at both the State and LEA levels.

3. Provide professional development Statewide on the Extended Core Standards. Completed and ongoing.
 - Short-term results: Provided professional development to 174 special educators who instruct students with significant cognitive disabilities to achieve awareness and knowledge of the Extended Core Standards.
 - Medium-term results: Continued to provide professional development, support and encouragement to LEAs to instruct students with significant cognitive disabilities in the Extended Core Standards.
 - Long-term results: Changes in policies and practices will ultimately improve student outcomes and assessment data on Utah’s Alternate Assessment at both the State and LEA levels.

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

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	10
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	10

3. Number of FFY 2009 findings <u>not</u> verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
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Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

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

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

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 Increase secondary teachers' content knowledge via Project KNOTtT.	2011 and ongoing	UPDC staff, USOE staff, IDEA statewide Activity funds	Project KNOTtT will increase secondary teachers' math content knowledge.
NEW ACTIVITY #2 Improve teachers' ability to adjust instruction for individual students with Mathematics Progress Monitoring.	2011 and ongoing	UPDC staff, USOE staff, IDEA statewide Activity funds	Mathematics progress monitoring will improve teachers' ability to adjust instruction for individual students.
NEW ACTIVITY #3 Increase access to the Common Core in ELA and Mathematics and link specialized instruction to the Common Core through Standards-Based IEPs.	2011 and ongoing	UPDC staff, USOE staff, IDEA statewide Activity funds	Increase access to the Common Core in ELA and math and link specialized instruction to the Common Core.
NEW ACTIVITY #4 Improve mathematic content instruction and knowledge for pre-service teachers by IHEs.	2011 and ongoing	IHEs, USOE	Increase math content instruction and knowledge for pre-service special education teachers by IHEs.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator – 4A: 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.

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

Measurement:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

Utah’s definition of significant discrepancy beginning in FFY 2010: The USOE uses the “State bar” method for defining significant discrepancy. The FFY 2010 State rate (based on 2009-2010 data) for suspending/expelling students with disabilities among LEAs in the State for more than 10 days is 0.42%. The USOE is setting the “State bar” as five percentage points higher than the State rate. Thus, any district/charter school that suspends or expels 5.42% or more of its students with disabilities for more than ten days is flagged for significant discrepancy. There must be at least 30 students with disabilities in the LEA in the denominator of a suspension rate for it to be flagged.

FFY	Measurable and Rigorous Target
2010 (Data Year 2009-2010)	Reduce number of LEAs with significant discrepancies by 1%.

Actual Data for FFY 2010 (Data Year 2009-2010): 0.0%

Display 4A-1: LEAs with Significant Discrepancy in Rates for Suspension and Expulsion

FFY	Total Number of LEAs	Number of LEAs that have Significant Discrepancies	Percent
2010 (Data Year 2009-2010)	112	0	0.0%

Note: Twenty-six of 112 LEAs were excluded. Three excluded LEAs did not have at least 30 students with disabilities enrolled in the LEA. Twenty-three excluded LEAs did not have any students with disabilities who were suspended/expelled for more than 10 days; therefore, their suspension/expulsion rate was 0%. The USOE chose to use all LEAs for the denominator.

The target of 0.0% for 4A was met.

The USOE collects data for Indicator 4A through an end-of-year submission from all LEAs. Data on suspensions and expulsions of students with disabilities are derived from Section 618 Table 5 data. Data submissions from 2009-2010 were used for the FFY 2010 APR. The USOE uses the "State bar" method for defining significant discrepancy. The FFY 2010 State rate (based on 2009-2010 data) for suspending/expelling students with disabilities among LEAs in the State for more than ten days is 0.42%. The USOE is setting the "State bar" as five percentage points higher than the State rate. (Utah chose to use the five percentage points higher than the State rate as the "State bar" after discussion with other states with similar demographics and in close proximity.) Thus, any district/charter school that suspends or expels 5.42% or more of its students with disabilities for more than ten days is flagged for significant discrepancy. There must be at least 30 students with disabilities in the LEA for the suspension rate to be flagged as significantly discrepant.

During FFY 2010, no LEAs were identified with significant discrepancies in the rate of suspension and expulsion of greater than ten days in a school year of students with IEPs.

Review of Policies, Procedures, and Practices (Completed in FFY 2010 Using 2009-2010 Data):

The State is not required to conduct a review of LEA policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, as per 34 CFR §300.170(b), because zero LEAs were identified with significant discrepancies in the rate of suspensions and expulsions of greater than ten days in a school year for students with IEPs. There was no identification of noncompliance in this area because no LEAs were flagged for having a significant discrepancy; thus, there was no required review.

Valid and Reliable Data:

Data on suspensions and expulsions of children with disabilities is derived from Section 618 data submitted annually by LEAs to the USOE Special Education Section through Table 5. Data submissions from 2009-2010 were used for the FFY 2010 APR. LEAs are required to carefully review their own data before submission. Upon submission, the data from each LEA are reviewed by the USOE Data Specialist.

Discussion of Improvement Activities Completed and Explanation of Progress that Occurred in FFY 2010:

Of the 112 LEAs in Utah, none were identified as having significant discrepancy in FFY 2010 for Indicator 4A. During the 2009-2010 school year, 249 students with disabilities were suspended/expelled for greater than ten days. Only 18 LEAs had a suspension rate greater than 0%; and no LEAs had a suspension rate greater than the "state bar" of 5.42%. Twenty-six LEAs had less than 30 students with disabilities enrolled and were excluded from the Indicator 4A analysis. However, all but two of these 26 excluded LEAs had a 0% suspension/expulsion rate. Since FFY 2006, 0% of LEAs have been identified with a significant discrepancy.

Please note that these improvement activities took place between July 1, 2010 and June 30, 2011; this APR is reporting data from 2009-2010. Reporting current improvement activities will enable Utah to monitor the results of these activities. Each improvement activity was reviewed to determine its impact on Indicator 4A. These activities have supported the maintenance of a 0.0% rate of LEAs having a significant discrepancy in the rates of suspension/expulsion greater than ten days in a school year.

1. Reviewed and revised the Statewide Assistance Team (SWAT) process for students with the most severe behavior difficulties to ensure enhanced local capacity of LEAs to effectively enable these students to succeed in school. Completed and ongoing.
 - Provided technical assistance and comprehensive professional development for staff working with individual students who exhibited patterns of problem behaviors. The professional development included a process for functional behavioral assessment (FBA) and a support plan comprised of individualized, assessment-based intervention strategies. Participants were

introduced to a continuum of practices such as: (1) guidance or instruction for the student to use new skills as a replacement for problem behaviors, (2) some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and (3) procedures for monitoring, evaluating, and reassessing the plan as necessary.

Results of this activity included technical assistance on behavioral interventions, comprehensive professional development for LEAs making a SWAT request, processes for functional behavioral assessments, and a support plan comprised of individualized intervention strategies. This support provided to LEAs enables teams to respond to students' behavior through a variety of strategies other than suspension or expulsion so that students with disabilities are removed less often from their educational programs.

2. Collaborated with the USOE Comprehensive Guidance programs to promote and review programs for at-risk students. Completed and ongoing.
 - During the 2010-2011 school year, Utah implemented the Communities of Practice (CoP) approach for engaging stakeholder groups in collaboratively solving complex and persistent problems. The focus of the CoP is to create a shared agenda with multiple stakeholders including education, mental health, and families.
 - Participants in the CoP included representative from four State agencies, ten LEAs, three professional organizations, four family and advocacy groups, and three technical assistance centers.
 - The CoP addressed topics of social and behavioral developmental issues.

The results of this activity included improved interagency collaboration which has strengthened educational programs and improved outcomes for students at risk for school failure, including students with high rates of suspensions and expulsions. In addition, the foundation of a Statewide infrastructure to better address school-based mental health services was developed.

3. Continued to implement the Academic and Behavior Coaching/Utah Behavior Initiative (ABC/UBI) collaboration with participating LEAs and schools to increase the promotion and application of Positive Behavioral Supports, Instructional School-Based Teams, and Multi-Tiered Systems of Support models. Encourage new LEAs and/or schools to participate in this voluntary initiative. The ABC/UBI training initiative is designed to improve behavioral and academic outcomes for students with disabilities. Completed and revised.

2010-2011

67 Participating School Sites

4 Baseline School Sites

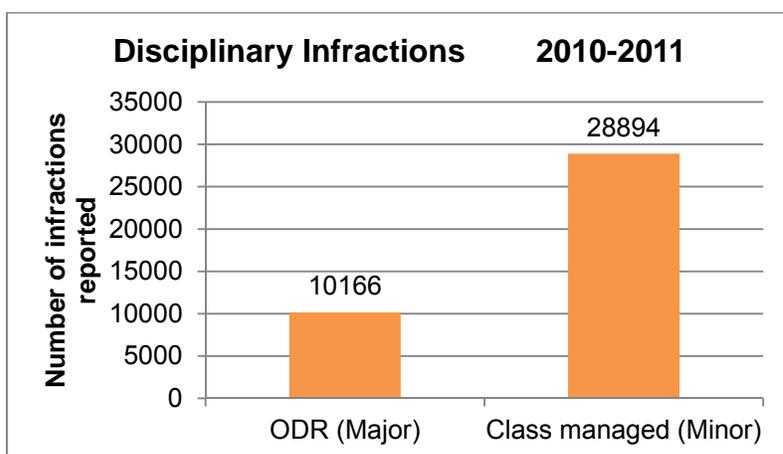
71 Total School Sites (17 Secondary School Sites, 54 Elementary School Sites)

- Supported the implementation of a Multi-Tiered System of Support (MTSS) in participating schools and/or LEAs. MTSS training activities included:
 - Implementing evidence-based instruction and intervention to support the Utah Common Core.
 - Implementing proactive screening and progress monitoring assessments.
 - Implementing a problem solving process to support the academic and behavior needs of all students.
- Participating school teams held monthly meetings to review data and follow the ABC/UBI problem solving process.
- The ABC/UBI Policy & Research Council gave technical assistance to allow large-scale implementation of both Statewide and district-wide PBIS. Two Advisory Council meetings were held between September 2010 and May 2011 during which four major universities, the USOE, the Utah Personnel Development Center (UPDC), and LEA leadership attended. Four project outcome goals were established during the meetings: (1) connect academic and behavioral instruction and intervention (e.g., RTI), (2) coach both classroom and systems level supports to

increase fidelity of implementation for intervention and instruction, (3) develop and expand fidelity checks for at-risk and high-risk behavioral needs, and (4) plan for sustainability for schools and continue implementation of school-wide PBIS.

- Nineteen ABC/UBI District Coaches provided additional LEA technical support for schools implementing PBIS and maintained fidelity of implementation commensurate with State guidelines. ABC/UBI coaches participated in a coaching network, which included monthly meetings, electronic correspondence, list serve participation and conference attendance. Nine coaching network meetings were held between July 2010 and June 2011.
- Fifteen ABC/UBI LEA leadership teams coordinated implementation and sustainability efforts within their LEAs.
 - The objective of the teams was to provide support in four primary areas: increasing capacity, increasing the number of coaches, evaluation, and coordination.
 - The leadership teams met quarterly to establish a system of effective and efficient utilization of materials, personnel, and resources in the implementation of a three- to five-year action plan.
- Participating schools were required to maintain outcomes data.
 - Conduct the School-wide Evaluation Tool (SET) once each year. The SET is designed to assess and evaluate the critical features of school-wide effective behavior support across each academic school year. The SET consists of seven indicators: A- Expectations Defined, B- Expectations Taught, C- Reward System in Place, D- Behavioral Violations System in Place, E- Monitoring and Decision Making, F- Management, G- State and District Support and the Total Average Score.
 - Complete a Team Self Assessment in the fall and spring. Schools report on seven areas: Systems Support, Tier 1 Academics, Tier 1 Behavior, Tier 2 Academics, Tier 2 Behavior, Tier 3 Academics, and Tier 3 Behavior. The responses are reported as “in place,” “partially in place,” or “not in place.”
 - Keep documentation throughout the year on the number of office discipline referrals (ODRs) for all students, including students with disabilities. Data indicates a decrease in the number of ODRs that could result in suspension or expulsion from school, as shown in display 4A-2.

Display 4A-2: Office Discipline Referrals



Results of these activities included the provision of a consistent instruction/intervention framework for all educators in the areas of behavioral supports and classroom instruction. Increased LEA participation and an increase in the number of school personnel trained and implementing PBIS resulted in fewer office disciplinary referrals, better school climates, and greater knowledge of the MTSS process. For a more detailed report on the results of the ABC/UBI program, visit:

<http://www.updc.org/abc/>.

4. Established university partnerships for the purpose of program evaluation and curriculum development. Completed and ongoing.
 - The Tough Kid Functional Behavior Assessment of Truancy (FBAT) and Interventions Manual was developed. This research-based toolkit included a functional behavior assessment form to document four components of truant behavior.
 - A 24-item behavior checklist for the student's teacher
 - A review of the student's archival records
 - A teacher interview
 - A student interview
 - (There is also an optional parent interview)
 - The FBAT guided the teacher to identify truant behavior antecedents, setting events (including home events), motivations for escape (related to specific school situations), motivations for avoidance (related to specific school situations), attention (adults and peers), and specific reinforcers (peers, etc.). The Interventions Manual includes truancy-specific interventions for antecedents, setting events, and motivations tied directly to the student's FBAT. The interventions are evidence-based and include specific steps for easy implementation.

Results of this activity included increased resources and materials at no cost for each LEA within the State, which provided LEA personnel with intervention ideas to use with students struggling with truancy-specific behavioral concerns.

5. Organized the State-level Community of Practice (CoP) Group focusing on school-based mental health services.
 - The CoP on School-Based Behavioral Health addressed issues involving youth at-risk for school failure. Work groups were formed to address the multiple factors that promote increased achievement. As a result, new alliances were created and indicators of success were identified that engage and build a broad-based understanding and commitment to action, reflection, and change.
 - Continued State-level planning occurred with regards to the 2012 National Conference on Advancing School Mental Health Services. This conference is sponsored by the University of Maryland School of Medicine in partnership with the IDEA Partnership funded by the Office of Special Education Programs (OSEP) and the National Association of State Directors of Special Education (NASDSE).

In combination with activity number two, the results of this activity improved interagency collaboration which has strengthened educational programs and improved outcomes for students at risk for school failure, including students with high rates of suspensions and expulsions. In addition, the foundation of a State-level infrastructure to better address school based mental health services was developed.

Correction of FFY 2009 Findings of Noncompliance:

The State did not identify noncompliance for this indicator as a result of a review of policies, procedures, and practices that is required by 34 CFR §300.170(b).

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

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

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

Actions Taken if Noncompliance Not Corrected:

USOE did not have any findings of noncompliance for the FFY 2009; therefore, no action was needed to correct noncompliance.

Verification of Correction (either timely or subsequent):

USOE did not have any findings of noncompliance from FFY 2009; therefore, no verification of correction was necessary.

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

USOE did not have any findings of noncompliance from FFY 2008 or earlier; therefore, no action was needed to correct noncompliance.

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

Not applicable.

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

No new or revised activities needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator – 4B : Rates of suspension and expulsion:

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.

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

Measurement:

Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Utah’s Definition of Significant Discrepancy: The USOE uses the “State bar” method for defining significant discrepancy. The FFY 2010 State rate (based on 2009-10 data) for suspending/expelling students with disabilities among LEAs within the State for more than 10 days is 0.42%. The USOE is setting the State bar as five percentage points higher than the State rate. Thus, any LEA that suspends or expels 5.42% or more of its students with disabilities of a given race/ethnicity for more than 10 days is flagged for significant discrepancy. There must be at least 30 students with disabilities of each race/ethnicity category in the LEA in the denominator of a suspension rate for it to be flagged.

FFY	Measurable and Rigorous Target
2010 (Data Year 2009-2010)	Maintain 0.0% of LEAs with significant discrepancy in rate of suspensions and expulsions of students with disabilities by race and ethnicity.

Actual Data for FFY 2010 (Data Year 2009-2010): 0.0%

Display 4B-1: LEAs with Significant Discrepancy in Rates for Suspension and Expulsion by Race/Ethnicity

Total # of LEAs	112
# of LEAs flagged for significant discrepancy	1
% of LEAs flagged for significant discrepancy	0.9%
# of LEAs found to have significant discrepancy due to inappropriate policies, practices, and procedures	0
Percent of LEAs that had significant discrepancy due to inappropriate policies, practices, and procedures	0.0%

Note: Thirty LEAs were excluded as they did not meet the minimum n size requirement of 30 students with disabilities in any race/ethnicity category for the denominator. The other 82 LEAs had at least one ratio by race/ethnicity calculated. Of the 30 LEAs that were excluded, all but two had a 0% suspension/expulsion rate for each racial/ethnic group. The USOE chose to use all LEAs for the denominator.

The target of 0.0% for 4B was met.

The USOE uses the “State bar” method for defining significant discrepancy. The FFY 2010 State rate (based on 2009-2010 data) for suspending/expelling students with disabilities among LEAs within the State for more than ten days is 0.42%. The USOE is setting the State bar as five percentage points higher than the State rate. (Utah chose to use the five percentage points higher than that State rate as the “State bar” after discussion with other states with similar demographics and in close proximity.) Thus, any LEA that suspends or expels 5.42% or more of its students with disabilities of a given race/ethnicity for more than ten days is flagged for significant discrepancy. There must be at least 30 students with disabilities in each race/ethnicity category in the denominator of a suspension rate for it to be flagged.

Valid and Reliable Data:

Data on suspensions and expulsions of children with disabilities is derived from Section 618 data submitted annually by LEAs to the USOE Special Education Section through Table 5. Data submissions from 2009-2010 were used for the FFY 2010 APR. LEAs are required to carefully review their own data before submission. Upon submission, the data from each LEA are reviewed by the USOE Data Specialist.

Review of Policies, Procedures, and Practices (Completed in FFY 2010 Using 2009-2010 Data):

One LEA was flagged for a significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for students with IEPs of specific race/ethnicity; therefore, the USOE conducted a review of the one flagged LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, including IDEA disciplinary requirements. Further, the USOE and the LEA jointly reviewed the incident reports for each student’s suspension(s). That LEA was not identified as having a significant discrepancy based on inappropriate policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, including IDEA disciplinary requirements.

Discussion of Improvement Activities Completed and Explanation of Progress that Occurred in FFY 2010:

Of the 112 LEAs in Utah in 2009-2010, one was flagged as having a significant discrepancy in FFY 2010 for Indicator 4B; however, no LEA was identified as having a significant discrepancy based on inappropriate policies, procedures, and practices. Of the 112 LEAs, 80 LEAs suspended/expelled 0.0% of their students of specific race/ethnicity with disabilities for more than ten days. Of these 80 LEAs, 28 LEAs did not meet the minimum n size of 30 enrolled students with disabilities in the specific

race/ethnicity category. Thus, for the past two years, USOE has maintained a 0.0% suspension/expulsion rate by race/ethnicity.

1. USOE conducted focused monitoring activities with LEAs identified with significant discrepancy and required policies, procedures, and practices review. The review includes the 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 IDEA. Completed and Ongoing
 - One LEAs was flagged for having a numerical significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for students with IEPs of a particular race/ethnicity; thus the USOE conducted a review of the one flagged LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, including IDEA disciplinary requirements. Further, the USOE and the LEA jointly reviewed the incident reports for each student’s suspension(s).

Results of this activity were that suspension and expulsion data were reviewed and only one LEA was flagged for a significant discrepancy and its policy and procedure documents and its practices regarding the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, including IDEA disciplinary requirements, were reviewed. No inappropriate policies, procedures or practices were identified.

2. Developed/provided targeted technical assistance and training that specifically focuses on system needs to decrease the number of students with disabilities who are suspended or expelled. Completed and ongoing.
 - One LEA was flagged as having a numerical significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for students with IEPs of a particular race/ethnicity; therefore, the USOE provided targeted technical assistance and professional development to this LEA. This targeted technical assistance was determined through a strategic planning process with the LEA.

This activity resulted in a meeting with the USOE State and Federal Compliance Officer, USOE Education Specialist, and the flagged LEA Special Education Director to determine and provide the targeted technical assistance and professional development needed.

Correction of FFY 2009 Findings of Noncompliance:

The State did not identify noncompliance for this indicator as a result of a review of policies, procedures, and practices that is required by 34 CFR §300.170(b).

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

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

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

Actions Taken if Noncompliance Not Corrected:

USOE did not have any findings of noncompliance for FFY 2009; therefore, no action was needed to correct noncompliance.

Verification of Correction (either timely or subsequent):

USOE did not have any findings of noncompliance from FFY 2009; therefore, no verification of correction was necessary.

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

Not applicable.

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

No new or revised activities needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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, and;
 - C. In separate schools, residential facilities, or homebound/hospital placements.
- (20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	<ul style="list-style-type: none"> A. The percentage of students with disabilities aged six through 21 inside the regular class 80% or more of the day will increase by 1% over previous school year, (FFY 2009 actual = 53.58%; FFY 2010 target = 53.58% +(53.58%*1%) = 54.12% B. The percentage of students with disabilities aged six through 21 inside the regular class less than 40% of the day will decrease by 1% over previous school year,(FFY 2009 actual = 15.06%; FFY 2010 target = 15.06% -(15.06%*1%) =14.91% C. The percentage of students with disabilities aged six through 21 in separate schools, residential placements or homebound or hospital placements will decrease by 0.1% over previous school year, (FFY 2009 actual = 3.06%; FFY 2010 target = 3.06% (3.06%*0.1%) = 3.06%

Actual Data for FFY 2010

- A. **54.98%**
- B. **14.20%**
- C. **3.08%**

Display 5-1: Percent of Students with Disabilities in Various Settings

	5A	5B	5C
Target	54.12%	14.91%	3.06%
Total number of students	61,242	61,242	61,242
Number of students in this setting	33,672	8,697	1,885
Percentage of students in this setting	54.98%	14.20%	3.08%
Met Target	Yes	Yes	No

The target of 54.12% for 5A was met.

The target of 14.91% for 5B was met.

The target of 3.06% for 5C was not met.

Indicator 5 data are based on FFY 2010 618 data, which were collected on a date between October 1, 2010 and December 1, 2010, and reported to OSEP on February 1, 2011, as required.

Valid and Reliable Data:

December 1 Child Count and Environment data are submitted electronically to the USOE Data Clearinghouse by LEAs. Data go through an error check system at the USOE Data Clearinghouse to ensure accuracy and consistency of the data. The consistency of data from year to year serves as an additional validation.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As noted in Display 5-2, from FFY 2004 to FFY 2010 significant progress has been made on the percentage of students with disabilities served inside the regular classroom 80% or more of the day. The significant progress that has been made over time on Indicator 5A is attributed to the strong collaboration at the SEA and LEA levels between general education, Title I, comprehensive guidance, and special education in the areas of shared targeted professional development, statewide activity grant opportunities, and development of tiered instruction framework documents.

Progress has also been made on decreasing the percentage of students with disabilities served inside the regular classroom less than 40% of the day. The progress made on Indicator 5B is mainly due to providing various professional development avenues for administrators, general educators, special educators, and school counselors on strategies to support students with disabilities in the general education classroom.

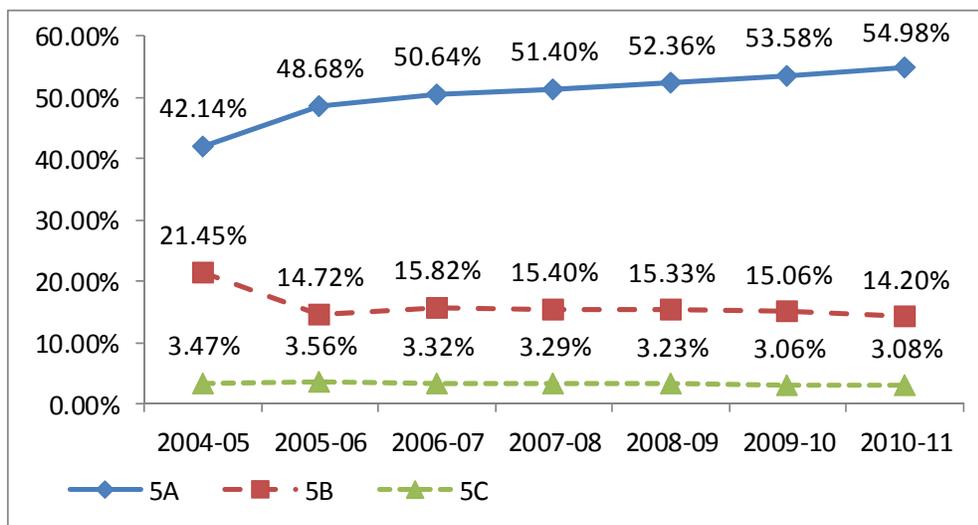
The FFY 2010 Indicator 5C rate is slightly higher than the FFY 2009 rate, but is lower than five of the six previous years. Although the Indicator 5C rate is higher than the target of 3.06%, it is not significantly higher than the target. Further, if just nine fewer students (out of 61,242) had been placed in an environment other than separate facilities, the USOE would have met the Indicator 5C target. The decrease of the percentage of students with disabilities in Indicator 5C over time is attributed to the continuing effort of the USOE, Utah Schools for the Deaf and the Blind (USDB), parents, and LEAs in the

clarification of roles, responsibilities, child find activities, and professional development in targeted instruction and interventions.

Display 5-2: Percent of Students with Disabilities in Various Settings

Setting	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
Number of students with disabilities	52,619	53,064	53,569	55,043	56,718	59,102	61,242
5A. Inside the regular class 80% or more of the day	42.14% N=22,174	48.68% N=25,830	50.64% N=27,129	51.40% N=28,291	52.36% N=29,698	53.58% N=31,666	54.98% N=33,672
5B. Inside the regular class less than 40% of the day	21.45% N=11,289	14.72% N=7,809	15.82% N=8,472	15.40% N=8,478	15.33% N=8,695	15.06% N=8,902	14.20% N=8,697
5C. Served in public or private separate schools, residential placements or homebound or hospital places	3.47% N=1,826	3.56% N=1,893	3.32% N=1,780	3.25% N=1,787	3.23% N=1,836	3.06% N=1,807	3.08% N=1,885

Display 5-3: Percent of Students with Disabilities in Various Settings



The progress that has occurred over time in Indicator 5A, 5B, and 5C is highly attributed to the collaboration at the USOE and LEA levels between general and special education educators. The continuous informal and formal interaction and collaborative professional development activities have enhanced the skills and working relationships of general and special educators and have aligned goals for the success of all students.

Each improvement activity was reviewed in terms of its impact on Indicator 5. Improvement activities resulted in consistent LEA data, improved professional development, an increase of students with disabilities being educated with their non-disabled peers, and increased collaboration between general and special educators in providing services to students with disabilities.

1. Collaborated on program development of tiered instruction for all educators to support students in LRE. Completed.
 - A tiered instruction framework was developed to support students in the appropriate LRE.
 - Special educators and general educators annually review and recommend instruction/intervention materials for classroom teachers.
 - USOE staff participated with Core Academy leaders to develop instructional goals for Math and Science.
 - Instruction/intervention materials were posted on the USOE website and in the 3-Tier Reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of this activity include the provision of a consistent instruction/intervention framework for all educators. The activity provided support for educators to implement research-based instruction/intervention and assessments in the areas of Math and Science to support LRE.

2. Provided technical assistance to LEAs on data collection. Completed and ongoing.
 - Technical assistance was provided to LEA Special Education Directors in Statewide meetings.
 - Professional development was provided to new Charter School Data Managers and new LEA Special Education Directors.
 - Data Collection and Reporting Technical Assistance Manual was developed and disseminated to LEAs.

Results of this activity enabled new and existing LEAs to collect consistent, valid, and reliable data as documented through the USOE verification process. Use of the data technical assistance manual supported LEAs in meeting timelines; LEAs participated in data quality reviews and provided professional development to staff concerning data quality and management at the point of data entry.

3. Collaborated to provide Statewide conferences for all educators regarding classroom management, instruction, school-wide, and targeted interventions to support students in LRE. Completed and ongoing.
 - Statewide professional development, in collaboration with general education and Title I, was provided in the following areas:
 - Response to Intervention (RTI)
 - DIBELS, progress monitoring, screening
 - Assessments, informal and formal
 - Interventions for struggling readers
 - Behavior strategies
 - Tiered instruction
 - English Language Learners (ELL) instruction
 - Math and Science instructional strategies
 - Co-teaching manual and implemented co-teaching cohort
 - Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators totaling 8,798.

Results of this activity included increased interaction and collaboration between general and special educators during overlapping training for educators participating in professional development as documented by attendance records. The Statewide professional development enabled educators to be provided with and to have access to research-based instruction and intervention materials for implementation to support students in LRE, as documented by an improvement in Indicator 5.

4. Provide IDEA Statewide activity funds to LEAs to enhance services for students in LRE. Completed and ongoing.
 - A selected group of LEAs were awarded an average of \$5,000.00 each to create and maintain collaboration with general education in literacy instruction for all students.
 - Professional development was provided to approximately 500 educators in LEAs who were awarded funds.

Results of this activity included enabling LEAs to tailor professional development needs based on local student data and increased collaboration between general education, special education, and Title I at the LEA level as documented through evaluation data reported by LEAs and LEA attendance records.

5. Provided to LEAs a summary of LRE data to be used in Self Assessment and verification portions of the UPIPS monitoring process. Completed and ongoing.
 - LEAs were provided a summary of LRE data for Self Assessment and verification portions of the UPIPS monitoring system.
 - LEA data were compared to the State data.
 - USOE reviews LRE data annually through the UPIPS Monitoring Desk Audit.

Results of this activity included an increased knowledge base and incentives for LEAs to utilize their individual LRE data to develop professional development activities in instruction/intervention, disproportionality, and data collection, entry, and use. These activities increased the collaboration between LEAs and the USOE to improve LRE as documented in this APR.

6. Provide universal access to web-based autism training modules, and design and implement professional development for administrators, general educators, special educators, and counselors on strategies for supporting students with autism in general education environments. Completed and ongoing.
 - Provided strategies for delivering instruction using students' unique learning strengths and cognitive styles to LEAs.
 - Provided strategies for creating low-stress and low-anxiety producing physical environments, including positive behavior supports and anti-bullying techniques to LEAs.
 - Provided professional development activities to LEAs which include access to the following web-based training located at <http://www.updc.org/autism/>:
 - Autism Internet Training Modules
 - Autism Monograph Edition of the Utah Special Educator Journal
 - Foundations of Autism Conference podcasts and handouts
 - Joint Attention Assessment
 - Autism Eligibility podcast and handouts
 - Instructional Programming Standards for students with autism including: (1) National Professional Development Center on Autism Spectrum Disorders, (2) Autism National Standards Project, and (3) Educating Children with Autism

Results of this activity increased the knowledge base of education personnel in providing support for students with autism in the LRE as documented by the improvement of the data on Indicator 5B.

7. The ABC/UBI Initiative is a collaboration with identified LEAs to increase the promotion and implementation of Positive Behavioral Interventions and Supports (PBIS), Instructional School-Based Teams and Response to Intervention (RTI) models. Completed and ongoing.
 - Seventy-one school sites (17 secondary, 54 elementary) participated in ABC/UBI during FFY 2010.
 - Data were collected on the impact of the professional development provided through ABC/UBI on office disciplinary referrals, Statewide assessments, school climate surveys completed by students, and rates of positive reinforcement. Data reflect improvements in all areas and are reported in Indicator 4.

Results of this activity included improved behavioral and academic outcomes for IDEA qualified students in LEA schools participating in ABC/UBI.

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

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	132
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	131
3. Number of FFY 2009 findings <u>not</u> verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	1

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

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

A description of enforcement activities used to ensure correction of the one finding that was not corrected within one year may be found in Indicator 15.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FYY 2011:

No new or revised improvement activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 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.

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

Measurement:

- A. Positive social-emotional skills (including social relationships):
 - a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

If a + b + c + d + e does not sum to 100%, explain the difference.

- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):
 - a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
 - c. Percent of preschool children who improved functioning to a level nearer to same-aged

peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.

- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

Summary Statement 1: Of those preschool children who entered 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.

- a. Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

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

- a. Percent = # of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e) divided by [the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Measurable and Rigorous Targets			
FFY 2010 (Data Year 2010-2011)	Positive Social-Emotional Skills	Acquiring and Using Knowledge and Skills	Taking Appropriate Action to Meet Needs
1. Of those preschool children who entered 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.	94.00%	93.25%	93.69%
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.	52.74%	49.20%	67.70%

Actual Data for FFY 2010:

Display 7-1: Targets and Actual Data for Preschool Children Exiting in FFY 2010 (2010-11)

FFY 2010 (Data Year 2010-2011)	Positive Social-Emotional Skills		Acquiring and Using Knowledge and Skills		Taking Appropriate Action to Meet Needs	
	Target	Actual	Target	Actual	Target	Actual
1. Of those preschool children who entered 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.	94.00%	94.83%	93.25%	94.50%	93.69%	94.35%
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.	52.74%	56.41%	49.20%	54.78%	67.70%	69.82%

All of the six targets were met.

Display 7-2 shows the total number and percentage of children in each progress category as well as the results of the summary statement calculations. These data represent a census count rather than a sample.

Display 7-2: Number and Percentage of Children in Each Progress Category and Summary Statement Calculations for Preschool Children Exiting in FFY 2010 (Data Year 2010-2011)

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	16	1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	126	4%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1,171	39%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,431	48%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	268	9%
Total	N= 3,012	101% *
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	12	0%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	143	5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	1,207	40%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,458	48%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	192	6%
Total	N= 3,012	99% *
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	14	0%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	126	4%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it	769	26%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,569	52%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	534	18%
Total	N= 3,012	100%

*In each section where the total is not 100%, it is due to rounding.

Valid and Reliable Data:

In this fifth year of the USOE's data collection process, the USOE has succeeded in obtaining complete data on all preschool students, as verified by the school districts. Over the past five years, the USOE has provided detailed professional development to the school districts on how to combine data from multiple sources in order to make accurate ratings on the Utah Preschool Outcomes Data (UPOD) summary form.

The USOE continues to work with the Early Childhood Outcomes (ECO) Center and their Communities of Practice to identify additional methods to analyze and ensure the reliability of data.

- Policies and procedures to guide measurement practices have been implemented in Utah:
 - The UPOD Student Summary form is a Statewide form that is used by each school district to determine student ratings and document data sources and team members. The UPOD Student Summary form was revised and implemented in FFY 2010 to require additional documentation on how the ratings were determined. The UPOD Student Summary form is to be kept in a student's file until exiting the preschool program (The form has been renamed but the process and definitions are the same as developed by the ECO Center).
 - School districts submitted a list of data sources that may be used to collect and report data to the USOE. This documentation is kept with the Utah Program Improvement Planning System (UPIPS) monitoring off-site data information. Additional documentation was requested from a sample of school districts and reviewed by the USOE 619 Preschool Coordinator in order to verify appropriateness.
 - A team of personnel working with the student determines student ratings on each UPOD outcome using the rubric developed and defined by the ECO Center.
 - Scores of six and seven on the UPOD (ECO-COSF) scale define typical or comparable to same-age peers.
 - There are two points of data collection. Data collection periods occur within six weeks of eligibility and when the student exits the preschool special education program.
 - The USOE began collection of exit data in FFY 2006. Data are collected from all students who exit the preschool special education program if the student is in the program at least six months.
 - Since there are seven points on the UPOD rating scale, data are translated using the ECO Decision Tree and ECO calculator to reflect the five OSEP categories.
 - School districts report entry and exit data annually by June 30th to the USOE. Data are collected, summarized, and reported annually.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

Display 7-3: Summary Statement, Results Over Time

	Positive Social-Emotional Skills			Acquiring and Using Knowledge and Skills			Taking Appropriate Action to Meet Needs		
	FFY 2008	FFY 2009	FFY 2010	FFY 2008	FFY 2009	FFY 2010	FFY 2008	FFY 2009	FFY 2010
Number of Children:	2,543	2,704	3,012	2,543	2,704	3,012	2,543	2,704	3,012
1. Of those children who entered the program below age expectations, the percent who substantially increased their rate of growth by the time they exited.	95.0%	94.0%	94.83%	93.2%	94.1%	94.50%	93.9%	93.6%	94.35%
2. Percent of children who were functioning at a level comparable to same-aged peers by the time they exited.	52.9%	52.7%	56.41%	48.7%	51.8%	54.78%	67.2%	67.9%	69.82%

As noted in Display 7-3, from FFY 2009 to FFY 2010, results show the highest scores were obtained this year. Data reflect improvement in all three Preschool Outcome areas. School district preschool staff continue to analyze and refine the process of utilizing multiple assessments/sources to obtain an accurate rating of student progress on each Outcome. During FFY 2010 there was a renewed focus on professional development emphasizing the need for the collection and utilization of accurate data.

School districts were provided an individual summary of their results on each indicator annually; discussions were conducted to ensure school district staff understand their results in meeting State targets, as well as areas of strengths or concerns. Those discussions have set the stage for planned FFY 2011 stakeholder meetings regarding the importance of these data and what they represent regarding improvement of preschool outcomes in the school district, State, and nation.

Utah continues to provide professional development on the Preschool Outcomes process to ensure the reliability of data. It is a priority to continually explore methods to make the reporting of data more user friendly as well as ensure data reliability.

1. Monitor selected school districts on the UPOD process yearly. Completed.
 - Used monitoring data and yearly reporting to identify specific professional development needs.

Improvement activities resulted in continued Statewide professional development activities during FFY 2010, which in turn increased LEA staff knowledge and compliance with the requirement to assess the three Preschool Outcomes on all preschool students with disabilities.

2. Provide professional development on the UPOD process. Completed and ongoing.
 - Professional development was provided to all school districts during the Statewide preschool conference and the three preschool coordinator roundtable meetings.

Improvement activities resulted in increased and ongoing Statewide professional development activities which increased school district staff knowledge and compliance with the requirement to assess for the three Preschool Outcomes on all preschool students with disabilities. The activities improved the overall understanding of how and why preschool outcomes data must be collected to support better outcomes for preschool students with disabilities.

3. Continue to update the UPOD process. Completed and ongoing.
 - Updated the USOE website with the latest UPOD information, as well as additional resources.
 - During FFY 2009, the revised UPOD form was piloted by a sample of school districts. The UPOD form was fully implemented in FFY 2010.

Improvement activities resulted in ongoing professional development and school district staff access to current information and resources that are provided through the ECO Center or developed by the State.

4. Link with the ECO Center for additional resources and technical assistance. Completed and ongoing.
 - Participated in ongoing conference calls and sessions at the OSEP Mega Conference with the ECO.

Improvement activities resulted in the USOE and school district staff receiving current information and resources provided through the ECO Center or developed by the State. The ECO TA Communities have provided helpful ideas on examining school district data which has resulted in identifying the continuing professional development needs.

5. Develop a new system to collect student outcome data.
 - Used the ECO calculator to collect data and analyze State and LEA data.

- A web-based data system was in development during FFY 2010 and, due to delays, the system will not be in place until FFY 2012.

Results of this activity are that a web-based data collection system continues to be in development and will be used in FFY 2012 for school districts to submit UPOD data.

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

Level of compliance for State reported for FFY 2009 for this indicator: 100%

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

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

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

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

Activities	Timelines	Resources	Justifications
1. REVISED TIMELINE Monitor selected school districts on the UPOD process yearly.	2006-2011 Completed FFY 2010	UPIPS Monitoring Team and the USOE 619 Preschool Coordinator	This activity was completed. Professional development and general supervision monitoring on the UPOD process is an ongoing activity.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

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

Measurement:

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	Increase from previous year by 0.1% regarding the 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. Thus, the target is 87.33%. (Last year's rate was 87.24%; $87.24\% + (87.24\% * 0.1\%) = 87.33\%$)

Actual Data for FFY 2010: 89.5%

Display 8-1: Percent of Parents who Report that the School Facilitated Their Involvement

	FFY 2010
# of parents who returned a survey	650
# of parents who report that the school facilitated their involvement	582
% of parents who report that the school facilitated their involvement	89.5%

The target of 87.33% was met.

The USOE employed a sampling methodology as approved by OSEP in December 2007 to gather data for this indicator. The sampling methodology is based on the ongoing UPIPS monitoring cycle. Data on this indicator were collected from those LEAs in year two of the monitoring cycle during 2010-2011 plus the three LEAs that have an enrollment of more than 50,000 students. A stratified random sample of LEAs is included in each year of the monitoring cycle. In assigning LEAs to the monitoring cycle, LEAs were stratified by student enrollment, urban/rural, and socioeconomic level. LEAs were then randomly assigned to one of the five years within the monitoring cycle. Because of the unique configuration of Utah's 41 school districts, there are three school districts of 50,000+ students. The three large LEAs are sampled each year for this indicator. Each of the five cohorts includes school districts of large, medium, and small size, as well as charter schools. Based upon analysis of data from the five cohorts in the

UPIPS monitoring process, the cohorts are comparably representative of the State population in total student enrollment, poverty, prevalence of students with disabilities, and on an urban-rural continuum. Parents of students within each of these selected LEAs were then sampled. The sampling was completed at the LEA level. A sample of students with disabilities was randomly selected from each of the selected LEAs. The number of students chosen was dependent on the number of total students with disabilities in an LEA. The sample sizes selected ensured roughly similar margins of error across the different LEA sizes. For those LEAs for which a sample was chosen, the population was stratified by gender, race/ethnicity, primary disability, and grade level to ensure representativeness of the resulting sample. When calculating the State-level results, responses were weighted by the students with disability population size (e.g., an LEA that has four times the number of students with disabilities as another LEA will receive four times the weight in computing overall state results).

A sample of 3,162 students was selected. A questionnaire was mailed to the parents of these 3,162 selected students; 650 parents responded for a response rate of 20.6%. A copy of the Parent Survey used is included in Appendix B.

The “Parent Involvement Percentage” (i.e., the percent of parents who report that the school facilitated their involvement) is based on 11 of the 37 survey items. Parents who answer positively (i.e., “Yes”) to 70% or more of these 11 items are considered to have met the target for this indicator. Display 8-2 shows the subset of questions used to collect these data. The parents who responded included parents of preschool-aged children, as well as parents of K-12+ students. Thus, the parent involvement percentage score includes parents of students with disabilities ages 3-21. The additional information received from the remaining survey items is used to guide LEA and State program improvement efforts.

Display 8-2: Questions Used to Collect Indicator 8 Data

Question Number	Question
1	Did you receive a copy of your procedural safeguards (parent’s rights)?
3	If you speak a language other than English, does the school communicate with you in that language?
6	Did the evaluation team listen to and consider your input?
7	Were you invited to a meeting to discuss the results of your child’s evaluation?
8	Was the IEP meeting scheduled at a mutually agreeable time?
14	Did the team ask for and consider your input on goals for your child’s IEP?
26	Do you receive periodic reports on your child’s progress toward IEP goals?
34	Does the school provide the information you need to have a positive effect on the quality of your child’s program (i.e., frequent communication)?
35	Does the school facilitate opportunities for you to provide input about your child’s education other than at IEP meetings (i.e., receptive to input)?
36	Is there a school-home communication system in place that provides you the opportunity to exchange important information about your student as often as necessary?
37	Does your school encourage your involvement as a means of improving services and results for your child with disabilities?

Valid and Reliable Data:

The results are reliable and valid because a representative sample of LEAs and parents were chosen to complete the survey. Secondly, the representativeness of the surveys was assessed by comparing the demographic characteristics of the students of the parents who responded to the survey to the demographic characteristics of the entire sample. This comparison indicates the results are generally representative by gender, race/ethnicity, age of student, and disability. Parents of students with a speech/language impairment (i.e., communication disorder) were slightly less likely to respond (15%) than parents of students with an other health impairment (27%), an intellectual disability (25%), or

developmental delay (25%). However, even given these differential response rates, a large enough number of parents from each demographic group responded to the survey in order to arrive at an overall State score that is representative of all students in the sample and in the population. Response rates varied somewhat by LEA, but the results were weighted to take into account both the differential response rate and the differential sampling weights.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As indicated in Display 8-3, the percentage of parents who said that the school facilitated their involvement is at its highest level since FFY 2006. Follow-up activities with the LEAs have been taking place each year since FFY 2006 to ensure that they are making a concerted effort to involve parents in their children’s special education services. The steady increase in the parent involvement percentage since FFY 2006 is promising; follow-up activities with the LEAs will continue.

The response rate to the parent survey has consistently been above 20% (see Display 8-4). The sample size is directly linked to the LEA size, resulting in fluctuations from year to year. The USOE will continue to focus on encouraging parents to complete the survey.

Display 8-3: Percent of Parents who Report that the School Facilitated Their Involvement as a Means of Improving Services and Results for Children with Disabilities; over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
# of parents who returned a survey	593	736	797	774	666	650
# of parents who report that the school facilitated their involvement	540	615	679	676	581	582
% of parents who report that the school facilitated their involvement	91.1%	83.6%	85.2%	87.3%	87.2%	89.5%

Display 8-4: Response Rate Over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
# of parents who responded to the survey	593	736	797	774	666	650
# of parents who received the survey (sample size)	2,504	3,665	3,905	3,646	2,810	3,162
% of parents who responded to the survey	23.7%	20.1%	20.4%	21.2%	23.7%	20.6%

Each improvement activity was reviewed in terms of its impact on Indicator 8. Improvement activities resulted in accurate data collection and reporting, increased State and LEA personnel development activities, and increased discussion between USOE and LEA staff regarding areas needing improvement and strategies for improvement, thereby resulting in improved services for students with disabilities in the LEA and State.

1. Administered parent survey, collected, recorded, and aggregated data from parent survey; and compared data collected to sampling plan to ensure adequate sample size and addressed issue of

non-responders, if applicable, through correcting faulty addresses and re-sending questionnaires to some non-responders. Completed and ongoing.

- The parent survey was disseminated to selected parents during the spring and summer of 2011.
- Responses were collected by mail until September 2011.
- Survey responses, when received by mail through September 2011, were scanned into an Excel database, which was designed to record all responses by responders, as well as data regarding the responder's LEA and student demographics.
- USOE support staff were trained in the data input process as well as in confidentiality procedures.
- Data were randomly verified by a second USOE support staff member.
- Characteristics were compared to characteristics of non-respondents to ensure representativeness of respondents. Response rates were examined to ensure an adequate number of parents from each LEA responded.
- A second round of surveys was sent to non-responders in September 2011, which yielded an additional 66 completed surveys.

Results of this activity suggest that the survey results were accurately recorded and were representative of all parents of students with disabilities in the State. The data are being used by USOE and LEA staff to determine and apply strategies for improvement, as documented by parent survey results and meeting agendas.

2. Analyzed data to determine areas that need improvement and areas of commendation. Report data results to LEAs annually. Completed and ongoing.
 - Data are disaggregated annually by LEA, gender, primary disability, ethnicity, and age.
 - Strategies were disseminated to LEAs needing improvement.
 - Results were included in each LEA APR data report, which was included with the LEA determination letter.
 - Results were also discussed with LEAs during the March 2011 Statewide LEA Special Education Directors' meeting giving LEAs an opportunity to ask questions and verify the results.

Results of this activity included USOE and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning to address the needs indicated by the data, as documented by agendas, discussions with LEA Special Education Directors, and survey results.

3. Facilitated a focus group of LEAs and Utah Parent Center personnel to determine effective maintenance strategies, effective practices, and areas for improvement. Completed and ongoing.
 - A focus group was held which included invited representatives from six LEAs (including representatives from three large districts of +50,000 students), three parents from the Utah Parent Center, representatives from the USOE (special education and charter schools), and personnel from the Utah Personnel Development Center.
 - The focus group reviewed results by State and by LEA and discussed strategies for improvement for each identified area.

Results of this activity included USOE, Utah Parent Center, and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning strategies to address the needs indicated by the data, as documented by agendas, discussions with LEA Special Education Directors, strategies manual, and survey results.

4. Disseminated effective maintenance strategies and effective practices to LEAs. Completed and ongoing.
 - Information was disseminated from the focus group to LEAs during State meetings.

Results of this activity included USOE, Utah Parent Center, and LEA staff, when presented with State and LEA data, discussing, observing trends, and planning strategies to address the needs

indicated by the data, as documented by agendas, discussions with LEA Special Education Directors, strategies manual, and survey results.

5. Reported data analysis results to Utah Parent Center annually. Completed and ongoing.
 - Results were provided to the Utah Parent Center on January 31, 2011.
 - A focus group was held on November 3, 2010 which included representatives from seven LEAs (including representatives from three large districts of +50,000 students), three parents from the Utah Parent Center, representatives from the USOE (special education and charter schools), and personnel from the Utah Personnel Development Center.
 - The focus group reviewed results by State and by LEA and determined strategies for improvement for each identified area.

Results of this activity included Utah Parent Center staff, when presented with State and LEA data, discussing, observing trends, and planning to address the needs indicated by the data, as documented by agendas and discussions with Utah Parent Center staff.

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

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	108
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	108
3. Number of FFY 2009 findings <u>not</u> verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0

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

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

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionate Representation

Indicator 9: Percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

Measurement:

Percent = [(# of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	The percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%.

Actual Data for FFY 2010: 0%

Display 9-1: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	Under- representation	Over- representation
Total # of LEAs	119	119
# of LEAs flagged for disproportionate representation	0	1
% of LEAs flagged for disproportionate representation	0%	0.8%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	0
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.0%	0.0%

The target of 0% was met.

The USOE used FFY 2010 data for Indicator 9 collected through the State December 1 Special Education Child Count (618 data) in Table 1. The USOE calculates a Weighted Risk Ratio based on the identification rate for each racial/ethnic group at each LEA. Thus, all data for all racial/ethnic groups in the State are examined. A "Final" Risk Ratio (based on the Weighted Risk Ratio) is determined only if there are ten or more students with disabilities in the group of interest (based on child count data) and if there are also ten or more students with disabilities in the comparison group.

Prior to FFY 2008, if there were at least ten students with disabilities in the group of interest but fewer than ten students with disabilities in the comparison group, then an Alternate Risk Ratio (ARR) was used. The ARR served to compare the LEA's identification rates with the identification rates of the State as a whole. However, there are LEAs that have unique situations, particularly the smaller LEAs where the ARR was most typically used, and thus, many of the flagged ARR's were not a reflection of any inappropriate identification practices occurring, but rather a reflection of small numbers of students with disabilities in various racial/ethnic groups in these small LEAs. (This conclusion was reached after two years of using the ARR and investigating all ratios above 3.00.) Therefore, beginning with FFY 2008, the ARR is no longer being used for Indicator 9.

For Indicator 9, 119 LEAs are included in the analysis during 2010-2011. Of these 119 LEAs, only 56 LEAs met the minimum n requirements at least one time for a Final Risk Ratio to be calculated (for each LEA, in theory, seven risk ratios could be calculated—one for each racial/ethnic group). Many LEAs in Utah have between zero and five students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: The number of LEAs for Indicators 4A and 4B is 112; the number of LEAs for Indicators 9 and 10 is 119. This is because Indicators 4A and 4B are using 2009-2010 data, while Indicators 9 and 10 use 2010-2011 data. Utah's number of LEAs increases annually due to the increase in the number of public charter schools).

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above (over-representation) or 0.30 or below (under-representation) due to inappropriate identification. Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

Display 9-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Final Risk Ratio (Weighted Risk Ratio)
Over-Representation	3.00 and up
Under-Representation	0.30 and below

During FFY 2010, there was only one LEA flagged as having a Weighted Risk Ratio above the cut score of 3.00; however, no disproportionate representation was found to be occurring in the LEA that was flagged based upon the USOE's review of policies, procedures, and practices, as required in §300.600(d)(3). There were no LEAs flagged as having a Weighted Risk Ratio below the cut score of 0.30.

Display 9-3: Risk Ratios that Were Flagged, by LEA

LEA	Racial/Ethnic Group	Number of SWD in racial/ethnic group	Number of SWD in other racial/ethnic groups	Final RR
1	Native American	38	565	3.83

Valid and Reliable Data:

The December 1 Child Count data have proven over time to be the most accurate of the USOE data collections in the Data Clearinghouse. The Edit Checks at entry into the Clearinghouse database require the school districts and charter schools to have carefully reviewed their own data before submission. The USOE error check and verification process sends invalid data back to the LEA for correction. Following

data submission, the USOE conducts a data quality review. If any areas of concern are raised during the review, the LEA is notified of the opportunity to correct and resubmit prior to the final submission date. The LEA may access and review data reports within 24 hours of submission. Each LEA submission is confirmed by a time and date stamp retained within the Data Warehouse.

When LEAs are flagged for possible over-representation or under-representation, the USOE notifies each LEA with suspected disproportionate representation in writing with a copy of the annual LEA data used in making the decision and requests that the LEA submit policy and procedure documents within ten days of receipt of the letter. The State then reviews the submitted policy and procedure documents, as well as the practices of the LEA to determine if the suspected disproportionate representation is the result of inappropriate identification. If, after reviewing the LEA's policy and procedure documents and the LEA's practices, disproportionate representation is found, the LEA will be asked to submit additional data for review and/or to revise policies, procedures, and practices identified as inappropriate and publicly post the revisions by June 30th of that year.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As indicated in Display 9-3, the State of Utah maintained a 0% disproportionate representation rate. Thus, for six years, zero LEAs have had disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.

Display 9-3: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
Total # of LEAs	72	91	99	106	112	119
# of LEAs flagged for disproportionate representation – Over-representation	36	5	2	0	1	1
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
# of LEAs flagged for disproportionate representation – Under-representation	0	1	0	0	0	0
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0	0	0	0	0

Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
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Note: In FFY 2005, different cut-scores were used to flag LEAs for suspected disproportionate representation. A cut-score of 1.5 was used for over-representation; a cut-score of 0.5 was used for under-representation. This is the reason for the larger number of LEAs flagged in FFY 2005 than in subsequent years. The State determined that such a low cut-off score in FFY 2005 was resulting in many false positives. In fact, none of the LEAs that were flagged had faulty identification policies, procedures, or practices. The conclusion of all investigations was that the LEAs were making appropriate identifications. Often, the finding of a risk ratio falling between 1.5 and 2.5 was due to small numbers of students with disabilities in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any inappropriate policies, procedures, or practices of the LEA. Therefore, the State changed the cut-scores as indicated. However, in all years, none of the flagged LEAs were deemed as having inappropriate identification procedures.

Due to the State's process of the reviewing the policies, procedures, and practices of any LEA flagged as having suspected disproportionate representation (in conjunction with general supervision monitoring), the State is ensuring that school districts and charter schools are using correct policies, procedures, and practices in the identification, evaluation, and placement of students with disabilities in Utah. This process also helps determine if inappropriate identification is the cause of any disproportionate representation of racial and ethnic groups in special education and related services in school districts and charter schools. The State review process also directs any flagged LEAs to develop a corrective action plan if they are found not to be in compliance with this indicator or its related requirements. The findings of noncompliance must be corrected no later than one year from the date of the finding of the State's determination that the LEA has disproportionate representation in compliance with UPIPS monitoring procedures and the OSEP 09-02 Memorandum. This process ensures that students with disabilities are not disproportionately represented as a result of inappropriate identification.

1. Applied Risk Ratio formula to disaggregated data at LEA and State levels to identify LEAs with disproportionate representation in their special education population. Completed and ongoing.
 - A risk ratio formula was applied to all LEA and State 618 Child Count data.
 - Data were reviewed and a weighted risk ratio was used to determine a final risk ratio for each LEA.
 - LEAs with a final risk ratio of 3.00 or larger or 0.30 or smaller were flagged for a further review of their policies, procedures, and practices to ensure that there was no inappropriate identification, evaluation, or placement of students with disabilities in these identified LEAs.
 - Only one LEA was flagged for over- or under-identification in its special education population during FFY 2010. As a result, only one LEA was asked to submit documentation of its policies and procedures and a review of practices was completed to determine if the over-representation was a result of inappropriate identification, evaluation, and placement of students with disabilities.

Results of this activity are that data were reviewed and only one LEA was flagged for suspected over- or under-disproportionate representation, resulting in a USOE review of its policies and procedures documents and its practices regarding evaluation and eligibility. No inappropriate policies, procedures or practices were identified; therefore, no disproportionate representation was identified.

2. Beginning in FFY 2009 and continuing in FFY 2010, the State began using a procedure of an annual LEA data review outlined in the Disproportionality and Coordinated Early Intervening Services Manual and UPIPS monitoring (The State will conduct a review of policy and procedure documents and LEA practices to determine if the disproportionate representation could be the result of inappropriate identification practices for the targeted LEAs). Completed and ongoing.
 - Only one LEA was flagged for suspected disproportionate representation in over-identification in its special education population. No LEAs were flagged for under-identification in their special education populations.

- The State reviewed the policies, procedures, and practices of the one flagged LEA to determine if there was any inappropriate identification, evaluation, and placement of students with disabilities. No findings of noncompliance were issued, nor was disproportionate representation due to inappropriate identification discovered.
- The State used December 1 Child Count data to identify LEAs with suspected disproportionate representation. If the flagged status of LEAs is a result of inappropriate identification, evaluation, and placement of students with disabilities, data are reviewed (e.g., monitoring, additional LEA submitted data, and on-site visit data) to verify that the appropriate policies, procedures, and practices are in place.

Results of this activity are that the one flagged LEA received follow-up monitoring, thereby ensuring students with disabilities are not being incorrectly identified, evaluated, and placed inappropriately in special education and related services.

3. Provide professional development to identified LEAs on evaluation and eligibility determination procedures. Completed and ongoing.
 - Professional development on identification, evaluation, and placement of students with disabilities is available through the Utah Professional Development Center, at many of the State's conferences, through online professional development modules, and on a local basis in many LEAs. Professional development in this area was provided to 425 LEA staff members during 2010-2011.

As a result of this activity, professional development in appropriate identification practices has been provided through a variety of formats offered to all LEAs.

4. Continued to collect, disaggregate, and compare 618 data. Completed and ongoing.
 - 618 data are collected annually.
 - 618 data are collected and disaggregated by LEA and by school level.
 - Annual collections make possible comparisons over time.

Results of this activity are that an annual 618 data collection of the same data elements allows for comparisons and helps determine trends, thereby allowing LEAs to anticipate and address potential issues regarding disproportionate representation.

5. Provided follow-up technical assistance and/or enforcement actions based on identification of policies, procedures, and practices that lead to inappropriate identification of students with disabilities. Completed and ongoing.
 - A policies and procedures manual was developed by each LEA during the 2008-2009 school year to align with IDEA 2004 and Utah State Board of Education Special Education Rules (2007). New charter schools opening during the 2010-2011 school year developed policy and procedure manuals that were submitted to and approved by the USOE in 2010.
 - No enforcement actions were applied due to zero LEAs having inappropriate policies, procedures, and practices that lead to inappropriate identification.
 - USOE staff members followed up as needed with technical assistance.

Results of this activity are that each LEA has a USOE-approved policies and procedures manual to guide the identification, evaluation, and placement of students with disabilities and receives follow-up technical assistance as needed to guide the identification, evaluation, and placements of students with disabilities.

6. Collaborated to provide Statewide professional development for all educators regarding classroom management, instruction, and school-wide targeted interventions to support students in the LRE. Completed and ongoing.
 - Statewide professional development in collaboration with general education was provided in the following areas:

- Response to Intervention
- DIBELS, progress monitoring and screening
- Assessment, informal and formal
- Interventions for struggling readers
- Behavior strategies
- Tiered instruction
- ELL instruction
- Math and science instruction
- Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators totaling 8,798.

Results of the activity included increased interaction and collaboration between general and special educators during overlapping professional development for educators participating as documented by attendance records and agendas. The Statewide professional development enabled educators to be provided with and to have access to research-based instruction and intervention materials for implementation to support students in LRE.

7. Collaborated on program development of tiered instruction to support students in LRE. Completed and ongoing.
 - A tiered instruction framework was developed to support students in LRE:
 - Special educators and general educators reviewed and recommended instruction/intervention materials to classroom teachers.
 - USOE special education staff participated with general education leaders to develop instructional goals for math and science.
 - Instruction/intervention materials were listed on the USOE website and in the 3-Tier reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of these activities included the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research-based instruction/interventions and assessments in the areas of Math and Science to support LRE.

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

Level of compliance for State reported for FFY 2009 for this indicator: 100%

With zero LEAs having disproportionate representation in FFY 2009 due to inappropriate identification, evaluation, and placement of students with disabilities of all ethnicities, no correction was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.173, §300.111, §300.201, and §300.301-§300.311 as per the OSEP 09-02 Memorandum, including the presence and implementation of policies, procedures, and practices designed to prevent the inappropriate over-identification, under-identification or disproportionate representation by race and ethnicity of children as children with disabilities, ensure child find, and conduct appropriate evaluations/reevaluations and eligibility determinations. Data were collected from State and Federal reports, on-site monitoring, and/or additional LEA data submissions (Desk Audits).

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

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

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

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionate Representation

Indicator 10: Percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

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

Measurement:

Percent = [(# of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	The percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%.

Actual Data for FFY 2010: 0%

Display 10-1: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	Under-Representation	Over-Representation
Total # of LEAs	119	119
# of LEAs flagged for disproportionate representation	5	7
% of LEAs flagged for disproportionate representation	4.2%	5.8%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	0
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.00%	0.00%

The target of 0% was met.

The USOE used FFY 2010 data for Indicator 10 collected through the State December 1 Special Education Child Count (618 data) in Table 1. The USOE calculates a Weighted Risk Ratio based on the identification rate for each racial/ethnic group in specific disability categories at each LEA. Thus, all data for all racial/ethnic groups in the State are examined. A "Final" Risk Ratio (based on the Weighted Risk Ratio) is determined only if there are ten or more students with disabilities in the group of interest (based on child count data) and if there are also ten or more students with disabilities in the comparison group.

Previous to FFY 2008, if there were at least ten students with disabilities in the group of interest but fewer than ten students with disabilities in the comparison group, then an Alternate Risk Ratio (ARR) was used. The ARR served to compare the LEA's identification rates with the identification rates of the State as a whole. However, there are LEAs that have unique situations, particularly the smaller LEAs where the ARR was most typically used, and thus, many of the flagged ARR's were not a reflection of any inappropriate identification practices occurring, but rather a reflection of small numbers of students in various racial/ethnic groups in these small LEAs. (This conclusion was reached after two years of using the ARR and investigating all ratios above 3.00.) Therefore, beginning with FFY 2008, the ARR was no longer used for Indicator 10.

For Indicator 10, 119 LEAs were available for inclusion in the analyses. Of these 119 LEAs, 40 LEAs met the minimum n requirements at least one time for a Final Risk Ratio to be calculated (for each LEA, in theory, 42 risk ratios could be calculated—one for each of the seven racial/ethnic groups times the six primary disability categories). Many LEAs in Utah have between zero and five students with a particular disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: The number of LEAs for Indicators 4A and 4B is 112; the number of LEAs for Indicators 9 and 10 is 119. This is because Indicators 4A and 4B are using 2009-2010 data, while Indicators 9 and 10 use 2010-2011 data. Utah's number of LEAs increases annually due to the increase in the number of public charter schools).

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above (over-representation) or 0.30 or below (under-representation) as a result of inappropriate identification. Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

Display 10-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Final Risk Ratio (Weighted)
Over-Representation	3.00 and up
Under-Representation	0.30 and below

A careful review of each of the seven LEAs that were at or above the cut-score of 3.00 for over-representation and for the five LEAs at or below the cut-score of 0.30 for under-representation was conducted. Eleven LEAs are represented in the table below as one LEA, (#2 in Display 10-3 below,) was flagged for both over-representation and under-representation. Each LEA that was flagged was required to submit documentation of its policies, procedures, and practices which were reviewed by the State to verify that there was no over- or under- representation of any racial and ethnic groups in specific disability categories due to inappropriate identification. UPIPS monitoring data including student record reviews, evaluation, and identification procedures, as well as interviews with teachers, administrators, parents and students were used in the review by the State. It was determined based on the data review process that none of the flagged LEAs had disproportionate representation based on inappropriate identification.

Display 10-3: Risk Ratios that Were Flagged, by LEA

LEA	Racial/Ethnic Group	Disability	Number of SWD in racial/ethnic group	Number of SWD in other racial/ethnic groups	Final RR
1	Black	Emotional Disturbance	19	175	6.88
2	Multi-Racial	Other Health Impaired	11	361	5.84
2	Multi-Racial	Specific Learning	38	1,657	4.16

		Disability			
2	Multi-Racial	Speech/Language Impairment	20	937	3.94
2	Asian	Specific Learning Disability	11	1,684	0.24
3	Native American	Specific Learning Disability	35	363	5.42
4	White	Autism	94	37	3.52
5	Hispanic	Specific Learning Disability	65	92	3.23
6	Native American	Specific Learning Disability	14	68	3.16
7	Black	Intellectual Disability	10	309	3.07
8	Asian	Specific Learning Disability	12	2,355	0.30
9	Hispanic	Emotional Disturbance	13	47	0.30
10	White	Intellectual Disability	27	13	0.29
11	White	Specific Learning Disability	29	17	0.21

Valid and Reliable Data:

The December 1 Child Count data have proven over time to be the most accurate of the USOE data collections in the Data Clearinghouse. The Edit Checks at entry into the Clearinghouse database require the school districts and charter schools to have carefully reviewed their own data before submission. The USOE error check and verification process sends invalid data back to the LEA for correction. Following data submission, the USOE conducts a data quality review. If any areas of concern are raised during the review, the LEA is notified of the opportunity to correct and resubmit prior to the final submission date. The LEA may access and review data reports within 24 hours of submission. Each LEA submission is confirmed by a time and date stamp retained within the Data Warehouse.

The State review of policies, procedures, and practices by any LEA that is flagged for disproportionate representation ensures that no inappropriate identification, evaluation, or placement of any racial/ethnic populations takes place in the school district or charter school. If, after reviewing the LEA's policy and procedure documents and the LEA's practices, disproportionate representation is found, the LEA will be asked to revise policies, procedures, and practices identified as inappropriate and publicly post the revisions by June 30th of that year.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As indicated in Display 10-4, the State of Utah maintained a 0% disproportionate representation rate. Thus, for six years, zero LEAs have had disproportionate representation of racial/ethnic groups in specific disability categories due to inappropriate identification.

Display 10-4: Percent of LEAs with Disproportionate Representation that is the Result of Inappropriate Identification

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
Total # of LEAs	72	91	99	106	112	119
# of LEAs flagged for disproportionate representation – Over-representation	36	12	14	4	6	7
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
# of LEAs flagged for disproportionate representation – Under-representation	0	5	4	2	3	5
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0	0	0	0	0
Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Note: In FFY 2005, different cut-scores were used to flag LEAs for disproportionate representation. A cut-score of 1.5 was used for over-representation; a cut-score of 0.5 was used for under-representation. This is the reason for the larger number of LEAs flagged in FFY 2005 than in subsequent years. The State determined that such a low cut-off score in FFY 2005 was resulting in many false positives. In fact, none of the LEAs that were flagged had faulty identification policies, procedures, or practices; the conclusion of all investigations was that the LEAs were making appropriate identifications. Often, the risk ratio between 1.5 and 2.5 was due to small numbers of students in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any inappropriate policies, procedures, or practices of the LEA. Therefore, the State changed the cut-scores as indicated above. However, in all years, none of the flagged LEAs was deemed as having inappropriate identification procedures.

Due to the State's process of the reviewing the policies, procedures, and practices of any LEA flagged as having suspected disproportionate representation, the State is ensuring that school districts and charter schools are using correct policies, procedures, and practices in the identification, evaluation, and placement of students with disabilities in Utah. This process also helps determine if inappropriate identification is the cause of any disproportionate representation of racial and ethnic groups in specific disability categories in school districts and charter schools. The State review process also directs LEAs to develop a corrective action plan if they are found not to be in compliance with this indicator. The noncompliance must be corrected within one year from the date of the completion of the State's determination that the LEA has disproportionate representation. This process ensures that students with disabilities are not disproportionately represented as a result of inappropriate identification.

1. Applied Risk Ratio formula to disaggregated data at LEA and State levels to identify LEAs with disproportionate representation in their special education population in specific disability categories. Completed and ongoing.
 - A risk ratio formula was applied to all LEA and State 618 Child Count Race and Ethnicity data.
 - Data were reviewed and a weighted risk ratio was used to determine a final risk ratio for each required disability and racial/ethnicity category in all LEAs.
 - LEAs with a final risk ratio of 3.00 or larger or 0.30 or smaller were flagged for a further review of their policies, procedures, and practices to ensure that there were no inappropriate identification, evaluation, or placement of students with disabilities in specific disability categories in these identified LEAs.
 - Using the risk ratio, seven LEAs were flagged with a risk ratio larger than 3.00 for over-representation, and five LEAs were flagged with a risk ratio of less than 0.30. (Seven LEAs were flagged for over-identification and five LEAs were flagged for under-identification, but one of the LEAs was flagged for both over- and under-identification.) This triggered a State review of the policies, procedures, and practices for the eleven total flagged LEAs to ensure that the flagged status was not a result of inappropriate identification, evaluation, and placement of students with disabilities in specific disability categories. UPIPS monitoring data were also reviewed as a part of this process.

Results of this activity are that eleven LEAs were flagged for potential over/under-disproportionate representation (Seven LEAs were flagged for over-identification and five LEAs were flagged for under-identification, but one of the LEAs was flagged for both over- and under-identification). The State conducted a review of each LEA's policies, procedures, and practices to ensure that there are no inappropriate identification policies, procedures, and practices in each LEA resulting in disproportionate representation in specific disability categories.

2. Beginning in FFY 2009 and continuing in FFY 2010, the State began using a procedure of an annual LEA data review outlined in the Disproportionality and Coordinated Early Intervening Services Manual and also through UPIPS monitoring. The State conducts a review of policies, procedures, and practices to determine if the disproportionate representation could be the result of inappropriate identification practices for the targeted LEAs. Completed and ongoing.
 - The State reviewed Child Count data and then required that any LEAs that were flagged for disproportionate representation in specific disability categories submit documentation of their policies, procedures, and practices to the State for review.
 - Each targeted LEA's policies, procedures, and practices were reviewed by the State.
 - USOE staff members followed up as needed with technical assistance.

Results of this activity are that targeted LEAs received follow-up monitoring; thereby, ensuring students with disabilities are not being incorrectly identified or evaluated, and placed inappropriately in special education and related services in specific disability categories.

3. Provided professional development to flagged LEAs on evaluation and eligibility determination procedures. Completed and ongoing.
 - Professional development on identification, evaluation, and placement of students with disabilities is available through the online training, the Utah Professional Development Center, at many of the State's conferences, on professional development modules, and on a local basis in many LEAs. Professional development was provided to 52 LEA staff members during 2010-2011 in this area.

As a result of this activity, professional development in appropriate identification practices has been provided through a variety of formats offered to all LEAs.

4. Continued to collect, disaggregate, and compare 618 data. Completed and ongoing.
 - 618 data are collected annually.
 - 618 Data are collected and disaggregated by LEA and by school level.

- Annual collections make possible comparisons over time.

Results of this activity are that an annual 618 data collection of the same data elements allows for comparisons and helps determine trends, thereby allowing LEAs to anticipate and address potential issues regarding disproportionate representation in specific disability categories.

5. Provided follow-up technical assistance and/or enforcement actions based on identification of policies, procedures, and practices that lead to inappropriate identification of students with disabilities. Completed and ongoing.
 - A policies and procedures manual was developed by each LEA during the 2008-2009 school year to align with IDEA 2004 and Utah State Board of Education Special Education Rules (2007). New charter schools opening during the 2010-2011 school year developed policies and procedures manuals that were submitted to and approved by the USOE in 2010.
 - No enforcement actions were applied in FFY 2010 due to zero LEAs having inappropriate policies, procedures, and practices that lead to inappropriate identification.
 - USOE staff members followed up as needed with technical assistance.

Results of this activity are that each LEA has a USOE approved policies and procedures manual to guide the identification, evaluation, and placement of students with disabilities and receives follow-up technical assistance as needed to guide the identification, evaluation, and placement of students with disabilities.

6. Collaborated to provide Statewide professional development for all educators regarding classroom management, instruction, and school-wide targeted interventions to support students in the LRE. Completed and ongoing.
 - Statewide professional development in collaboration with general education was provided in the following areas:
 - Response to Intervention
 - DIBELS, progress monitoring and screening
 - Assessment, informal and formal
 - Interventions for struggling readers
 - Behavior strategies
 - Tiered instruction
 - ELL instruction
 - Math and science instruction
 - Participants included general and special educators, administrators, parents, Title I schools, secondary and elementary educators totaling 8,798.

Results of the activity include increased interaction and collaboration between general and special educators during overlapping professional development for educators participating in professional development as documented by attendance records and agendas. The Statewide professional development enabled educators to be provided with and to have access to research-based instruction and intervention materials for implementation to support students in LRE.

7. Collaborated on program development of tiered instruction to support students in LRE. Completed and ongoing.
 - A tiered instruction framework was developed to support students in LRE:
 - Special educators and general educators reviewed and recommended instruction/intervention materials to classroom teachers.
 - USOE special education staff participated with general education leaders to develop instructional goals for math and science.
 - Instruction/intervention materials were listed on the USOE website and in the 3-Tier reading document.
 - USOE staff participated in developing a tiered instruction framework for numeracy for all educators.

Results of these activities include the provision of a consistent instruction/intervention framework for all educators. The activities provided support for educators to implement research based instruction/interventions and assessments in the areas of Math and Science to support LRE.

Correction of Previous Year’s Noncompliance (FFY 2009):

Level of compliance for State reported for FFY 2009 for this indicator: 100%

With zero LEAs having disproportionate representation in FFY 2009 due to inappropriate identification, evaluation, and placement of students with disabilities in all ethnicities and all disability categories, no correction was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.173, §300.111, §300.201, and §300.301-§300.311 as per the OSEP 09-02 Memorandum, including the presence and implementation of policies and procedures designed to prevent the inappropriate over-identification, under-identification, or disproportionate representation by race/ethnicity of children as children with disabilities, ensure child find, and conduct appropriate evaluations/reevaluations and eligibility determinations. Data were collected from State and Federal reports, on-site monitoring, or additional LEA data submissions (Desk Audits).

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

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

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

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/Child Find

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.

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

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeframe).**

Account for children included in a, but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

****Utah State established timeline is 45 school days.**

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	One hundred (100) percent of children will be evaluated within 60 days** of receiving parental consent for initial evaluation.

Actual Data for FFY 2010: 94.58%

The target of 100% was not met; however, the State achieved 94.58% of students evaluated within 45 school days of receiving parental consent.

The USOE ensures that all students referred for special education and related services are evaluated and, as appropriate, offered special education and related services within the timelines contained within IDEA 2004 in 34 CFR §300.301 and Utah State Board of Education Special Education Rules. The initial evaluation/eligibility timeline used by the State for 2005-2006 and 2006-2007 was the IDEA-established 60 days; the timeline was adjusted to follow Utah State Board of Education Special Education Rules during 2007-2008 and was 45 school days for this APR reporting period. During the 2010-2011 school year, 572 files of students ages 3-21 who received an initial evaluation were reviewed through on-site visits, Self Assessment reports, Desk Audits, and the State dispute resolution process for this indicator as part of the general supervision system. These 572 files came from 53 LEAs (school districts and charter schools). The review process that was part of the Utah Program Improvement Planning System (UPIPS) was developed to ensure that each LEA is included in the formal monitoring process. The UPIPS monitoring system also describes how LEAs are selected for on-site visits (see Utah's SPP for additional monitoring system detail).

Display 11-1: Percent of Students Evaluated within the 45 School Day Timeline (State-Established Timeline)

	FFY 2010
Total students for whom an initial evaluation was completed	572
a. # of students for whom parental consent to evaluate was received	572
b. # of students whose evaluations were completed within 45 school days	541
# not included in b.	31
Percent of students with parental consent to evaluate who were evaluated within 45 school days (State-established timeline) (b/a x 100)	94.58%

Of the 572 reviewed files, four students later determined not eligible had evaluations which were completed within 45 school days and 537 students later determined eligible for special education and related services had evaluations completed within 45 school days, totaling 541 students who received their evaluations within the accepted timeframe. Thirty-one students in 19 LEAs later determined eligible for special education and related services had evaluations completed beyond the 45 school day timeline. The lengths of evaluations for these 31 students ranged from 47 days to 406 days with a median of 71 days. Delays in all 31 of the evaluations were due to special education personnel noncompliance. Delays that were due to the following were not included in these totals; (1) a parent repeatedly failing to produce the student for the evaluation or refusing to produce the student for the evaluation, or (2) students who were enrolled in a school of another public agency after the timeframe for initial evaluation had begun, and prior to a determination by the student's previous public agency as to whether the student is a student with a disability (34 CFR §300.301).

As the noncompliance with 34 CFR §300.301 was found in only a small percentage of LEA files in each LEA with noncompliance and represented an isolated incident in the LEA programs, the 19 LEAs with evaluations exceeding 45 school days during FFY 2010 were issued findings of noncompliance and were required to write a Corrective Action Plan (CAP) to address their process for determining eligibility within the required timelines. CAPs must address (a) correction of all student level noncompliance, though late, (Prong 1 of the OSEP 09-02 Memorandum) and (b) a review of additional data to verify correct implementation of the regulatory requirement (Prong 2 of the OSEP 09-02 Memorandum).

Valid and Reliable Data:

Data reliability and validity were ensured through a data collection process that used multiple methods. Data were collected from on-site visits, Desk Audits, LEA Self Assessment Reports, and the State dispute resolution process. Furthermore, data were verified through a process in which some student files were randomly selected to be reviewed twice, by two different reviewers, to ensure correct dates were entered and timelines were valid and reliable.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As indicated in Display 11-2, the State experienced slippage in the percentage of students evaluated within 45 school days from 97.41% to 94.58%. The State conducted a data review/root cause analysis in an attempt to determine the cause of the slippage. The number of students whose evaluations exceeded the 45 school day timeline ranged from one to three in the 19 LEAs, not indicating any one LEA as having a significant number of delays. In addition, the 19 LEAs identified with noncompliance for this indicator

were not the same LEAs as those identified previously in FFY 2009. A comparison between school districts and charter schools also did not indicate a significant difference. The State next reviewed the data to determine if the evaluations that exceeded the 45 school day timeline occurred before or after school breaks. This also did not appear to be the cause of the delays. Finally, the data were reviewed to determine if the delays occurred during the Statewide assessment window. This did not seem to be the case. The greatest cause cited for the delays was teacher noncompliance. For this current APR, the State did not have teacher-level data available to determine if there was a trend related to the length of time a teacher has been provided professional development or if lack of professional development contributed to the delays. The State will be collecting teacher-level data for the FFY 2011 submission of the APR to determine if any changes to the professional development improvement activities are needed. In addition, the State analyzed whether LEAs with new Special Education Directors saw a decrease in rates, which did not occur. We are aware that the target of 100% was not met, and continue to implement actions designed to improve Utah's performance on this indicator.

Display 11-2: Percent of Students Evaluated within the 45 School-Day Timeline, Results over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
a. # of students for whom parental consent to evaluate was received	42	229	406	385	541	572
b. # of students whose evaluations were completed within 45 school days	32	218	392	373	527	541
# not included in b.	10	11	14	12	14	31
Percent of students with parental consent to evaluate who were evaluated within 45 school days (State-established timeline)	76.2%	95.2%	96.6%	96.9%	97.41%	94.58%

1. Monitored for initial evaluation timelines within each LEA and documented reasons timeline was exceeded, if applicable. Completed and ongoing.
 - Data were collected during the LEA Self Assessment process, on-site monitoring by the USOE, Desk Audits, Dispute Resolution, and LEA Corrective Action Plan (CAP) reporting.
 - Information on the number of days and the reasons the timeline was exceeded is specifically requested and collected by the USOE and maintained in a database for this indicator.

Results of this activity included LEA Special Education Directors and staff receiving immediate feedback on their performance on this requirement, clarification of the requirement, and additional on-site professional development on initial evaluation timeline requirements with examples and non-examples. This in turn increased LEA knowledge of the 45 school day initial evaluation timeline as documented by UPIPS monitoring visits, agendas, and evidence of correction of noncompliance, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

2. Analyzed monitoring data regarding initial evaluations with respect to timelines, eligibility, and documenting range/reasons if timeline is exceeded. Completed and ongoing.
 - The USOE aggregated data for purposes of this APR and provided LEAs with an analysis of their data. LEAs with initial evaluations exceeding the 45 school days were required to include this indicator in their CAP and document professional development of staff and correction as soon as possible, but in no case later than one year.

- The USOE was able to determine the reason the majority of the evaluations exceeded the timeline (teacher noncompliance) and address the need Statewide. The USOE enforcement activities were implemented, including: LEA Special Education Directors were notified in writing of teacher noncompliance issues, LEAs were required to revise their Corrective Action Plans (CAPs) to include and address noncompliance with initial evaluation timelines, and the USOE provided technical assistance at the LEA level.

Improvement activities resulted in USOE and LEA staff, when presented with State and LEA data, observing trends and planning to address needs demonstrated by the data, causing the USOE and LEA staff to work together to address teacher noncompliance issues as documented by discussions with LEA Special Education Directors and improved rates of initial evaluations completed within 45 school days, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

3. Provided LEA-level data to LEAs on their status regarding initial evaluation timelines, eligibility, and range/reasons if timeline is exceeded. Completed and ongoing.
 - The USOE aggregated data for purposes of this APR and provided LEAs with an analysis of their data when findings of noncompliance were discovered.
 - LEAs with initial evaluations exceeding the 45 school days were required to include this indicator in their CAP and document professional development and correction of policies, procedures, and practices as soon as possible but in no case later than one year.

Results of this activity included increased discussion of LEA data among LEA staff members and LEA file monitoring for Indicator 11, which in turn increased LEA staff knowledge of the 45 school day initial evaluation timeline by leading them to determine the reasons that initial evaluation timelines were exceeded and address them immediately with impacted personnel as documented by UPIPS visits, agendas, and discussions with LEA Special Education Directors, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

4. Provided professional development to special education teachers, related service providers, and evaluators Statewide on initial evaluation timeline requirements. Completed and ongoing.
 - Eighty-three USOE staff professional development hours were provided to LEA staff Statewide addressing child find, evaluations, and timeline requirements.
 - LEAs were reminded during fall USOE meetings of initial evaluation timeline requirements and the impact of those timelines on APR results and local determinations to enable them to disseminate the information to their staffs.

Results of this activity included Statewide professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA staff knowledge of the 45 school day initial evaluation timeline as documented by professional development logs, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

5. Developed and disseminated a parent training manual, in conjunction with the Utah Parent Center, which clarifies the evaluation process, including timeline requirements, as well as school and parent responsibilities. Completed and ongoing.
 - The manual was completed and disseminated during the 2009-10 school year.
 - The Utah Parent Center continued to disseminate this manual to school staff and parents during the 2010-2011 school year. It is also posted on the Utah Parent Center website at <http://www.utahparentcenter.org/publications/handbooks/>.

Results of this activity included continued dissemination of a parent training manual which has increased parent knowledge and monitoring of initial evaluation timelines, which in turn increased LEA knowledge of the 45 school day initial evaluation timeline, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

6. Implemented focused monitoring process to provide additional technical assistance and review LEAs that continue to not meet targets. Completed and ongoing.
 - The USOE developed and implemented criteria for determining the need for an on-site monitoring visit.
 - The USOE developed and implemented a protocol for an annual Desk Audit and focused on-site visit. During 2010-2011, all LEA data were reviewed at least once.
 - The USOE utilized information during annual LEA Desk Audits to determine if LEAs needed on-site visits.
 - The USOE provided additional technical assistance when needed.

Results of this activity included an increase in the required Statewide LEA staff professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA knowledge of the 45 school day initial evaluation timeline by requiring additional focus on this timeline as documented by correction of noncompliance, and discussions with LEA staff and Special Education Directors thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

7. Developed opportunities for LEAs to discuss evaluation needs with surrounding LEAs in an effort to create collaboration and sharing of scarce staff. Completed and ongoing.
 - LEAs were included in State personnel shortage discussions.
 - Charter schools were provided with additional opportunities to network and discuss solutions for personnel shortages during monthly roundtables.
 - During data analysis it was discovered that the most common reason for initial evaluations not being completed within the timeline was due to teacher noncompliance. The USOE enforcement activities were implemented, including: LEA Special Education Directors notified in writing of teacher noncompliance issues, LEAs were required to revise their CAPs to include and address noncompliance with initial evaluation timelines, and the USOE provided technical assistance.

Improvement activities resulted in increased collaboration between LEAs to identify and utilize evaluation personnel, as documented by discussions with both charter school directors and charter school Special Education Directors, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

8. Addressed shortage of qualified examiners with Institutes of Higher Education (IHEs) in Utah. Completed and ongoing.
 - Three meetings were held during FFY 2010 with representatives from LEAs, IHEs, and the USOE.
 - IHE and LEA personnel identified and reviewed strategies to meet the evaluation personnel needs of the LEAs.

Results of this activity included increased discussion between LEAs, IHEs, and USOE personnel on strategies needed to address the shortage of qualified examiners and the programs that target the needs of LEAs as documented by agendas, thereby ensuring that students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

9. Utilized enforcement actions to ensure LEAs are in compliance with the initial evaluation timeline requirement. Completed and ongoing.
 - The USOE staff discussed the need for compliance with all LEAs during monthly USOE and roundtable meetings with LEA Special Education Directors.
 - The USOE staff provided written notification on noncompliance and timelines for correction to LEAs with noncompliance. LEAs with noncompliance participated in discussions regarding noncompliance with the USOE staff during which the noncompliance and the requirements were reviewed, the reason for the noncompliance was determined, and corrective action planning occurred to address the reason for noncompliance.
 - The USOE enforcement actions, when needed, target the reason for the LEA noncompliance to ensure timely correction. For example, when the issue is teacher noncompliance, the LEA Special Education Director is notified in writing of the noncompliance, and required to revise their CAP to address the noncompliance.

Results of this activity included increased Statewide professional development activities and USOE/LEA file monitoring for Indicator 11, which in turn increased LEA knowledge of the 45 school day initial evaluation timeline and written notification of compliance status as documented by UPIPS correspondence, UPIPS Manual, agendas, and improved rates of initial evaluations completed within 45 school days. Students suspected of having a disability are evaluated in a timely manner, and if eligible, provided with the special education and related services needed to improve their educational performance.

10. The USOE notified LEA Special Education Directors that of the timelines exceeded; the majority were due to teacher noncompliance with the requirement. The USOE will prompt affected LEAs for information on how this issue was addressed as part of their UPIPS CAP.
 - The USOE staff notified LEA Special Education Directors in March 2011.
 - Impacted LEAs were required to address teacher noncompliance as the root cause of the noncompliance in their CAPs.

Results of this activity included an increased awareness of teacher noncompliance as the root cause of the noncompliance and resulted in revised CAPs to address the issue, which in turn increased LEA knowledge of the 45 school day initial evaluation timeline.

Correction of Previous Year’s Noncompliance (FFY 2009): Corrected to 100%

As described in Display 11-3, 100% of noncompliance identified during FFY 2009 was corrected within one year. In the event that noncompliance is not corrected in a timely manner, the following enforcement actions will occur (actions will be selected to target the reason behind the continuing noncompliance): required technical assistance, additional LEA professional development, and delay of IDEA funds.

Display 11-3: Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance for State reported for FFY 2009 for this indicator: 97.41%

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

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

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

Verification of Correction (either timely or subsequent):

There is no remaining Indicator 11 noncompliance from previous APR reporting periods. All Indicator 11 noncompliance has been corrected within required timelines. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.301. In the process of determining that the LEA corrected noncompliance on this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days, based upon the USOE's review of representative data collected from either subsequent on-site monitoring or additional LEA data submissions (Desk Audits). The USOE ensured that all initial evaluations found noncompliant in FFY 2009 were completed, though late, and eligibility determined for the students (Prong 1 of the OSEP 09-02 Memorandum). In the review of additional data, a sample of files was reviewed to determine ongoing LEA compliance with 34 CFR §300.301 (Prong 2 of the OSEP 09-02 Memorandum). Each file was reviewed to ensure correct and timely initial evaluation determination. As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days.

Display 11-4: Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement Response Table	State's Response
<p>The State must report, in its FFY 2010 APR due February 1, 2012, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2009 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.</p>	<p>In the process of determining that the LEA corrected noncompliance for this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (Desk Audits).</p>

	<p>LEAs with findings of noncompliance reported in the FFY 2009 APR were required to submit evidence of individual and LEA-wide correction of noncompliance to the USOE. Documentation of correction included submission of additional student records that demonstrated compliance with this indicator (including that the initial evaluation was completed) (Prong 2 of the OSEP 09-02 Memorandum). The USOE verified correction and notified the LEA in writing that the noncompliance had been corrected. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days, as per the OSEP 09-02 Memorandum. Additionally, the USOE ensured that the initial evaluations, although late, were completed and eligibility determined for the students in question (Prong 1 of the OSEP 09-02 Memorandum). As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.301, including completing initial evaluations within the State-required timelines of 45 school days.</p> <p>The USOE has attempted to clarify in this APR and in the revised SPP the distinction between identification of possible noncompliance and findings of noncompliance. LEAs who identify and correct noncompliance prior to being issued of finding of noncompliance by the USOE do not receive a finding, as per the OSEP 09-02 Memorandum.</p>
<p>If the State is unable to demonstrate compliance in the FFY 2010 APR, the State must review its improvement activities, if necessary, to ensure compliance.</p>	<p>Upon completion of a data review/root cause analysis, the State was unable to determine a single root cause for the slippage that occurred. As a result, improvement activities have been reviewed and it was determined that no additional activities are needed at this time. The State will collect additional data at the teacher level to determine if additional activities are needed in the future.</p>

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

No new or revised activities needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

Measurement:

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR 300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in **a** but not included in **b, c, d, or e**. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d – e)] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	One hundred (100) percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

Actual Data for FFY 2010: 99.6%

The target of 100% was not met; however, 99.6% of children referred by Part C prior to age 3 were evaluated and eligibility determined before their third birthdays.

The USOE ensures that all students referred by Part C prior to age 3 were evaluated and eligibility determined before their third birthdays, as required in 34 CFR §300.124. All school districts must track all students referred from Part C and submit those data to the USOE. During the 2010-2011 school year, 1,851 records of students who received an initial transitioning from Part C to Part B were reviewed as part of the general supervision system. These 1,851 files came from 41 school districts (school districts in Utah are responsible for evaluation and eligibility determination for students with disabilities transitioning from Part C to Part B).

Display 12-1: Percent of Children Referred by Part C Who are Found Eligible for Part B and Have IEPs Developed by Their Third Birthdays

	FFY 2010
a. # of children served in Part C and referred to Part B	1,851
b. # found not eligible and whose eligibility was determined prior to third birthdays	384
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	1,339
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	80
e. # of children who were referred to Part C less than 90 days before their third birthdays	42
# in a but not in b, c, or d (number of children whose eligibility not determined before their third birthday)	6
Percent who met the indicator	99.6%

The first year that the Statewide database Transition from Early Intervention Data Input System (TEDI), was fully operational was FFY 2009. TEDI accesses the Part C database daily to obtain a list of all children that meet three criteria: child is 27 months old, has not opted out, and is actively enrolled. Each child's data are transferred to TEDI with the child's demographic information. As the Part C database enters the child into TEDI, it provides that child with a unique student identifier (SSID) number that will continue with that child throughout his/her education in Utah. To ensure confidentiality, individual child-level data are only available to school personnel with the appropriate permissions within TEDI.

TEDI provides an up-to-date status of the Part C to Part B transition meeting held by the Part C provider. If the family chooses to participate in the transition meeting, those data are entered into the database by the Part C representative at the meeting. If the team, including the parent, decides that an evaluation for Part B eligibility is appropriate, the student's transition status is updated and the record in TEDI becomes accessible to Part B school district personnel. If the parent chooses not to participate in the transition meeting, that status is also documented in the TEDI database. Once the transition meeting is held, and an evaluation is warranted, then the record must be acted on by Part B. After an evaluation is completed and an eligibility decision is made, TEDI automatically sends that information back to the Part C database. If there is a discrepancy between the Part C database and TEDI, then the Part C representatives must reconcile their data within their database. School districts are the only public education agencies that use TEDI, since charter schools do not provide public preschool.

TEDI provides the State and the school districts with the necessary census data to complete this indicator. These transition data were collected from July 1, 2010 through June 30, 2011. In the process of reviewing school district data on this indicator, the Utah State Office of Education (USOE) followed guidance provided in the OSEP 09-02 Memorandum. Noncompliance with timelines for Indicator 12 (34 CFR §300.124) is identified during an annual review by the State of the TEDI database. The database is reviewed at the end of each school year (i.e., June 30). In FFY 2010, a finding of noncompliance with timelines (based on an annual review of the TEDI database) was identified in three LEAs and reported in this FFY 2010 APR; however, those three school districts were issued findings of noncompliance at the beginning of FFY 2011. Based upon guidance from OSEP's Ruth Ryder, Utah is choosing to report those Indicator 12 findings in the FFY 2010 APR, as described in Display 12-2. Also during FFY 2010, one LEA was issued a finding based upon noncompliance identified during monitoring activities and six LEAs were issued findings based upon noncompliance identified during a TEDI data review conducted at the end of FFY 2009.

Display 12-2: Description of Findings and Correction Timelines Reported in FFY 2010

Data Source	FFY of Noncompliance	FFY of Issued Finding	Number of Findings	FFY of Correction of Noncompliance	FFY of Correction Reported in APR
TEDI	2009	2010	6 (in 6 LEAs)	2011	2011
UPIPS Monitoring	2010	2010	1 (in 1 LEA)	2011	2011
TEDI	2010	2011	3 (in 3 LEAs)	2012	2012

Note: In addition to the ten findings outlined above (i.e., seven findings of noncompliance identified FFY 2010 and three findings of noncompliance identified FFY 2011), four LEAs had timeline delays identified in the TEDI database during FFY 2009, but upon review of additional data by the USOE as per the OSEP 09-02 Memorandum, were not issued findings of noncompliance during FFY 2010, as correction had already occurred. The six findings of noncompliance issued in FFY 2010, based on a review of FFY 2009 TEDI data, were reported in the FFY 2009 APR on Indicator 12 and will be reported as corrected in Indicator 15 in FFY 2011.

Valid and Reliable Data:

School districts ensure that their data submitted to USOE are reliable and valid. The school district preschool coordinators are either responsible for gathering these data or for checking the submitted data for accuracy. After June 30th of each year, the USOE 619 Preschool Coordinator reviews the data submitted by school districts and contacts school district personnel if there are any concerns. In addition, the Utah Program Improvement Planning System (UPIPS) Statewide monitoring system gathers data during on-site visit file reviews and/or Self Assessment and verifies the data school districts have submitted. The review process that was part of the Utah Program Improvement Planning System (UPIPS) was developed to ensure that each LEA is included in the formal monitoring process. The UPIPS monitoring system also describes how LEAs are selected for on-site visits (see SPP for additional monitoring system detail).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

As indicated in Display 12-3, improvement was made from FFY 2009 as the percentage of children meeting this indicator increased from 98.45% to 99.6%. Since the TEDI database is now in place, all students referred from Part C to Part B are included in the data for this indicator. While the FFY 2010 rate is slightly below 100%, it continues to make progress toward achieving the 100% compliance rate. The progress shown on this indicator is highly attributable to the provision of technical assistance described in the following activities and the process for correcting noncompliance. These activities provided additional resources and supports to ensure a smooth and timely transition from Part C to Part B for students and their families and have improved the rate of compliance with this indicator.

Display 12-3: Percent of Children Referred by Part C who are Found Eligible for Part B and Have an IEP Developed by Their Third Birthdays, Results Over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
a. # of children served in Part C and referred to Part B	160	321	206	325	1,694	1,851
b. # found not eligible and whose eligibility was determined prior to third birthdays	22	67	44	34	249	384
c. # of those found eligible who have an IEP developed and implemented by their	115	234	135	272	1,203	1,339

third birthdays						
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	4	7	20	15	89	80
e.# of children who were referred to Part C less than 90 days before their third birthdays	NA	NA	NA	NA	134	42
# in a but not in b, c, or d	19	21	7	4	19	6
Percent who met the indicator	85.8%	94.7%	95.1%	98.6%	98.45%	99.6%

Display 12-4: Reasons for Timeline Delays

LEA	Number of Delays	Number of Days Delayed	Reasons for Delay
1	1	6	Additional testing needed
2	4	1-60	Additional testing needed
3	1	158	Additional testing needed

Note: This chart contains data on all students who were included in a, but not in b, c, or d. These data reflect timeline delays, not findings of noncompliance.

1. Provided school district staff with professional development on requirements regarding the process for determining eligibility and required timelines. This will allow for a smoother transition for the student and family. Completed and ongoing.
 - Professional development was provided during the Statewide preschool conference. The professional development focused on requirements of this indicator and also on working with Part C to provide reliable data in the TEDI database.

This activity resulted in the school district staff following eligibility and timeline procedures and requirements, correcting noncompliance, and providing verification of correction of noncompliance to the State as soon as possible, and in no case later than one year.

2. Developed guidance on reporting requirements for Part C and Part B. Completed and ongoing.
 - During FFY 2010, professional development was conducted when requested that focused on how the two different databases from Part C and Part B communicate.
 - Guidance for reporting was refined in FFY 2010 and will continue through FFY 2013.

Results of this activity are reflected in the TEDI manual on the USOE special education website under preschool and will continue through FFY 2013.

3. Collaborated with Part C to develop a web-based method to share data between the two agencies. Completed and ongoing.
 - In FFY 2010, Part C and Part B personnel have collaborated to enhance the TEDI database as well as the Part C database. These enhancements provide better communication between the two databases.

Results of this activity indicated that the TEDI database provided benefit to Parts B and C and to families by easily providing data from one agency to the other. Thus, children will be easier to track, and school district staff can quickly see which children they need to determine eligibility for and within what timeline. This will result in higher compliance rates on this indicator.

4. Develop a new Memorandum of Understanding (MOU) with Part C upon approval of new State Special Education Rules. Completed and ongoing.
 - The Utah MOU for transition was started in FFY 2009 but continues to be postponed due to the expectation that Part C regulations would be disseminated during FFY 2010 and then would need to be incorporated into the MOU.

Results of this activity will include a completed State MOU that outlines shared responsibility for this indicator during FFY 2012.

5. Continue to meet with Part C quarterly to coordinate information in order to improve transition for students and families. Completed and ongoing.
 - Part C and Part B personnel at the State level have met and worked together to ensure that all students were accounted for during this reporting period, as well as to collaborate on the ongoing updates of information sharing between the Part C and Part B databases.

This activity has resulted in more effective communication at the State level which has assisted school district staff at the local level, as demonstrated by improved data on this indicator, allowing for a smoother transition for students and families.

6. Track school districts that did not reach the target of 100%. Completed and ongoing.
 - In FFY 2009, all school districts exceeding the timeline requirements implemented self-imposed corrective action prior to being issued findings of noncompliance. The USOE verified completion of evaluation/eligibility determination at the student level and correction of noncompliance as described below.

Results of this activity indicated that the TEDI database provided benefit to the school districts and the State. School district staff compile data in real time and monitor their data as often as they believe necessary. The benefit to the State is that the database will not allow any children to be unaccounted for in the transition process. Compliance with this indicator is now easier to track. This will result in higher compliance rates on this indicator.

Correction of Previous Year's Findings of Noncompliance (FFY 2009): No Previous Year's Findings of Noncompliance

There were no school districts that had findings of noncompliance in FFY 2009. LEAs that had already made corrections (including completion of eligibility determinations and initial IEPs, although late) prior to the USOE identifying noncompliance were not issued findings. Thus, no school districts were required to write a Corrective Action Plan (CAP) in order to ensure that in the future all children would have eligibility determined by their third birthdays as per 34 CFR §300.124. Even though there were no cases of corrected noncompliance, the USOE verified that school districts are implementing the specific regulatory requirements of 34 CFR §300.124 as per the OSEP 09-02 Memorandum.

In the event that an LEA has findings of noncompliance with this indicator, the USOE will follow guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, the root cause of the noncompliance, and requiring the correction of school district noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the school district is correctly implementing the specific regulatory requirements of 34 CFR §300.124, including completing and implementing an IEP by the Part B-eligible child's third birthday. Any identified school district's findings of noncompliance with 34 CFR §300.124 are required to be corrected as soon as possible and in no case later than one year. School district progress and correction is tracked monthly

and includes a review of the status of each school district's Corrective Action Plan (CAP), including the documented correction of identified compliance errors. Additionally, the USOE ensures that the initial evaluations/IEPs, although late, were completed for the students in question (Prong 1 of the OSEP 09-02 Memorandum). The CAP is evaluated annually for evidence of corrections of noncompliance issues, completion of professional development activities and, if needed, new procedures developed and implemented to ensure compliance. Results of these activities are verified through additional/subsequent school district and USOE student file and database reviews (Prong 2 of the OSEP 09-02 Memorandum). Targeted technical assistance will continue to be provided to achieve the target of 100%.

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

Level of compliance for State reported for FFY 2009 for this indicator: 98.45%

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

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

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

Display 12-4: Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement Response Table	State's Response
The State must report, in its FFY 2010 APR due February 1, 2012, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2009 APR (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation/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.	In the process of determining that the LEA corrected noncompliance this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.124, including completing initial evaluations/IEPs, based upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (Desk Audits).

	<p>There were no LEAs with findings of noncompliance reported in the FFY 2009 APR. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.124, including completing initial evaluations/IEPs within the required timelines, as per the OSEP 09-02 Memorandum. Additionally, the USOE ensured that the initial evaluations/IEPs, although late, were completed for the students in question (Prong 1 of the OSEP 09-02 Memorandum). The USOE will review additional data to determine ongoing LEA compliance with §300.124 (Prong 2 of the OSEP 09-02 Memorandum). As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.124, including completing initial evaluations/eligibility determinations within the required timelines.</p>
<p>If the State is unable to demonstrate compliance in the FFY 2010 APR, the State must review its improvement activities, if necessary, to ensure compliance.</p>	<p>Improvement activities have been reviewed and it was determined that no additional activities are needed at this time.</p>
<p>As requested in the Utah Part B FFY 2009 SPP/APR Response Table, the following clarification is provided regarding findings of noncompliance in FFY 2008 for Indicator 12.</p>	<p>Utah reported that one LEA had one finding of noncompliance on Indicator 12 in FFY 2008, which was reported as corrected within one year in Utah's FFY 2009 APR in both Indicators 12 and 15. That correction was verified by the USOE as described two rows above. The USOE has attempted to clarify in this APR and in the revised SPP the distinction between identification of possible noncompliance and findings of noncompliance. LEAs who identify and correct noncompliance prior to being issued of finding of noncompliance by the USOE do not receive a finding, as per the OSEP 09-02 Memorandum.</p>

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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.

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

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

FFY	Measurable and Rigorous Target
2010 (Data Year 2010-2011)	One hundred (100) percent of youth aged 16 and above, in LEAs monitored, have 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 service needs. IEPs also include 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.

Actual Data for FFY 2010: 58% ~~42.41%~~

Display 13-1: Percent of Youth Aged 16 and Above with an IEP that Meets Indicator 13 Requirements

	FFY 2010
# of youth whose IEPs were reviewed	137 127
# of youth whose IEPs met the indicator	17 74
Percent of youth whose IEPs met the indicator	58% 12.41%

The target of 100% was not met.

Data on this indicator were collected from fourteen LEAs with secondary programs that were monitored in 2010-2011. For the initial data collection, trained USOE staff or contract monitors reviewed 137 files. Of the 137 IEPs reviewed, 17 of the IEPs, or 12.41%, met the State requirements. The review process that was part of the Utah Program Improvement Planning System (UPIPS) was developed to ensure that each LEA is included in the formal monitoring process. The UPIPS monitoring system also describes how LEAs are selected for on-site visits (see SPP for additional monitoring system detail). **As part of Utah's OSEP appeal, 127 of the 137 initial student files were again reviewed, this time compared to the NSTTAC Indicator 13 Checklist Form A (7/2009), which required one or more than one goal, rather than the OSEP guidance released 8/21/2009 which required more than one goal. The data collected using the alternate standard allowable at that time demonstrated that 58% of the student files were in compliance. The remaining 10 files (out of the original 137) were not located due to the student moving, graduating, or reaching maximum age).**

Display 13-2: Comparison of NSTTAC and UPIPS Checklists for Monitoring Transition Services in IEPs

NSTTAC items	UPIPS Student Record Review items
1. Is there a measurable postsecondary goal or goals that covers education or training, employment, and, as needed, independent living?	76. The IEP includes a measurable post-secondary goal s for: post-secondary training or education; employment; independent living skills; none included.
2. Is (are) the postsecondary goal(s) updated annually?	74. Date of most current transition plan. If one or more transition plans have been updated for this student, enter the date of the previous transition plan (74b).
3. Is there evidence that the measurable postsecondary goal(s) were based on age-appropriate transition assessment?	75. Did the team use and document age-appropriate transition assessments?
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?	78, 79, 80, 81. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?	82. Does the transition plan contain a course of study (courses and other educational experiences)?
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?	77a, 77b, 77c. Is (are) there annual IEP goal(s) related to the student's transition service needs?
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	40, 41b.2, 41c, 42b.2. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?

8. If appropriate, is there evidence that 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?	78a, 78b, 78c, 79a, 79b, 79c, 80a, 80b, 80c, 81a, 81b, 81c. If appropriate, is there evidence that 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?
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Valid and Reliable Data:

Data reliability and validity were ensured through a collection process that used multiple methods. Data were collected during monitoring on-site visits. Data are representative of the State due to the representativeness of the UPIPS cohort. Contract reviewers and LEA representatives were trained in the UPIPS monitoring data collection system, including items related to secondary transition, at least annually. In fall 2010, the revised online UPIPS Compliance Monitoring Tool was implemented at both the State and LEA level. This tool was rigorously designed and is aligned with the SPP and APR Indicators. Therefore, while the results for this indicator are much lower than in previous years, they more accurately reflect the level of current understanding and compliance of LEA staff in regards to transition planning. Moreover the updated monitoring tool provides the USOE with much more specific information to target necessary technical assistance.

Data are also verified through a process in which some files are randomly selected to be reviewed twice, by two different reviewers, to ensure data are accurate and reliable. In addition, monitoring results are verified in all monitored LEAs through cross data checking (between LEA submitted reports and data, USOE Desk Audits, LEA Self Assessment reports, and additional on-site data collection by the LEA and/or the USOE).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

LEAs with identified incomplete transition plans received a written finding of noncompliance and were required to document correction of the finding as soon as possible and in no case later than one year. Additional required actions to document correction of noncompliance are described below in the "Correction of Previous Year's Noncompliance" section of this indicator.

Display 13-3: Root Cause Analysis by NSTTAC Checklist Item

NSTTAC items	Number of files reviewed	Number of files meeting requirements	% of files meeting requirements
1. Is there a measurable postsecondary goal or goals that covers education or training, employment, and, as needed, independent living?	137	94	66.42%
2. Is (are) the postsecondary goal(s) updated annually?	130 (7 files contained initial transition plans)	101	77.69%
3. Is there evidence that the measurable postsecondary goal(s) were based on age-appropriate transition assessment?	137	94	66.42%
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?	137	106	77.37%

5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?	137	97	70.80%
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?	137	104	75.91%
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	137	125	91.24%
8. If appropriate, is there evidence that 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?	137	52	37.96%

A root cause analysis by NSTTAC checklist item was conducted to determine areas of weakness and relative strengths. The results, shown in Display 13-3, indicate that students were invited to the IEP meeting where transition services were discussed in 91.24% of the files reviewed. The data indicate that only two thirds of the IEPs reviewed (66.42%) include measurable postsecondary goals. All areas related to transition services documented on the IEP were weak: identification of needed transition services (77.37%); annual IEP goals related to those transition service needs (75.91%); courses of study identified (70.80%); and determination of agency involvement (37.96%).

Further data examination was conducted to determine the number and type of error in each noncompliant file. Root cause analysis by LEA indicated that compliance with this indicator Statewide in LEAs monitored during FFY 2010 ranged from 0.0% to 66.66% compliance. Of the 99 files reviewed in seven school districts, 16 files in five school districts were in compliance; two school districts had no files in compliance. Of the 38 files reviewed in seven charter schools, one file in one charter school was in compliance, while six charter schools had no files in compliance. Sixty-one files contained either one or two error items. If these items had been correct, the compliance rate would have been 59.93%; this would have demonstrated progress, although still not meeting the target of 100% compliance. A review of transition plan forms used by the LEAs monitored during FFY 2010 determined that the forms do not adequately prompt IEP teams through the transition process. This was especially evident in the area of agency involvement. The USOE Monitoring Specialist required LEAs to submit updated forms beginning in FFY 2011. The USOE has developed additional improvement activities to target the specific areas of noncompliance (i.e., agency involvement and documentation of measurable postsecondary goals).

In fall 2010, the revised online UPIPS Compliance Monitoring Tool was implemented at both the State and LEA levels. This tool was rigorously designed and is aligned with the SPP and APR Indicators. Therefore, while the results for this indicator are much lower than in previous years, they more accurately reflect the level of current understanding and compliance of LEA staff in regards to transition planning. Moreover the updated monitoring tool provides the USOE with much more specific information to target necessary technical assistance.

Display 13-4: Percent of Youth Aged 16 and Above with an IEP that Meets Indicator 13, Results over Time

	FFY 2009	FFY 2010
# of youth whose IEPs were reviewed	225	127 437
# of youth whose IEPs met the indicator	123	74 47
Percent of youth whose IEPs met the indicator	54.67%	58% 42.41%

The USOE has taken immediate action upon reviewing FFY 2010 Indicator 13 data, resulting in changes at the State and LEA levels. The USOE Superintendent of Public Instruction has issued a written statement to all LEA Superintendents/Charter School Directors, Special Education Directors, and LEA staff regarding the need to immediately improve school to post-school transition planning for students with disabilities and the expectation that all LEAs be in 100% compliance with the requirements of 34 CFR §300.320. This request is in conjunction with the recent Utah State Board of Education focus on increasing the college and career readiness of all students, including students with disabilities. In addition, subsequent data collection occurring in FFY 2011 (July 1, 2011 through February 1, 2012) document that Utah’s compliance with Indicator 13 has increased significantly to 73.2%, demonstrating that the improvement activities implemented by the USOE have had a substantial positive impact on LEA policies, procedures, and practices regarding school to post-school transition. Regardless, the USOE plans to continue with the intense focus on improvement in this indicator, anticipating continued improvement towards the target of 100% compliance, which will be reported in the FFY 2011 APR.

1. Developed and posted on the USOE website a guide for improving compliance with Indicator 13 requirements. Completed.

The results of this activity are:

- The document Compliance Tips for Indicator 13 was posted on the USOE Transition website.
- The document was referenced during professional development activities.

2. Developed and posted on the USOE website a guide to the roles and responsibilities of individuals and agencies involved in transition planning. Completed.

The results of this activity are:

- The Transition Action Guide was developed with active participation from representatives of Vocational Rehabilitation (VR), Division of Substance Abuse and Mental Health, Institutes of Higher Education, adult community service providers, the Division of Services to People with Disabilities, and the Utah Parent Center.
- The document was printed by Work Ability Utah, a Medicaid Infrastructure Grant project, and distributed to all LEAs with secondary school programs and to all Vocational Rehabilitation Districts.
- The document was referenced during professional development activities and presented to LEA Special Education Directors and VR Counselors.

3. Distributed transition assessment materials to all LEAs with secondary school students. Completed.

The results of this activity are:

- Transition assessments were distributed to all LEAs with secondary school students.
- School visits revealed that many of the materials were being stored on shelves or in files and were not being used.

4. Followed up to monitor correction of noncompliance to ensure 100% compliance within one year. Completed and ongoing.

This activity resulted in:

- Correction of noncompliance within one year in all files reviewed.

5. Purchased a variety of research-based transition assessment instruments which were made available on loan to LEAs for trial use. Completed and ongoing.

This activity resulted in:

- Two new transition assessments, three curricula, and two books were purchased and available to LEAs for trial use. The new materials were displayed during professional development activities and loaned to three LEAs.

6. Sponsored regional Transition roundtables to provide professional development on transition issues, such as IDEA 2004 transition plan requirements, employment options, and postsecondary education. Completed and ongoing.

This activity resulted in:

- The roundtable in October 2011 focused on postsecondary employment options and supports for individuals with significant disabilities followed by a discussion of local practices and concerns. Presenters included an individual with a significant disability and representatives of Work Ability Utah and the Division of Services for People with Disabilities. This event was attended by 84 individuals representing 28 LEAs and State agencies.
- A two day Symposium on Transition for Students with Autism was held in March 2011. Presenters were Peter F. Gerhardt, PhD, of the McCarton School and S. Michael Chapman of Project TEACCH. This event was attended by 118 parents, agency representatives, and special education teachers and administrators.

7. Used UPIPS monitoring data to provide individualized professional development to LEAs to facilitate compliance with IEP requirements within stated timelines. Completed and ongoing.

This activity resulted in:

- Professional development on transition planning was provided to six LEAs, two parent groups, and two university level classes.
- Targeted professional development was provided to the two LEAs with 0% compliance on transition plans, as identified during the monitoring process.

Correction of Previous Year's Noncompliance: Corrected to 100%

The LEAs with findings of noncompliance in this area identified during file reviews in FFY 2009 were required to write a corrective action plan (CAP) in order to correct identified noncompliance in individual files and also to ensure that all future youth aged 16 and above would have IEPs that meet transition goals and services requirements. All LEAs (100%) are now in compliance as indicated in Display 13-4 and all findings of noncompliance were corrected within one year.

Verification of Correction (either timely or subsequent):

All findings of noncompliance identified in FFY 2009 related to regulatory requirements of 34 CFR §300.320, including having IEPs with complete transition services plans, were corrected. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.320. In the process of determining that the LEAs corrected noncompliance for this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA findings of noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEAs are correctly implementing the specific regulatory requirements of 34 CFR §300.320, including completing transition plans that meet Indicator 13 requirements, based upon the USOE's review

of representative data collected from either subsequent on-site monitoring or additional LEA data submissions (Desk Audits). Additionally, the USOE ensured that existing transition plans that were not in compliance in FFY 2009 were completed accurately for the students in question (Prong 1 of the OSEP Memorandum). A sample of files was subsequently reviewed to determine ongoing LEA compliance with 34 CFR §300.320 (Prong 2 of the OSEP 09-02 Memorandum). As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.320.

In the event that noncompliance is not corrected in a timely manner, the following enforcement actions will occur (actions will be selected to target the reason behind the continuing noncompliance): required technical assistance, additional LEA professional development, and delay of IDEA funds.

Display 13-5: Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance for State reported for FFY 2009 for this indicator: 54.67%

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	66
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	66
3. Number of FFY 2009 findings <u>not</u> verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0

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

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

Display 13-6: Additional Information Required by the OSEP APR Response Table for this Indicator:

Statement Response Table	State's Response
The State must report, in its FFY 2010 APR due February 1, 2012, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2009 APR (1) is correctly implementing the specific regulatory requirements; and (2) has corrected each individual case of noncompliance, unless the student is no longer within the jurisdiction of the LEA.	In the process of determining that the LEA corrected noncompliance for this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance, requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of 34 CFR §300.320(b) and 300.321(b), including correction and completion of existing and incomplete transition plans, based

	<p>upon the USOE's review of updated data collected from either subsequent on-site monitoring or additional LEA data submissions (Desk Audits).</p> <p>LEAs with findings of noncompliance reported in the FFY 2009 APR were required to submit evidence of individual and LEA-wide correction of noncompliance to the USOE. Documentation of correction included submission of additional student records that demonstrated compliance with this indicator (including that the incomplete transition plan was completed) (Prong 2 of the OSEP 09-02 Memorandum). The USOE verified correction and notified the LEA in writing that the noncompliance had been corrected. The USOE verified that the LEAs are implementing the specific regulatory requirements of 34 CFR §300.320(b) and 300.321(b), including correction of existing and incomplete transition plans, as per the OSEP 09-02 Memorandum. Additionally, the USOE ensured that the incomplete transition plans were completed for the student's in question (Prong 1 of the OSEP 09-02 Memorandum). As a result of these USOE and LEA actions (as described above), each LEA is in accordance with 34 CFR §300.320(b) and 300.321(b), including completing incomplete transition plans.</p> <p>The USOE has attempted to clarify in this APR and in the revised SPP the distinction between identification of possible noncompliance and findings of noncompliance. LEAs who identify and correct noncompliance prior to being issued of finding of noncompliance by the USOE do not receive a finding, as per the OSEP 09-02 Memorandum.</p>
<p>If the State is unable to demonstrate 100% compliance in the FFY 2010 APR, the State must review its improvement activities, if necessary, to ensure compliance.</p>	<p>Upon completion of a data review/root cause analysis, the State reviewed and developed six additional improvement activities to immediately address the noncompliance.</p>

Display 13-7: Percent of IEPs with Corrected Transition Plans

	FFY 2009
# of IEPs that did not meet the requirements of Indicator 13	102
# of IEPs with corrected within one year	102
% of IEPs with corrected noncompliance within one year	100%

Note: This chart reflects the number of student files that did not contain complete transition plans, not findings of noncompliance. Findings of noncompliance from FFY 2009 are included in Display 13-5. LEAs who identify and correct noncompliance prior to being issued a finding of noncompliance by the USOE do not receive a finding, as per the OSEP 09-02 Memorandum.

Revisions, with Justification, to Proposed Improvement Activities/Timelines/Resources for FFY 2011:

Activity	Timeline	Resources	Justification
NEW ACTIVITY #1 Develop and implement a long term State-level plan for transition activities that will provide leadership and support for educators and parents, to ensure students with disabilities will be better prepared to transition to further education, employment, and independent living.	Fall 2011 and ongoing through 2012	USOE Staff, IDEA statewide activity funds, Center for Public Policy and Administration at the University of Utah, LEA representatives, Utah Parent Center, Utah State Office of Rehabilitation, Division of Services for People with Disabilities, Division of Substance Abuse and Mental Health, and UPDC	Having a long term strategic plan for transition activities at the State level would allow for a series of coordinated State-level activities designed to improve LEA transition planning and student post-school outcomes.
NEW ACTIVITY #2 Contact directors of LEAs in UPIPS Year 1 (Self Assessment) to schedule professional development in transition planning in the IEP.	Fall 2011 and ongoing through 2012	USOE Transition Specialist, UPIPS data	LEAs have data from file reviews conducted during the Self Assessment process. Early identification and correction of errors will result in better transition planning for students and increased compliance with the requirements of this indicator.
NEW ACTIVITY #3 Develop and provide targeted professional development to improve agency involvement in transition planning.	Fall 2011 and ongoing through 2012	USOE Transition Specialist, UPIPS data, Vocational Rehabilitation staff	A root cause analysis of errors identified agency involvement as the most frequent error in files with one or two errors.
NEW ACTIVITY #4 Submit a request for participation in Intensive Technical Assistance from the National Secondary Transition Technical Assistance. If selected, develop and implement a technical assistance plan.	Submit request February 2012 If selected, plan implementation on-going through 2012	USOE Transition Specialist, UPIPS data, IDEA statewide activities funds, LEA and agency staff, NSTTAC staff	UPIPS data indicate the need for support in implementing evidence-based practices in transition planning at the State and LEA levels.
NEW ACTIVITY #5 The USOE Monitoring Specialist will require LEAs to submit updated forms beginning FFY 2011.	Fall 2011	USOE Monitoring Specialist, USOE Transition Specialist, LEA transition plans	A review of LEA transition forms indicated that some may be missing prompts to guide IEP teams through the transition process, possibly resulting in incomplete documentation of

			transition planning activities.
<p>NEW ACTIVITY #6 Present data showing current challenges and strengths in transition/school completion to participants at the Utah Symposium for Special Education Personnel Preparation: Preparing Highly Effective Teachers. Incorporate recommendations from group discussions in transition/school completion activities at the SEA level.</p>	Spring 2012	USOE Transition Specialist, UPDC, IHE representatives	Teacher training programs currently devote limited time to transition and school completion. Special education teachers entering the field need to be more informed about transition planning and how effective planning may impact school completion.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

Measurement:

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

FFY	Measurable and Rigorous Target
2010 (Data Year 2010-2011)	Youth who are no longer in secondary school and had IEPs in effect at the time they left school will be: A = 27.6% enrolled in higher education B = 54.3% enrolled in higher education or competitively employed C = 71.8% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment

Actual Data for FFY 2010: See Display 14-1

Display 14-1. Survey Results by Indicator 14 Measurement

Measurement	n Size	Actual Data	Target	Target Met or Not Met
A. Enrolled in higher education	178	33.1%	27.6%	Yes
B. Enrolled in higher education or competitively employed	366	68.1%	54.3%	Yes
C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment	433	80.6%	71.8%	Yes
Not engaged or under-engaged	104	19.4%	N/A	N/A

The target of 27.6% for Measurement A was met.

The target of 54.3% for Measurement B was met.

The target of 71.8% for Measurement C was met.

During the 2009-2010 school year, a total of 2,553 youth with disabilities (“exiters”) exited the school year by graduating with a regular high school diploma, receiving a certificate of completion, reaching maximum age for eligibility, or dropping out. The USOE (through its contractor) conducted a telephone survey, attempting to contact each student. Five hundred thirty-seven exiters completed surveys for a 21% response rate. Each exiter is counted only once in the highest category.

Display 14-2: Unduplicated Count of Respondents by Engagement Category

Category	n Size	Calculation (n ÷ n Responders x 100)	Rate
1. Enrolled in higher education	178	178 ÷ 537 x 100	33.1%
2. Competitively employed (and not counted in 1 above)	188	188 ÷ 537 x 100	35.0%
3. Some other postsecondary education or training (and not counted in 1 or 2 above)	23	23 ÷ 537 x 100	4.3%
4. Some other employment (and not counted in 1, 2, or 3 above).	44	44 ÷ 537 x 100	8.2%
Not engaged or under-engaged	104	104 ÷ 537 x 100	19.4%

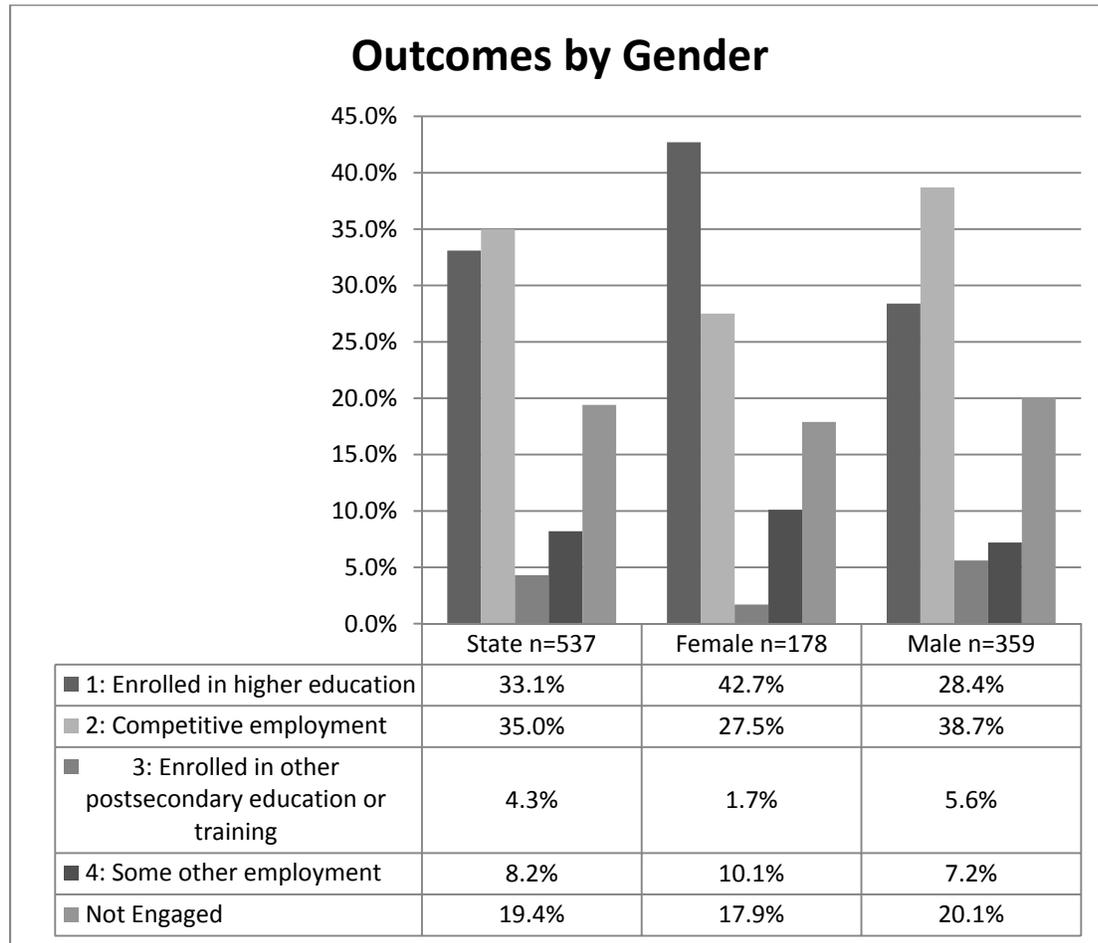
As seen in Display 14-2, the largest percentage of exiters in 2009-2010 was in the category competitively employed (35.0%, n=188), closely followed by the category of enrolled in higher education (33.1%, n=178). The remaining categories were: not engaged (19.4%, n=104), some other employment (8.2%, n=44), and enrolled in other postsecondary education or training (4.3%, n=23).

Of the 104 exiters reported as not engaged, 11% (n=60) had never been engaged in employment or postsecondary education or training and 8% (n=44) were under-engaged. Under-engaged means that although the individual had been employed or enrolled in some kind of postsecondary education or training program, that level of engagement did not meet the established criteria for one of the four categories of higher education, competitive employment, other postsecondary education, or other employment.

Disaggregated Outcomes by Subgroups

In order to better understand the post-school outcomes of Utah youth, the USOE used the NPSO Data Display Templates to further analyze the outcomes data. Outcomes for each subgroup, gender, disability, type, ethnicity, and exit type were examined.

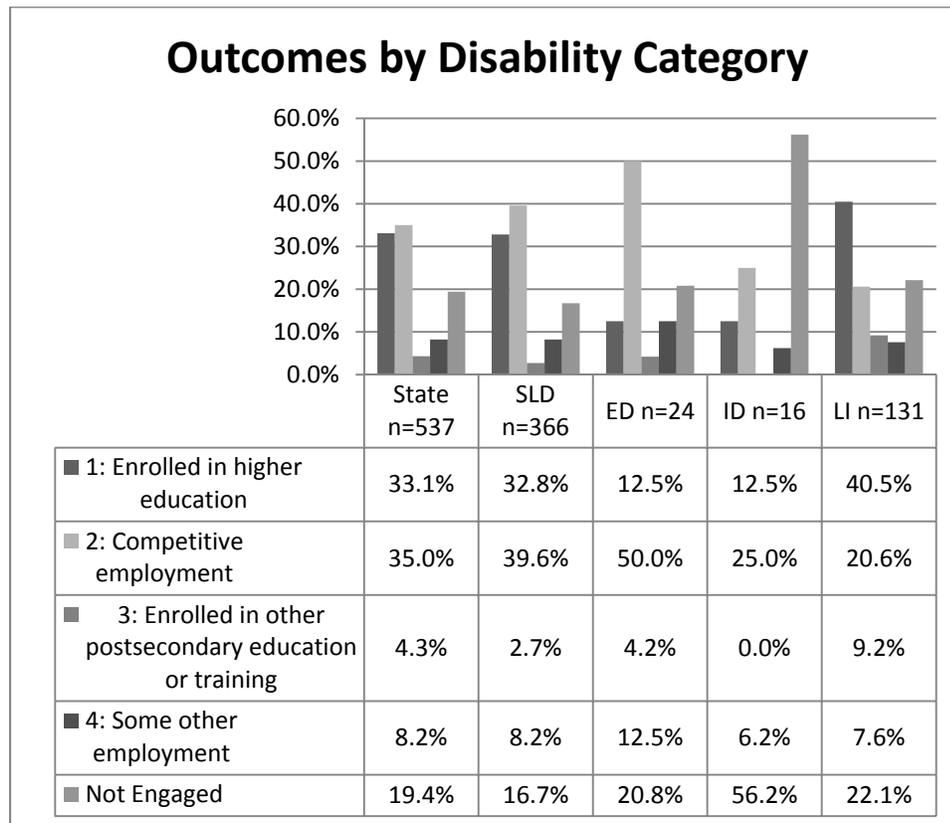
Figure 14-1: Post-school Outcomes by Gender



As seen in Figure 14-1, Post-School Outcomes by Gender, females (42.7%) reported being enrolled in higher education more often than males (28.4%), but males (5.6%) were enrolled in other postsecondary education or training programs more often than females (1.7%). Males (38.7%) reported being competitively employed more often than females (27.5%), but females (10.1%) reported being engaged in some other employment than males (7.2%). Both males (12%) and females (11%) had worked since leaving school, but had not met the criteria for competitive employment. When asked if they had ever been employed, 24% of the females and 20% of the males indicated that they had not worked for pay since leaving school. Both males and females reported similar levels of non-engagement, with males (20.0%) reporting being not engaged slightly more often than females (18.0%).

Further study and root cause analysis by LEA are needed to better understand the lower rate of higher education enrollment for males.

Figure 14-2: Post-school Outcomes by Disability Category



SLD – Specific Learning Disability

ED – Emotional Disturbance

ID – Intellectual Disability

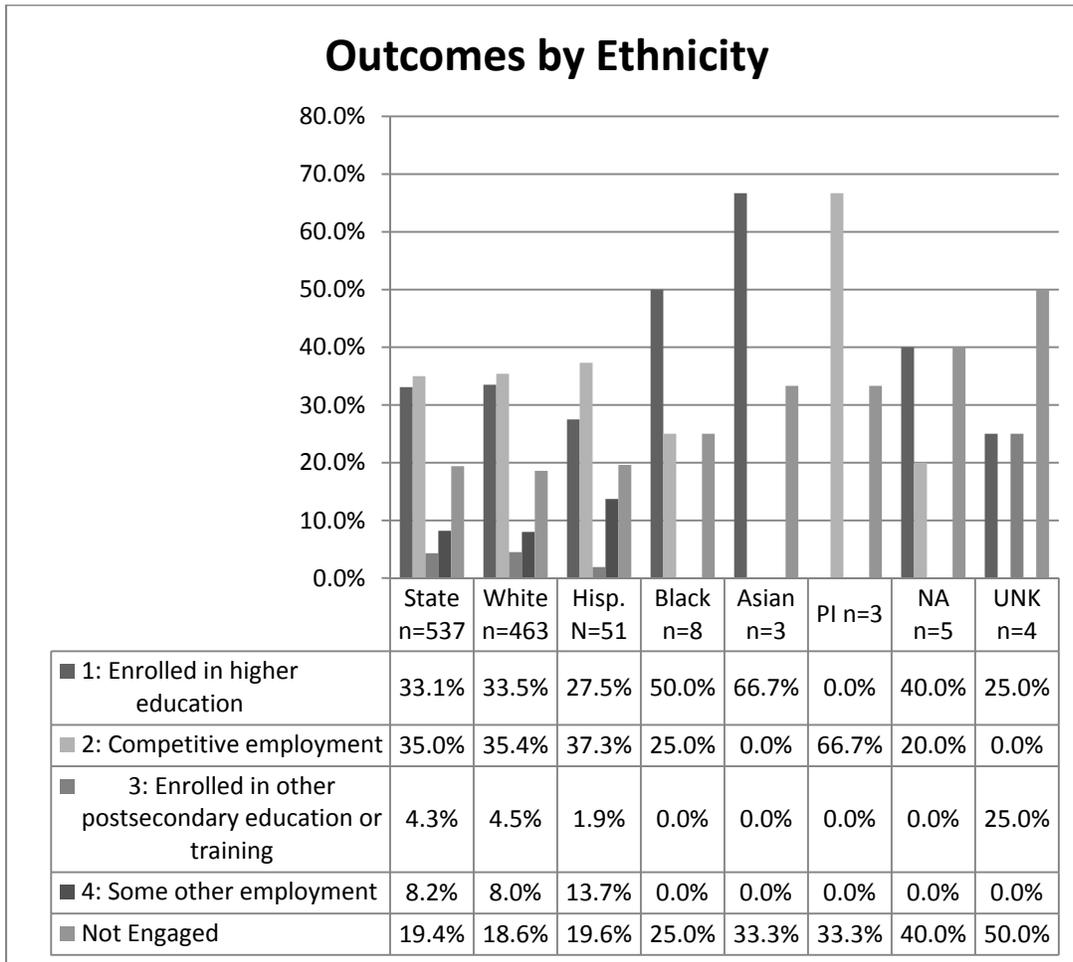
LI – Low Incidence Disabilities (Autism, Deafblindness, Hearing Impairment/Deafness, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, Speech/Language Impairment, Traumatic Brain Injury, Visual Impairment/Blindness)

As seen in Figure 14-2, Post-School Outcomes by Disability Category, more youth in the Specific Learning Disability (SLD) eligibility category reported being enrolled in higher education (32.8%) than any other group. Youth in the Emotional Disturbance (ED) eligibility category (50.0%) reported being competitively employed more than any other group. Youth in the Intellectual Disability (ID) eligibility category (56.2%) reported being not engaged more than any other youth.

Further study of the employment data revealed that 6% of respondents have worked for pay or been self-employed for a period of 90 days at any time in the year since leaving high school, but do not otherwise meet the criteria of “competitive employment.” The respondents indicated a variety of reasons why they were unemployed or had not worked since leaving school such as: lack of employment opportunities in the local area; enrolled in school; laid off; or family obligations. Respondents were also asked their use of adult agencies and support services once they exited school: 20% of the respondents indicated that they had contacted Vocational Rehabilitation.

A study of postsecondary data indicated that 13% of the respondents had enrolled in higher education, but had not completed one term. An additional 7% of respondents had enrolled in other postsecondary education or training, but also had not completed one term. Again, the respondents indicated a variety of reasons for not attending or completing a postsecondary education program, such as: couldn’t afford to continue; family obligations; working full time; or health/disability reasons. When asked, only 8% of the respondents indicated having contacted a college or university student assistance center.

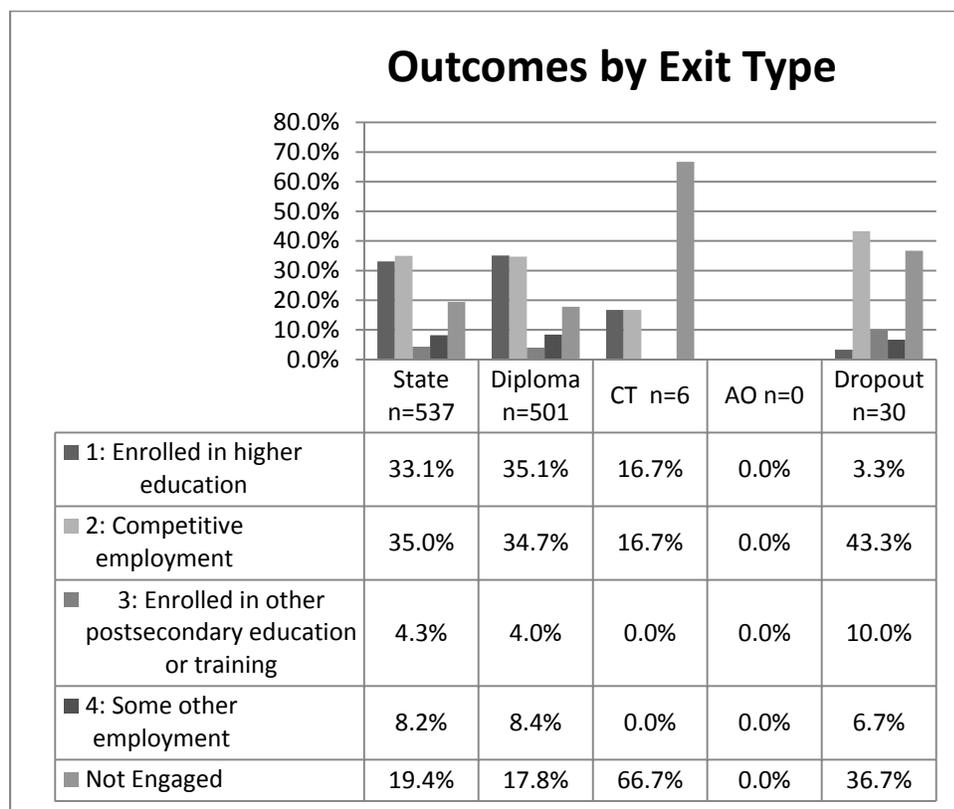
Figure 14-3: Post-school Outcomes by Ethnicity



Hisp. – Hispanic/Latino
 PI – Pacific Islander
 NA – Native American
 UNK – Unknown Ethnicity

As seen in Figure 14-3, the number of responses of minority youth is very small, making it difficult to draw any conclusions. The USOE has included additional improvement activities designed to improve the response rate of minority youth.

Figure 14-4: Post school Outcomes by Exit Type



CT – Certificate of Completion
 AO – Reached Maximum Age of Eligibility

As seen in Figure 14-4, a higher percentage of youth who exited school with a high school diploma are engaged in higher education (35.1%) than any other exit type. An examination of responses by disability group indicates that over half of these youth were identified in school as having a specific learning disability. Youth who dropped out of school were more likely to be competitively employed (43.3%) than any other group and less likely to be enrolled in higher education (3.3%) than any other group.

While more youth who dropped out of school report being competitively employed (43.3%) than youth who graduated with a diploma, the not engaged rate reported by these youth was twice as high (36.7%) as those who received a diploma. The USOE is receiving intensive technical assistance from the National Dropout Prevention Center-Students with Disabilities as a way to improve school completion for all students, and thus improve student post-school outcomes.

Utah State Board of Education rules allow LEAs to award a Certificate of Completion to any student who has not met graduation requirements, is in his/her senior year, and is exiting the school system. Many LEAs award students who are exiting school at age 22 a Certificate of Completion. When reporting the exit data to the USOE Clearinghouse, LEAs use the exit code “CT”, indicating that the student has received a Certificate instead of using the exit code “AO”, indicating that the student has reached maximum age of eligibility. Three students exited during the 2009-2010 school year as reaching maximum age compared to 48 students who received Certificates of Completion, as reported by LEAs. It is not possible to determine how many of the survey respondents exited at age 22; the USOE has developed additional improvement activities to address this data reporting issue.

Valid and Reliable Data:

Student information for OSEP reports is regularly submitted to the USOE by LEAs and stored in the USOE Data Clearinghouse; reports are generated from the Data Warehouse. Data generated for this survey include: student name, birth date, gender, ethnicity, last known telephone number, disability based on special education disability eligibility, LEA, and exit code.

Prior to FFY 2010, the USOE had utilized a sampling strategy to sample each LEA each year, with the number in the sample dependent on the number of exiters in the previous year. For FFY 2010, the USOE implemented a census survey in order to increase the number of responses to the survey. As a result, the response rate increased from 20% to 21%; the number of respondents increased from 310 to 537.

Trained interviewers attempted to call each of the 2,553 exiters up to six times each between June 2011 and September 2011. Forty-three exiters were ineligible for the survey and were excluded from the survey pool. Students were ineligible for the survey as follows: eight had returned to high school; 17 had not yet graduated; 17 were in the wrong class; one was deceased. Five hundred thirty-seven (21.0%) of these exiters were successfully interviewed.

The response rate by LEA varied from 0% to 100%, with a median response rate of 26.2%. A telephone interview was conducted by a professional phone interview company. This company has sophisticated software that ensures a given exiter will be called at various times of the day and days of the week to increase the likelihood that any given exiter will be successfully reached.

Figure 14-5: Comparison of State Population, State Sample, and State Respondents by Gender, Ethnicity/Race, Disability, and Exit Type

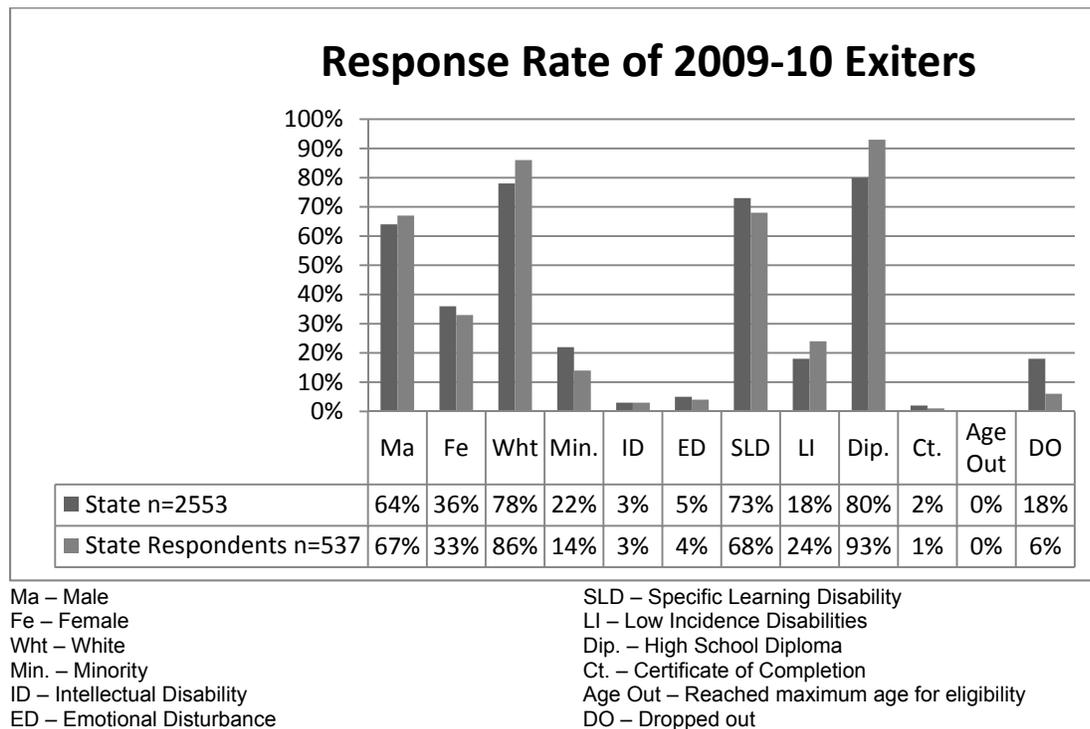


Figure 14-5 shows the comparison of population of exiters, the representative sample of those who exited, and those eligible exiters who responded to the phone survey.

Missing Data

The overall response rate was 21%, meaning of the 2,553 students who exited the school system in 2009-2010, survey responses were not obtained from 2,016 or 79% of exiters. Two surveys were not completed due to unresolved language, comprehension or communication barriers; however, Spanish-speaking interviewers were available. In 3 cases, the former student was unavailable and no other responder was available. One hundred sixty-seven individuals declined to answer questions, 821 phone numbers provided were not accurate, and 995 calls were not answered. This last category included calls that were completed to answering machines. A review of the response data by LEA did not indicate any patterns (e.g., rural/urban, district/charter). Students in the eligibility category Intellectual Disability had the lowest response rate (3.1%) and Specific Learning Disability the highest (68.3%). Exiters who reached maximum age had a 0% response rate; diploma recipients had the highest rate at 93%. The USOE will continue to work with the NPSO Center to identify strategies to address the low response rates of specific subgroups.

Display 14-3: Representativeness of Survey Respondents

	Overall	SLD	ED	ID	LI	Female	Minority	Dropout
Target Exiter Totals	2,553	1,876	134	78	465	919	564	462
Response Totals	537	366	24	16	129	178	73	30
Target Exiter Representation		73.5%	5.2%	3.1%	18.2%	36.0%	22.1%	18.1%
Respondent Representation		68.2%	4.5%	3.0%	24.3%	33.1%	13.7%	5.6%
Difference		-5.2%*	-0.7%	-0.1%	6.1%*	-2.9%	-8.4%*	-12.5%*

SLD – Specific Learning Disability

ID – Intellectual Disability

LI – Low Incidence Disabilities

ED – Emotional Disturbance

*A difference of greater than +/- 3% is considered by NPSO to be an important difference.

Selection Bias

The USOE used the NPSO Response Calculator to determine the representativeness of the survey respondents. Figure 14-6 shows that the exiters with Low Incidence (LI) disabilities were over-represented, as represented by a positive difference. Exiters with a specific learning disability (SLD), exiters who were of minority ethnicity, and exiters who dropped out of school were under-represented as represented by a negative difference. State and LEA-level improvement activities have been developed to improve the representativeness of the respondents.

The under-representation of exiters in the category of dropout could be attributed to the fact that these youth are typically difficult to reach. American Indian and Pacific Islander exiters were under-represented compared to other minority groups.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (Data Year 2010-2011):

Progress in all three measurement areas may be attributed to several factors. School counselors and special educators have received professional development in the use of Utah Futures, an online career information and planning system (www.utahfutures.org). While the response rate for FFY 2010 was only 1% higher than for FFY 2009, the number of students who responded increased by 42%. LEA Special Education Directors received professional development resulting in more access to their data by the LEA. Some LEA Special Education Directors used these data to make changes in their transition programs that would, over time, positively impact student outcomes.

1. Applied for intensive technical assistance from the National Post-School Outcomes Center (NPSO). Completed.

This activity resulted in:

- The USOE was accepted as an Intensive Technical Assistance State.
- The USOE and the NPSO developed a technical assistance plan with the following action steps:
 - Develop a Logic Model to guide the intensive technical assistance plan.
 - Develop a plan that will help the USOE increase awareness of post-school outcomes at the local level.
 - Develop a plan for Statewide data collection.
 - Develop a plan for Statewide data use.

2. Published a monograph of the *Special Educator* devoted to transition information and practices. Completed.

This activity resulted in:

- The USOE Transition Specialist and a specialist from the Utah Personnel Development Center (UPDC) collaborated to write and solicit articles for the *Special Educator*.
- The Transition Monograph, "Transition A to Z", was published in spring 2011 and distributed to special educators and higher education faculty Statewide.
- The Monograph and additional information about transition planning is posted on the UPDC website, www.updc.org.

3. Presented current and trend data and data access procedures to LEA Special Education Directors. Completed and ongoing.

This activity resulted in:

- Presentations to LEA Special Education Directors at State-level meetings.
- Increased number of LEA Special Education Directors applying for user names and passwords to access LEA data on the Utah Post-school Outcomes website.

4. Reviewed data collection and reporting procedures and modified as needed. Completed and ongoing.

This activity resulted in:

- USOE moved from data collection by sampling in the FFY 2009 SPP to census data collection in FFY 2010.
- While the response rate has remained similar, the number of respondents has increased by 42% from 310 in FFY 2009 to 537 in FFY 2010.

5. Used post-school outcomes data to provide professional development to LEAs to facilitate the use of data for LEA program development. Completed and ongoing.

This activity resulted in:

- Post-school outcomes data for the individual LEAs were included in professional development as a way for LEAs to evaluate the effectiveness of local transition planning and programs.
- One LEA representative attended NPSO training with the USOE Transition Specialist in March 2011 and has committed to using the NPSO Data Toolkit in the LEA.
- The post-school outcomes survey contractor agreed to post NPSO Data Toolkits with each LEA's 2009-2010 exit data.

6. With LEA directors, developed and implemented a system to improve the survey response rate of low-responding subgroups. Completed and ongoing.

This activity resulted in:

- A document that explained the purpose and requirements of Indicator 14 and tips for increasing response rates was sent electronically to all LEA Special Education Directors and Transition Coordinators.
 - LEA Special Education Directors and Transition Coordinators were sent a copy of a press release, a letter to parents, and a letter for students explaining the importance of responding to the survey.
 - LEA Special Education Directors were provided professional development in the meaning and use of USOE exit codes.
7. Developed professional development modules and resources to be posted on the Utah Personnel Development Center (UPDC) website. Completed and ongoing.

This activity resulted in:

- Information regarding organizations such as the Transition Coalition, Disability.gov, Work Ability Utah, and the National Secondary Transition Technical Assistance Center, was posted on the UPDC website (<http://www.updc.org/transition/>).
- Copies of presentations from USOE sponsored professional development activities were posted on the USOE Transition website (<http://www.schools.utah.gov/sars/Transition.aspx>).

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

Level of compliance for State reported for FFY 2009 for this indicator: 100%

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

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

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

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

Activities	Timelines	Resources	Justifications
NEW ACTIVITY #1 As part of the marketing plan developed with NSPO, include an article about post-school outcomes and data in the monthly USOE newsletter.	September 2011- June 2012	USOE Transition Specialist, USOE staff, NPSO staff	This activity was developed as part of the NPSO Intensive State TA plan.
NEW ACTIVITY #2	Fall 2011 and	USOE Transition	Indicator 13 data,

Activities	Timelines	Resources	Justifications
With the UPDC, develop a transition strand in the Utah Coaching Network professional development activities.	ongoing	Specialist, USOE staff, UPDC staff	visits to LEAs, and discussions with LEA Special Education Directors and staff indicate that special educators have a need for ongoing assistance to develop effective transition plans and programs.
NEW ACTIVITY #3 With the special education teaching staff at Utah State University, develop a transition council to determine how special educators can be better prepared to address transition needs of students with disabilities. This council will also include representatives from Vocational Rehabilitation, LEA transition programs, and the Division of Services to People with Disabilities.	Summer 2011 and ongoing	USOE Transition Specialist, USU staff	New special educators entering the work force are not as prepared to address transition planning as they are to address other special education concerns.
NEW ACTIVITY #4 With USOE and LEA leadership and NPSO assistance, develop a plan to improve response rates of targeted subgroups, e.g., minorities, dropouts.	Fall 2011	USOE staff, IDEA funding, NPSO staff	Historically, certain sub-groups of exiters have been under-represented in post-school outcomes data.
NEW ACTIVITY #5 Present data showing current challenges and strengths in transition/school completion to participants at the Utah Symposium for Special Education Personnel Preparation: Preparing Highly Effective Teachers. Incorporate recommendations from group discussions in transition/school completion activities at the SEA level.	Spring 2012	USOE Transition Specialist, UPDC, IHE representatives	Teacher training programs currently devote limited time to transition and school completion. Special education teachers entering the field need to be more informed about transition planning and how effective planning may impact school completion.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.
(20 U.S.C. 1416 (a)(3)(B))

Measurement: Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Target
2010 (Data Year 2010-2011)	The USOE general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects one hundred (100) percent of noncompliance as soon as possible but in no case later than one year from identification.

Actual Data for FFY 2010: 99.83%

Display 15-1: Percent of Correction of Identified Findings of Noncompliance Within One Year

	Identified 2009-2010 Corrected Within 1 Year
Target	100%
# of Total Findings	588
# Corrected within One Year	587
% Correction of Noncompliance	99.83%

The target of 100% was not met; however, the State achieved a 99.83% correction of findings of noncompliance within one year, which was an improvement over the 99.48% achieved during FFY 2009. Furthermore, the one finding of noncompliance that was not corrected within one year was corrected as of May 30, 2011.

The USOE ensures that all findings of noncompliance are corrected as soon as possible and in no case later than one year. During the 2009-2010 school year, 588 findings of noncompliance were identified through on-site visits, Self Assessment reports, Desk Audits, and the State dispute resolution process for this indicator as part of the general supervision system. The review process that was part of the Utah Program Improvement Planning System (UPIPS) was developed to ensure that each LEA is included in the formal monitoring process. The UPIPS monitoring system also describes how LEAs are selected for on-site visits (see Utah's SPP for additional monitoring system detail).

Display 15-2: Part B Indicator 15 Worksheet

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
2. Percent of youth with IEPs dropping out of high school.	Dispute Resolution: Complaints, Hearings			
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.		0	0	0
3. Participation and performance of children with disabilities on Statewide assessments.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9*	10*	10*
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in	Dispute Resolution: Complaints, Hearings	0	0	0

*All findings were specific to Indicator 3 related requirements.

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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.				
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	28	125	124
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings	6	7	7
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	26	106	106
	Dispute Resolution: Complaints, Hearings	2	2	2
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of districts	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.				
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	7	7	7
	Dispute Resolution: Complaints, Hearings	0	0	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	15	66	66
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: Evaluation and Eligibility	Monitoring Activities: Self Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	47	263	263
	Dispute Resolution: Complaints, Hearings	2	2	2
Sum the numbers down Column a and Column b			588	587
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	99.83%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010:

Progress:

- The implementation of several activities has resulted in progress through correction of noncompliance including correction of policies, procedures, and practices within LEAs as soon as possible, but in no case later than one year. LEAs are regularly informed of their progress and follow-up visits are scheduled by the USOE if timely and accurate data are not submitted documenting correction of noncompliance. LEAs have participated in multiple conversations with the USOE regarding the importance of corrections, ways to document the correction, and have responded positively to the requirements, as they now can see the correlation of this indicator with the State Performance Plan (SPP) and their resulting Annual Performance Report (APR) determinations.
- All LEAs with findings of noncompliance in FFY 2005, FFY 2006, FFY 2007, FFY 2008, and FFY 2009 have corrected their findings of noncompliance (See Slippage for explanation of State enforcement actions).
- One hundred twelve LEAs were monitored during FFY 2009. In those LEAs with findings, all findings were corrected in all LEAs as of July 2011. Of those, 99.83% were corrected as soon as possible, but in no case later than one year of identification.
- LEAs have seen how the result of correction of noncompliance affects their APR determinations in either a positive manner or through enforcement actions for continuing noncompliance.

Slippage:

- Although significant progress (99.83%) has been made on this indicator, Utah has not met the target of 100% compliance. One LEA did not meet the required timelines for submitting documentation of the correction of noncompliance on Indicator 5-related requirements. Although at this time, the LEA exceeding correction timelines during FFY 2010 has corrected its noncompliance. Statewide, LEAs have been able to implement changes and correct noncompliance quickly.
- Enforcement actions for the LEA who had not corrected findings of noncompliance within one year, and exceeded the timeline by thirty-seven days, included a letter to the school district administration and technical assistance with the school district compliance coordinator. The LEA is required to

document continuing compliance with specific regulatory requirements through regular submission of documentation of continuing compliance. Fortunately, these enforcement actions were needed to be used with only one LEA as the rest of the LEAs completed their corrections of noncompliance in a timely manner.

Each improvement activity was reviewed in terms of its impact on Indicator 15. Improvement activities resulted in Statewide training activities and SEA/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, monitoring, and compliance with IDEA requirements, ensuring that appropriately identified students with a disability will receive a free appropriate public education needed to improve their educational performance.

1. Utilized UPIPS monitoring data and UPIPS program to collect data on LEA compliance. Completed and ongoing.
 - The UPIPS monitoring data were collected, as needed, from LEAs.
 - The UPIPS was used to collect data from the SEA level from 17 LEAs and was documented to be used at the LEA level for Self Assessment, additional data collection, and professional development for 20 LEAs.
 - The USOE implemented a web-based data collection tool for compliance monitoring in 2010 and will report on the results in the FFY 2011 APR.

Results of this activity included increased UPIPS Statewide training activities and SEA/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, monitoring, and compliance with IDEA requirements, as documented by professional development logs, agendas, and improved rates of correction of noncompliance.

2. Tracked correction of LEA areas of noncompliance within the one year timeline. Completed and ongoing.
 - An Excel spreadsheet is maintained and updated frequently (as LEAs submit data) to track progress of each LEA in the correction of noncompliance.
 - The spreadsheet shows all findings, progress, and correction dates for each LEA.
 - The spreadsheet is used to record both deadlines and dates of corrections.
 - As the data are received, the data are checked for accuracy by USOE staff and approval is documented on the spreadsheet.
 - A formal letter is then sent to the LEA updating it on the approval of submitted data and current status on UPIPS requirements.
 - Correction of noncompliance as soon as possible, but in no case later than one year is documented and tracked from written notification from USOE to LEA of noncompliance to official notification from USOE to LEA stating the noncompliance is corrected.
 - Data stored in the spreadsheet are randomly checked for accuracy monthly by USOE staff.
 - The USOE implemented a web-based data collection tool for compliance monitoring in 2010 and will report on the results in the FFY 2011 APR.

Results of this activity included LEA Special Education Directors receiving ongoing and current information regarding findings of noncompliance for Indicator 15, which in turn increased LEA correction of noncompliance in a timely manner, as documented by UPIPS correspondence, the UPIPS spreadsheet, and improved rates of correction of noncompliance.

3. Provided LEAs with prompt feedback on FFY 2009 APR results. Completed and ongoing.
 - APR results were disaggregated to the LEA level, disseminated to each LEA, and a forum for discussion was provided at least twice at State special education meetings and charter school director meetings.
 - After discussions, each LEA was sent an APR determination letter and the final data used to decide the level of determination, which prompted additional discussion between USOE and LEA staff.

Results of the activity included increased Statewide training activities and USOE/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, compliance, and

correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, the UPIPS spreadsheet, and improved rates of correction of noncompliance.

4. Implemented actions described in the USOE Framework for Recognition, Assistance, and Intervention with all LEAs, including the use of incentives for LEAs with timely corrections and enforcement actions for LEAs with continuing uncorrected noncompliance. Completed and ongoing.
 - The USOE disaggregated FFY 2009 APR data to the LEA level.
 - The USOE applied the LEA level-data to the Framework and made LEA determinations.
 - The USOE notified LEAs of their determination and resulting recognition, assistance, and/or enforcement actions.

Results of the activity included increased awareness of APR results, determination level, and consequences for Indicator 15, which in turn increased LEA staff knowledge, compliance, and correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, the UPIPS spreadsheet, and improved rates of correction of noncompliance.

5. Conducted professional development for LEA Special Education Directors and staff in areas of noncompliance with re-collection of compliance data after training. Completed and ongoing.
 - Eighty-three hours of professional development was provided for 112 LEAs in the areas of evaluation, eligibility determination, IEP development, parental involvement, placement, and transition.

Results of this activity include increased Statewide professional development activities and USOE/LEA file monitoring for Indicator 15, which in turn increased LEA staff knowledge, compliance, and correction of noncompliance in a timely manner, as documented by the UPIPS Manual, UPIPS correspondence, the UPIPS database, and improved rates of correction of noncompliance.

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

7. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010 (Sum of Column a on the Indicator B15 Worksheet)	588
8. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	587
9. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

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

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

Actions Taken if Noncompliance Not Corrected:

All FFY 2009 findings of noncompliance have been corrected as of May 30, 2011. Enforcement actions for the LEA who had not corrected findings of noncompliance within one year, and exceeded the timeline by thirty-seven days, included a letter to the school district administration and technical assistance with the school district compliance coordinator. The LEA is required to document continuing compliance with specific regulatory requirements through regular submission of documentation of continuing compliance. Fortunately, these enforcement actions were needed to be used with only one LEA as the rest of the LEAs completed their corrections of noncompliance in a timely manner.

Verification of Correction for Findings of Noncompliance Reported in the FFY 2009 APR (Either Timely or Subsequent):

There is no remaining uncorrected noncompliance from previous APR reporting periods. All Indicator 15 noncompliance has been corrected at the time of the submission of this APR. The USOE has verified that each LEA with findings of noncompliance identified in FFY 2009 is correctly implementing the specific regulatory requirements, (i.e., achieved 100% compliance) based on updated data subsequently collected either through on-site monitoring activities or LEA submitted data. In the process of determining that the LEAs corrected noncompliance on this indicator, the USOE followed guidance provided in the OSEP 09-02 Memorandum, including accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of the noncompliance, and the root cause of the noncompliance, requiring correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance, and determining that the LEA is correctly implementing the specific IDEA regulatory requirements.

The USOE has also verified that each LEA has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA (Prong 1 of the OSEP 09-02 Memorandum). In the review of additional data, a sample of files was reviewed to determine ongoing LEA compliance (Prong 2 of the OSEP 09-02 Memorandum).

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):

To verify correction of findings of noncompliance, the USOE reviewed the correction of each individual case of noncompliance (Prong 1 of the OSEP 09-02 Memorandum) as well as reviewed additional updated data submitted by the LEA to ensure that additional data submitted were accurate (Prong 2 of the OSEP 09-02 Memorandum). Each LEA with findings of noncompliance was required to conduct a root cause analysis to determine the cause of each instance of noncompliance.

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

Correction of remaining FFY 2008 findings of noncompliance is not applicable because all FFY 2008 findings were corrected as of the FFY 2009 APR.

If the State reported <100% for this indicator in its FFY 2008 APR and did not report that the remaining FFY 2008 findings were subsequently corrected, provide the information below:

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

Correction of Any Remaining Findings of Noncompliance from FFY 2007 or Earlier (if applicable):

Correction of any remaining findings of noncompliance from FFY 2007 or earlier is not applicable because all FFY 2007 findings were corrected as of the FFY 2008 APR.

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

Statement from the Response Table	State's Response
<p>In reporting on correction of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009; (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP 09-02 Memorandum.</p> <p>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>The State's response is described above in the section titled: Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either timely or subsequent).</p>

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

No new or revised activities needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

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

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	One hundred (100) percent of signed written complaints will have reports issued or be otherwise resolved within the 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.

Actual Data for FFY 2010: 100%

Display 16-1: Number and Percent of State Complaints Resolved Within the Timeline

	FFY 2010
Complaints received	20
Complaints resolved w/in timeline	20
Percent resolved w/in timeline	100%

The target of 100% was met.

Display 16-2: State Complaint Information

Section A: Written, Signed Complaints	
(1) Total number of written, signed complaints filed	20
(1.1) Complaints with reports issued	19
(a) Reports with findings of noncompliance	6
(b) Reports within timeline	19
(c) Reports within extended timelines	0

Section A: Written, Signed Complaints	
(1.2) Complaints pending	1
(a) Complaints pending a due process hearing	0
(1.3) Complaints withdrawn or dismissed	0

Display 16-2 provides the details about the State complaints received.

Valid and Reliable Data:

All written State complaints are date stamped by the USOE and the timeline is monitored by the USOE compliance officer to ensure accurate timeline data. Final reports are disseminated to the parties providing an additional opportunity to review the accuracy of data. The USOE special education support staff are trained on procedures for stamping documents for date and receipt as well as the appropriate staff member to receive data. Procedures are intended to ensure reliable and valid data, as well as to maintain confidentiality.

Data are consistent with those reported on Table 7.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

The 100% rate was achieved during FFY 2010 with the State completing 20 out of 20 State complaints within the timeline. This rate in FFY 2009 was also 100%, resulting in maintaining compliance with the IDEA requirement 34 CFR §300.152, which is the procedure for investigating a State complaint and issuing a written decision within the 60-day time limit. (The one complaint listed above as “pending” was completed within the 60-day timeline but this complaint’s timeline ended on July 1, 2011, which falls after FFY 2010 ended).

Each improvement activity was reviewed in terms of its impact on Indicator 16. Improvement activities resulted in increased collaboration with stakeholder representatives which contributed to maintaining a low number of State complaints and due process hearings by maximizing effective collaboration, early dispute prevention and resolution between families, LEAs, and other stakeholders. The improvement activities also resulted in the USOE meeting required timelines as complaint investigations and corrective actions were completed in a timely manner.

1. Conducted quarterly meetings with Disability Law Center (DLC), Utah’s protection and advocacy agency, to coordinate efforts on State formal complaints. Completed and ongoing.
 - The USOE has conducted regular meetings and has endeavored to build a collaborative relationship with the DLC in order to resolve conflicts in a more expeditious, amicable manner, and to identify and address potential problems proactively to prevent dispute. In addition to quarterly meetings, the USOE Compliance Officer and USOE specialists effectively communicate and collaborate with the DLC for purposes of acquiring stakeholder input, providing technical assistance and training, and responding proactively to potential disputes.

Results of this activity included a collaborative relationship that has benefited all stakeholders by increasing understanding among all stakeholders and resolving disputes between parents and LEAs efficiently and effectively. The activity has also contributed to maintaining a low number of complaints.

2. Evaluated the results of activities from 2010-2011 and determined additional activities based on those data. Completed and ongoing.
 - The activities for Indicator 16 were analyzed. In addition to successfully meeting the target goal of resolving 100% of the complaints filed within the 60-day timeline or a timeline extended for exceptional circumstances, Utah was also successful in facilitating continued positive collaboration with families and early dispute resolution to maintain low numbers of formal State

complaints filed. The following activities contributed toward meeting the target goal for this indicator as well as facilitated keeping the numbers of formal complaints filed to a minimum.

- Effective communication with the Disability Law Center (DLC) enabled potential topics of complaints to be addressed proactively and actual complaints to be resolved earlier.
- Awareness of emerging issues was addressed through technical assistance to LEAs prior to the issue rising to a level of a formal State complaint.
- Including the DLC as a partner in providing technical assistance and professional development to LEAs allowed the DLC and LEAs an opportunity to communicate and collaborate directly without an adversarial relationship.

Results of this activity included a collaborative relationship that has benefited all stakeholders by increasing understanding among all stakeholders and resolving disputes between parents and LEAs efficiently and effectively. The activity has also contributed to maintaining a low number of complaints.

3. Continued to develop Utah's system of dispute resolution in order to encourage more productive communication as early resolution of problems. Completed and ongoing.
 - The USOE has convened a stakeholder group dedicated to early dispute prevention and resolution. The group has been meeting to examine Utah's dispute resolution system in order to determine its effectiveness in light of Utah's identified areas of concern. The process will conclude with recommendations for revisions of current dispute resolution mechanisms as well as potential mechanisms designed to further Utah's goal of early dispute prevention and resolution.
 - LEA Special Education Directors and other LEA designees were provided with professional development designed to improve the ability to successfully collaborate and communicate with anxious parents.

Results of this activity included collaboration with stakeholder representatives to ensure consideration of broad and varied perspectives when designing dispute resolution mechanisms. This outcome will contribute to Utah's goal of maintaining low numbers of formal State complaints and due process hearings filed by maximizing effective collaboration and early dispute prevention and resolution between families, LEAs, and other stakeholders.

4. Created and utilized a database to track timelines and corrective actions to ensure timelines are met and noncompliance corrected within one year. Completed and ongoing.
 - A database was created during 2008-2009 and used to track all dispute resolution requests, activities, timelines, and findings during FFY 2010.

Results of this activity included accurate tracking of requests, activities, timelines, and findings, enabling the USOE to meet timeline requirements by ensuring complaint investigations are finished and any corrective actions are completed in a timely manner.

Display 16-3: Number and Percent of State Complaints Resolved within the Timeline, Results over Time

	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
State Complaints received	20	9	9	10	10	7	20
State Complaints resolved w/in timeline	18	9	9	9	10	7	20
Percent resolved w/in timeline	90%	100%	100%	90%	100%	100%	100%

Correction of Previous Year's Noncompliance:

As all State complaints were resolved within the timelines in FFY 2009, no correction of noncompliance was necessary. The USOE verified that the SEA and LEAs are implementing the specific regulatory requirements of 34 CFR §300.152, which is the procedure for investigating a complaint and issuing a written decision within the 60-day time limit, and as per the OSEP 09-02 Memorandum, which describes the timeline and procedures for correcting individual and system-wide noncompliance within one year.

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline 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.
(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	One hundred (100) percent of due process hearing requests that were adjudicated will have hearings completed 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.

Actual Data for FFY 2010: 100%

The target of 100% was met.

Display 17-1: Number and Percent of Due Process Hearings Resolved within the Timeline

	FFY 2010
Due Process Hearing requests filed	9
Resolution sessions	4
Resolutions reached or hearing request withdrawn prior to a decision by a hearing officer.	9
Decisions w/in timeline	0
Decisions w/in properly extended timeline	0
Percent resolved w/in timeline or properly extended timeline	100%

Display 17-2: Hearing Request Information as Reported in Table 7

Section C. Due Process Complaints	
(3) Total number of due process complaints filed	9
(3.1) Resolution meetings	4
(a) Written settlement agreements	4
(3.2) Hearings fully adjudicated	0
(a) Decisions within timeline (including expedited)	0
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	9

Display 17-2 provides the details about the hearing requests reported on Table 7.

Valid and Reliable Data:

The USOE State and Federal Compliance Officer monitors due process hearing complaints as they are filed and during the process. Support staff is trained on procedures for date stamping complaints upon receipt to ensure accuracy of the timeline.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Display 17-3: Number and Percent of Due Process Hearings Resolved within the Timeline, Results over Time

	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
Due Process Hearing requests filed	4	7	4	2	7	9
Resolution sessions	4	7	4	2	7	4
Resolution sessions reached without a hearing and within the timeline or properly extended timeline	4	6	4	1	7	4
Decisions w/in timeline	0	0	0	0	0	0
Decisions w/in properly extended timeline	0	1	0	1	0	0
Percent resolved w/in timeline or properly extended timeline	100%	100%	100%	100%	100%	100%

As can be seen in Display 17-3, the percent of due process hearing requests resolved within the timeline has been 100% for the past six years. Both the LEA and parent are notified upon every request for a due process hearing. Utah strongly encourages mediation or facilitation as a way to resolve disputes in the most expeditious and amicable fashion. Mediation or facilitation is always offered and encouraged at the onset of the due process resolution session. During FFY 2010, nine due process hearing requests were filed. Eight of the nine requests were settled during the resolution time period and were withdrawn. One request was dismissed by the Due Process Hearing Officer prior to a hearing.

The improvement activities for Indicator 17 are designed to ensure that hearing officers understand the timeline requirements for due process hearings and are prepared to manage the hearing to meet these timelines. The ability to assign a properly trained hearing officer expeditiously is a prerequisite to successful adherence to the timelines. Because Utah places great emphasis on early dispute prevention and resolution and has historically low numbers of due process hearing requests filed, hearing officers are not full time employees. Rather, as contract employees, the role of special education hearing officer represents a small percentage of their jobs. Though the USOE has always been successful in assigning a hearing officer in a timely fashion, it is important to maintain a list of potential individuals who are properly trained to maintain this ability.

1. Recruit additional due process hearing officers (DPHOs) as needed to ensure an adequate pool in the event that a due process hearing request is filed. Completed and ongoing.
 - Utah was not able to add any new names to its list of hearing officers, but did not lose any hearing officers either.

This activity resulted in a maintenance of the pool of DPHOs to draw from, thus ensuring continued adherence to timelines.

2. Notify LEA and parent of required timelines upon every request for a due process hearing. Completed and ongoing.
 - Both parties were notified, in writing, of the required timelines upon every request for a due process hearing.
 - Each LEA Special Education Director was notified by telephone when a request for a due process hearing was received by the USOE. If the LEA Special Education Director had not yet received the request for a due process hearing, a copy of the request was transmitted by fax to the Director.

This activity resulted in all parties being informed of timeline requirements, thus ensuring adherence to timelines.

3. Continue every other year required professional development for DPHOs. Completed and ongoing.
 - Professional development was conducted in August 2011 at the Utah Institute on Special Education Law and two of Utah's five hearing officers attended. During 2011-2012, the remaining DPHOs will be trained.

As a result of this training, DPHOs will have current information to carry out due process hearings effectively and ensure that timelines continue to be met.

Correction of Previous Year's Noncompliance:

Data on this Indicator show that the target of 100% was met in FFY 2009. Therefore, since there was no noncompliance, no correction is indicated. The USOE verified that the USOE and LEAs are implementing the specific regulatory requirements of 34 CFR §300.515, which describes the 45-day timeline in which a written decision must be reached in a due process hearing, and as per the OSEP 09-02 Memorandum, which describes the timeline and procedures for correcting individual and system-wide noncompliance within one year.

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

No new or revised activities are needed at this time.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	Eighty-five percent (85%) of the due process hearing complaints that went to resolution session will be resolved through resolution session settlement agreements.

Display 18-1: Number of Resolution Sessions Held

	FFY 2010
Number of Resolution Sessions Held	4

Since the number of resolution sessions held remained under 10 for FFY 2010, Utah is not required to report on this indicator.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.
(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	Ninety (90) percent of mediations will result in mediation agreements.

Display 19-1: Number of Mediations

	FFY 2010
Number of mediations held	6
Number of Mediations Resulting in Agreements	5

Since the number of mediations held remained under 10 for FFY 2010, Utah is not required to report on this indicator.

Part B State Annual Performance Report (APR) for 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

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

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

Measurement: State reported data, including 618 data and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

Data Sources: 618 data, UPIPS Monitoring data.

FFY	Measurable and Rigorous Targets
2010 (Data Year 2010-2011)	One hundred (100) percent of 618 reports, State Performance Plan and Annual Performance Report will be accurate and submitted on time.

Actual Data for FFY 2010: 97.7%

Display 20-1: Percent of 618 Data and APR Data Submitted on Time and Accurately

A. APR Grand Total	45
1. Timeliness (Timely Submission points)	5
2. Accuracy (Subtotal points)	40
B. 618 Grand Total	42.95
1. Timeliness (Timely Subtotal x 2)	16.00
2. Accuracy ((B. + C. + D. Subtotals) x 2)	26.00
C. APR Grand Total (A) + 618 Grand Total (B)	87.95
D. Subtotal (C/90)	0.977
E. Overall Indicator Score (Subtotal D x 100)	97.7%

The target of 100% was not met.

Displays 20-2 and 20-3 provide details of the timeliness and accuracy calculations.

Display 20-2: Detailed Information on the Timeliness and Accuracy of APR Data

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
Subtotal			40
APR Score Calculation	Timely Submission Points - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		45.00

Display 20-3: Detailed Information on the Timeliness and Accuracy of 618 Data

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/2/11	1	1	1	1	4
Table 2 - Personnel Due Date: 11/2/11	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/2/11	1	1	1	1	4
Table 4 - Exiting Due Date: 11/2/11	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/2/11	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 12/15/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/2/11	1	1	0	N/A	2
Table 8 - MOE/CEIS Due Date: 5/1/11	1	N/A	N/A	N/A	1
Subtotal					21
618 Score Calculation			Grand Total (Subtotal X 2.045) =		42.95

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	42.95
C. APR Grand Total (A) + 618 Grand Total (B) =	87.95
Total N/A in APR	0
Total N/A in 618	0
Base	90.00
D. Subtotal (C divided by Base*) =	0.977
E. Indicator Score (Subtotal D x 100) =	97.7%

Valid and Reliable Data:

Student-level 618 data are collected in the USOE Data Clearinghouse. Table 2 Personnel is collected through the USOE Computer Aided Credentials of Teachers in Utah Schools (CACTUS) database. Dispute resolution data are collected from the LEA and verified by the USOE State and Federal Compliance Officer. Table 8 data are collected from the LEA Annual Finance Report/Program Report

(AFR/APR), submitted to the USOE Finance Specialist. Data errors are detected through an editing process and are sent back to LEAs for correction. Submissions are only accepted if they clear all editing procedures. The USOE conducts a yearly comparison for consistency as an additional quality check. Utah has constructed an effective Clearinghouse data system in order to meet the reporting requirements of the IDEA and other Federal programs. Public reporting has also helped ensure that data received from the LEAs are accurate, valid, and reliable. The USOE continues to provide technical assistance to LEAs on data entry, review, and correction, in an effort to continuously improve data collection, reporting, and use. In addition, a cohort of new USOE special education staff is participating in internal professional development regarding 618 data needs.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010 (2010-2011):

As indicated in Display 20-4, the 97.7% rate of timeliness and accuracy represents progress from the FFY 2009 rate of 95.24%. The USOE Special Education section has had extreme turnover in the Data Specialist position in the last year with four changes of personnel, resulting in a Table 7 data submission one day after the due date. This deadline was exceeded due in part to a misunderstanding of how to submit the data, having to submit Table 7 through DTS, as EDFacts was unavailable on the deadline, as well as the unavailability of staff. The USOE has resubmitted Table 8, as per the 1/11/2012 email from Ruth Ryder. That submission, as well as all upcoming data submissions, will be made prior to or on the due date.

One data submissions (i.e., Table 7) did not pass the DAC edit check due to red cells in the dispute resolution data. These errors were immediately addressed by the USOE staff and improvement activities added to improve data collection and submission in the future.

Each improvement activity was reviewed in order to determine its impact on Indicator 20. LEAs are more aware of data and its importance in positively impacting the outcomes of students with disabilities. A great deal of effort has gone into making the data more accurate, reliable, and valid through continued collaboration with the computer department at the USOE. Each LEA enters their data into the USOE Clearinghouse and the data are cleared through edit checks, thus ensuring reliability and accuracy. The data profiles provided annually to all LEAs have made LEAs aware of yearly progress or slippage and have provided a basis for improvement through professional development activities and data-based decision making. However, these efforts must be ongoing due to staff changes at both the USOE and LEA levels.

1. Collaborated and communicated with USOE personnel regarding data needs. Completed and ongoing.
 - Several USOE interdepartmental meetings were held. All departments are aware of special education data needs and are collaborating to ensure that those needs are met. These discussions included methods to enter data correctly, ensure accuracy, and make needed improvements at the LEA and USOE level.
 - Data were regularly disseminated at special education staff meetings to keep staff members informed. The Utah Personnel Development Center was also provided with data as needed to align professional development activities.
 - Data were shared at various committee meetings in order to drive decision making.
 - Data were shared at meetings with all LEA Special Education Directors Statewide. These discussions included methods to enter data correctly, ensure accuracy, and needed improvements at the LEA and USOE level.

Results of this activity have improved levels of collaboration and effectiveness within the USOE and LEAs, and improved awareness of the data needs for special education activities.

2. Utilized 618 data profile and UPIPS data in decision making and professional development activities. Completed and ongoing.
 - Each LEA was given a profile sheet with the data points and targets of the 20 indicators found in Utah's APR.

- Comparisons were made between each LEA's data and the State data to determine if each LEA did or did not meet the targets.
- UPIPS monitoring data were also used to provide data for the profile sheets.
- Technical assistance was provided to LEAs to facilitate specific professional development planning based on the 618 data and UPIPS monitoring data provided.
- A USOE Data Technical Assistance Manual was developed and disseminated to LEA Special Education Directors during FFY 2010.

Results of this activity indicated that LEAs are more aware of data and how data can be used in creating professional development plans, targeting problem areas, and helping LEAs make better program and personnel decisions based on data.

3. Trained new charter school Data Managers and new LEA Special Education Directors on all data collection requirements, including timelines. Completed and ongoing.
 - Quarterly professional development was provided to new charter school Data Managers and new LEA Special Education Directors.
 - A USOE Data Technical Assistance Manual was developed and disseminated to LEA Special Education Directors during FFY 2010.

Results of this activity included LEA Data Managers and new LEA Special Education Directors being knowledgeable of data collection requirements.

4. The USOE Information Technology Department submits reviewed IDEA data to EDFacts prior to data due date. Completed and ongoing.
 - Data were reviewed by the USOE Special Education Department prior to and after EDFacts submission.
 - The USOE Special Education section replaced the Data Specialist multiple times during FFY 2010 and is providing professional development on the data timelines and requirements to the new personnel to ensure that data timeliness and accuracy improve.

Results of this activity included pertinent USOE personnel are knowledgeable about 618 data collection and collaborate to ensure timeliness of complete and accurate submissions.

Correction of Previous Year's Noncompliance:

In FFY 2009, the State calculated and reported 95.24% data for timeliness and accuracy. Additional staff training and data verification procedures were implemented during FFY 2009; however, those actions have not resulted in complete correction as the USOE Special Education section has experienced ongoing staff turnover in the Data Specialist position. That position has recently stabilized and extensive professional development is being provided. Additional improvement activities were developed jointly by the USOE Special Education Services section and Information Technology section, as the data are collected and reported through both departments. In addition, the concern over staff turnover and ongoing coding errors was brought to the attention of the USOE Superintendent of Public Instruction.

Display 20-4: Percent of Timeliness and Accurate Data, Results over Time

Overall Indicator Score	100.0%	100.0%	100.0%	97.62%*	95.24%	97.7%
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*For FFY 2008, the USOE reported 100%; however, OSEP indicated a calculation of 97.62%.

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

Activities	Timelines	Resources	Justifications
<p>NEW ACTIVITY #1 618 data collection timeline prompts will be added to the USOE internal calendar. Prompts will include:</p> <ul style="list-style-type: none"> • Final due dates for all 618 data at the LEA and USOE level • Reminder prompts for notifying LEAs of due dates one and two months prior to be deadline • Reminder prompts to submit USOE data electronically at least 48 hours prior to deadline • Reminder prompts for USOE staff (special education and IT) to review accuracy of data at least twice before each data deadline (once prior to submission and once following submission). 	2012-2013	USOE IT staff and special education staff	This process adds an additional prompt, which should improve timeliness and accuracy of State-reported 618 data.
<p>NEW ACTIVITY #2 The USOE Data Specialist, Program Specialist, and an Education Specialist will complete the DAC New Data Manager Training series.</p>	2012-2013	USOE personnel	This process will provide additional professional development and ensure that adequate USOE personnel are cross-trained for data submission requirements.

APPENDIX A
APR ACRONYMS

ABC/UBI	Academic Behavior and Coaching/Utah Behavior Initiative
AFR/APR	
AO	Reached Maximum Age of Eligibility (Age Out)
APR	Annual Performance Report
ARR	Alternate Risk Ratio
AUT	Autism
AYP	Adequate Yearly Progress
BIP	Behavior Intervention Plan
CAP	Corrective Action Plan
CoP	Community of Practice
CACTUS	Computer Aided Credentials of Teachers in Utah Schools
CCD	Common Core of Data
CRT	Criterion-Reference Test
CSPR	Consolidated State Plan Report
CT	Certificate of Completion
CTE	Career and Technical Education
DAC	
DIBELS	Dynamic Indicators of Basic Early Literacy Skills
Dip	High School Diploma
DLC	Disability Law Center (Protection and Advocacy)
DO	Dropped Out
DPHO	Due Process Hearing Officer
DWS	Department of Workforce Services
ECO	Early Childhood Outcome Center
ECSE	Early Childhood Special Education
ED	Emotional Disturbance
EDEN	Education Data Exchange Network
EDFacts	
EI	Early Intervention
ELL	English Language Learner
ESEA	Elementary and Secondary Education Act
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FAY	
FBA	Functional Behavioral Assessment
Fe	Female
FERPA	Family Education Rights and Privacy Act
FFY	Federal Fiscal Year
GED	General Educational Development
HISP	Hispanic/Latino
ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act
IEP	Individual Education Program
IHE	Institute of Higher Education

IT	Information Technology
LEA	Local Education Agency
LI	Low Incidence Disabilities (Autism, Deafblindness, Hearing Impairment/Deafness, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, Speech/Language Impairment, Traumatic Brain Injury, Visual Impairment/Blindness)
LRBI	Least Restrictive Behavior Initiative
LRE	Least Restrictive Environment
Ma	Male
Min	Minority
MPRRC	Mountain Plains Regional Resource Center
MTSS	
NA	Native American
NCES	
NCLB	No Child Left Behind
NDPC-SD	National Dropout Prevention Center-Students with Disabilities
NECTAC	National Early Childhood Technical Assistance Center
NON-FAY	
NPSO	National Post School Outcomes Center
NSTTAC	National Secondary Transition Technical Assistance Centers
ODR	
OSEP	Office of Special Education Programs
P&A	Protection and Advocacy
PBIS	Positive Behavioral Interventions and Supports
PI	Pacific Islander
PIP	Program Improvement Plan
Project KNOTtT	
PLAAFP	Present Levels of Academic Achievement and Functional Performance
REL West	Regional Educational Laboratories West at WestEd
RR	Risk Ratio
Rtl	Response to Intervention
SCM	Success Case Method
SES	Special Education Services
SET	School-wide Evaluation Tool
SLD	Specific Learning Disabilities
SLP	Speech-Language Pathologist
SMH	School Mental Health
SPP	State Performance Plan
SRR	Student Record Review
SSID	Statewide Student Identifier System
SWAT	Statewide Assistance Team
SWD	Student with Disabilities
TEDI	Transition from Early Intervention Data Information System
UAA	Utah's Alternate Assessment
UBI	Utah's Behavior Initiatives
UNK	Unknown Ethnicity
U-PASS	Utah Performance Assessment System for Students

UPC	Utah Parent Center
UPDC	Utah Personnel Development Center
UPIPS	Utah Program Improvement Planning System
UPOD	Utah Preschool Outcomes Data
UPSDG	Utah Public Schools Data Gateway
USBE	Utah State Board of Education
USEAP	Utah Special Education Advisory Panel
USOE	Utah State Office of Education
USOR	Utah State Office of Rehabilitation
VR	Vocational Rehabilitation
Wht	White
WIA	Workforce Investment Act
WRR	Weighted Risk Ratio
YIC	Youth in Custody

**APPENDIX B
Parent Survey**

Parent Survey — Special Education

(SSID#)

This is a survey for parents of students receiving special education services. Your responses will help guide efforts to improve services and results for children and families.

For each statement below, please check the box either yes (Y), no (N), or not applicable (NA) based on your most recent experiences within the past school year.

Example:

Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	NA <input type="checkbox"/>
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Procedural Safeguards	
1 Did you receive a copy of your procedural safeguards (parent's rights)?	Y <input type="checkbox"/> N <input type="checkbox"/>
2 Were your procedural safeguards (parent's rights) explained so that you understood them?	Y <input type="checkbox"/> N <input type="checkbox"/>
3 If you speak a language other than English, does the school communicate with you in that language?	Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/>
Evaluation and Eligibility	
4 Did you sign a consent form before your child was evaluated?	Y <input type="checkbox"/> N <input type="checkbox"/>
5 Did you have the opportunity to provide input during your child's evaluation?	Y <input type="checkbox"/> N <input type="checkbox"/>
6 Did the evaluation team listen to and consider your input?	Y <input type="checkbox"/> N <input type="checkbox"/>
7 Were you invited to a meeting to discuss the results of your child's evaluation?	Y <input type="checkbox"/> N <input type="checkbox"/>
IEP Development	
8 Was the IEP meeting scheduled at a mutually agreeable time?	Y <input type="checkbox"/> N <input type="checkbox"/>
9 Did you receive notice of the time and place before each IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/>
10 Were you aware of your right to invite individuals who have knowledge or special expertise about your child to the IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/>
11 Did you bring someone to the IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/>
12 Did a general education teacher attend the IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/>
13 Did the principal (LEA Representative) or his/her representative attend the IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/>
14 Did the team ask for and consider your input on goals for your child's IEP?	Y <input type="checkbox"/> N <input type="checkbox"/>
15 Were all of your child's educational needs addressed during the IEP meeting?	Y <input type="checkbox"/> N <input type="checkbox"/>
16 At your child's IEP meeting, did the team discuss how your child would participate in statewide and district-wide testing (U-PASS, CRTs, UAA)?	Y <input type="checkbox"/> N <input type="checkbox"/>
17 At your child's IEP meeting, did the IEP team discuss classroom accommodations and modifications your child needs?	Y <input type="checkbox"/> N <input type="checkbox"/>
18 Did you sign a consent form before your child was placed in special education?	Y <input type="checkbox"/> N <input type="checkbox"/>

19	Do you fully understand the purpose of the IEP for your child?	<input type="checkbox"/> Y	<input type="checkbox"/> N
IEP Implementation			
20	Are your child's general education teachers aware of your child's learning needs?	<input type="checkbox"/> Y	<input type="checkbox"/> N
21	Does the staff in the general classroom consistently provide the accommodations and modifications written in your child's IEP?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
22	Do your child's general education and special education teachers work together to implement the IEP?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
23	Is your child getting all of the services listed on the IEP?	<input type="checkbox"/> Y	<input type="checkbox"/> N
24	Are the related services your child receives (i.e., speech therapy, occupational therapy, counseling) helping him/her to make progress from special education services?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
25	Does your child participate in school activities such as assemblies, after-school activities, and field trips with non-disabled students?	<input type="checkbox"/> Y	<input type="checkbox"/> N
26	Do you receive periodic reports on your child's progress toward IEP goals?	<input type="checkbox"/> Y	<input type="checkbox"/> N
27	Is your child making progress toward meeting the goals on his/her IEP?	<input type="checkbox"/> Y	<input type="checkbox"/> N
Transition (School to Post-School)			
28	If your child is 15 years old or older, did the IEP team discuss transition services (e.g., career interests, employment, high school classes)?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
29	Does your child's IEP provide the direction and plan for helping your child reach his/her long-term goals after he/she leaves public school?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
30	Do you understand your child's graduation requirements?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
Transition (Early Childhood)			
31	If your child is 3-5 years old, do you feel that his/her preschool experience has been beneficial?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
Discipline			
32	Has your child been removed from his/her special education program as a result of a disciplinary action this school year (suspended or expelled) for more than 10 days?	<input type="checkbox"/> Y	<input type="checkbox"/> N
33	Did he/she receive special education services in a different setting during that time?	<input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> NA
General			
34	Does the school provide the information you need to have a positive effect on the quality of your child's program (i.e., frequent communication)?	<input type="checkbox"/> Y	<input type="checkbox"/> N
35	Does the school facilitate opportunities for you to provide input about your child's education other than at IEP meetings (i.e., receptive to input)?	<input type="checkbox"/> Y	<input type="checkbox"/> N
36	Is there a communication system in place that provides you the opportunity to exchange important information about your student as often as necessary?	<input type="checkbox"/> Y	<input type="checkbox"/> N
37	Does your school encourage your involvement as a means of improving services and results for your child with disabilities?	<input type="checkbox"/> Y	<input type="checkbox"/> N
38	Were you ever given information about organizations that offer support for parents with students with disabilities by your school/district?	<input type="checkbox"/> Y	<input type="checkbox"/> N
39	Have you participated in person, by phone, by email, or online in any training offered by the district, school, other parent groups, or the Utah Parent Center?	<input type="checkbox"/> Y	<input type="checkbox"/> N

40 Have you been offered an opportunity by your school/school district to participate in any parent trainings?

Y

N