



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

JUN - 3 2010

Honorable Eric J. Smith
Commissioner of Education
Florida Department of Education
Turlington Building, Suite 1514
325 West Gaines Street
Tallahassee, Florida 32399-6533

Dear Commissioner Smith:

Thank you for the timely submission of Florida's Federal fiscal year (FFY) 2008 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA).

The Department has determined that, under IDEA section 616(d)(2)(A)(i), Florida meets the requirements of Part B of IDEA. The Department's determination is based on the totality of the State's data and information, including the State's FFY 2008 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2010: Part B" for further details.

Specific factors affecting the determination made by the Office of Special Education Programs (OSEP) that Florida meets requirements under IDEA section 616(d) include: (1) Florida provided valid and reliable FFY 2008 data reflecting the measurement for each indicator; and (2) reported high levels of compliance or correction for Indicators 9, 10, 11, 12, 15, 16, 17, and 20. We commend Florida for its performance.

The enclosed table provides OSEP's analysis of the State's FFY 2008 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions the State made to its targets, improvement activities (timelines and resources), and baseline data in the State's SPP. The table also identifies, by indicator: (1) the State's reported FFY 2008 data; (2) whether such data met the State's FFY 2008 targets and reflect progress or slippage from prior year's data; and (3) whether the State corrected findings of noncompliance.

As you know, pursuant to IDEA section 616(b)(2)(C)(ii)(I) and 34 CFR §300.602(b)(1)(i)(A), your State must report annually to the public on the performance of each local educational agency (LEA) located in the State on the targets in the SPP as soon as practicable, but no later than June 1, 2010. In addition, your State must: (1) review LEA performance against targets in the State's SPP; (2) determine if each LEA "meets requirements" of Part B, or "needs assistance," "needs intervention," or "needs substantial intervention" in implementing Part B of the IDEA; (3) take appropriate enforcement action; and (4) inform each LEA of its determination. 34 CFR §300.600(a)(2) and (3). For further information regarding these requirements, see the SPP/APR Calendar at: <http://spp-apr-calendar.rrfcnetwork.org/explorer/view/id/656>. Finally, if your State included revisions to baseline, targets or improvement activities in its APR submission, and OSEP accepted those revisions, please ensure that your SPP is updated accordingly and that the updated SPP is posted

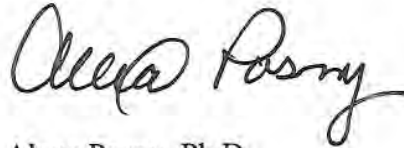
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on the State's website and made available to the public, consistent with 34 CFR §300.602(b)(1)(i)(B).

OSEP is committed to supporting Florida's efforts to improve results for children and youth with disabilities and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please contact Sheila Friedman, your OSEP State Contact, at 202 245-7349.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny". The signature is written in a cursive, flowing style.

Alexa Posny, Ph.D.
Acting Director
Office of Special Education Programs

Enclosures

cc: State Director of Special Education

Florida Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) baseline, targets and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 43.0%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP was unable to determine whether there was progress or slippage. The State met its revised FFY 2007 target of 40.3%.</p> <p>The State provided a narrative in the SPP that describes the conditions youth must meet to graduate with a regular diploma. The State reported that the conditions that youth with IEPs must meet to graduate with a regular diploma are different than for youth without an IEP. The State explained the difference.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR). In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP appreciate the State's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 4.4%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State met its FFY 2007 target of 4.0%.</p>	<p>OSEP appreciate the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the</p>	<p>The State revised the improvement activities and OSEP accepts these revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 1% for reading and 3% for math. These data represent slippage from the FFY 2007 data of 7% for reading and 8% for math. The State did not meet its FFY 2008 targets of 49%</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>

Florida Part B FFY 2008 SPP/APR Response Table

<p>State's minimum "n" size that meet the State's AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>for reading and 47% for math.</p>	
<p>3 Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are 97.8% for reading and 97.7% for math. These data represent progress from the FFY 2007 data of 96.1% for both reading and math. The State met its FFY 2008 targets of 97% for both reading and math.</p> <p>OSEP notes that the number of students with IEPs used as the denominator for reading is 233,858 while the number of students with IEPs used as the denominator for math is 234,065. The State accounted for the discrepancy.</p> <p>The State provided web link to 2008 publicly-reported assessment results: http://www.fldoe.org/ese/pdf/databook.pdf</p>	<p>OSEP appreciates the State's efforts to improve performance</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with the revisions in the Indicator Measurement Table) and improvement activities and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are 35.6% for reading and 39.9% for math. These data represent progress from the FFY 2007 data of 31.6% for reading and 35.3% for math. The State did not meet its FFY 2008 targets of 43% for reading and 45% for math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results: http://www.fldoe.org/ese/pdf/databook.pdf</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b)</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 9%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State did not meet its FFY 2007 target of 7.5%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p> <p>The State did not report the results of the review it conducted pursuant to 34 CFR §300.170(b) for two of the six LEAs identified with significant discrepancies in</p>

Florida Part B FFY 2008 SPP/APR Response Table

<p>policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator; New for FFY 2009]</p> <p>[Results Indicator]</p>	<p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that it reviewed the 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 to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies in FFY 2007 based on data from 2006-2007. No noncompliance was identified as a result of these reviews. The State reported that it revised (or required the affected LEAs to revise), the LEA’s practices relating to the development and implementation of IEPs, positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b), for the LEAs identified with significant discrepancies in FFY 2007 based on data from 2006-2007.</p> <p>With respect to the six LEAs identified in FFY 2007 with significant discrepancies based on data from 2007-2008, the State reviewed the 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 to ensure compliance with the IDEA, as required by 34 CFR §300.170(b).</p> <p>The State reported that it revised (or required the affected LEAs to revise), the 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 to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b) for four of the six LEAs identified with significant discrepancies for FFY 2007. The State reported that four of the six districts identified in FFY 2007 based on data from 2007-2008 completed a self assessment and three of those four districts had findings of noncompliance. The State reported that the LEAs with findings of noncompliance corrected their student-specific noncompliance in a timely manner, and that the three findings of systemic noncompliance were reported as corrected in Indicator 15.</p> <p>The State did not report on the result of the review it conducted pursuant to 34 CFR §300.170(b), i.e., the State did not report whether it revised (or required the affected LEAs to revise), the 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 to ensure compliance with the IDEA for two of the six LEAs identified with significant</p>	<p>FFY 2007 based on 2007-2008 data.</p> <p>In the FFY 2009 APR, the State must report whether, as a result of the review, the State revised, or required the affected LEAs to revise, policies, procedures and practices relating to the development and implementation of the IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the two out of six LEAs identified with significant discrepancies in FFY 2007.</p>
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Florida Part B FFY 2008 SPP/APR Response Table

	discrepancies for FFY 2007.																
<p>4. Rates of suspension and expulsion:</p> <p>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.</p> <p>[Compliance Indicator; New for FFY 2009]</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR.</p>	<p>Indicator 4B is new for FFY 2009. Baseline data from 2008-2009, targets (0%), and improvement activities must be submitted with the FFY 2009 APR.</p>															
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State revised the measurement language and improvement activities (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="541 1063 1459 1416"> <thead> <tr> <th></th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td>60.64</td> <td>63.05</td> <td>58.8</td> <td>2.41%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>18.4</td> <td>16.9</td> <td>21.3</td> <td>1.50%</td> </tr> </tbody> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. % Inside the regular class 80% or more of the day	60.64	63.05	58.8	2.41%	B. % Inside the regular class less than 40% of the day	18.4	16.9	21.3	1.50%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress													
A. % Inside the regular class 80% or more of the day	60.64	63.05	58.8	2.41%													
B. % Inside the regular class less than 40% of the day	18.4	16.9	21.3	1.50%													

Florida Part B FFY 2008 SPP/APR Response Table

	<table border="1"> <tr> <td data-bbox="541 168 1014 289">C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center" data-bbox="1014 168 1125 289">3.3</td> <td align="center" data-bbox="1125 168 1257 289">3.52</td> <td align="center" data-bbox="1257 168 1348 289">2.6</td> <td align="center" data-bbox="1348 168 1459 289">-0.22%</td> </tr> </table> <p data-bbox="541 315 1451 407">These data represent progress for 5A and 5B and slippage for 5C. The State met its FFY 2008 targets for 5A and 5B and did not meet its FFY 2008 target for 5C.</p>	C. % In separate schools, residential facilities, or homebound/hospital placements	3.3	3.52	2.6	-0.22%		
C. % In separate schools, residential facilities, or homebound/hospital placements	3.3	3.52	2.6	-0.22%				
<p data-bbox="86 448 464 509">6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p data-bbox="86 529 499 792">A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential facility.</p> <p data-bbox="86 813 380 841">[Results Indicator; New]</p>	<p data-bbox="541 448 1402 475">The State is not required to report on this indicator in the FFY 2008 APR.</p>	<p data-bbox="1488 448 1986 574">The instruction package for the FFY 2009 APR/SPP will provide guidance regarding the information that States must report for this indicator in their FFY 2009 APRs.</p>						
<p data-bbox="86 881 464 976">7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <p data-bbox="86 995 499 1258">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.</p> <p data-bbox="86 1279 302 1307">[Results Indicator]</p>	<p data-bbox="541 881 1440 943">The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) and OSEP accepts those revisions.</p> <p data-bbox="541 963 1430 1057">The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator and OSEP accepts the State's submission for this indicator.</p> <p data-bbox="541 1076 1314 1104">The State's FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="541 1125 1434 1312"> <tr> <td data-bbox="541 1130 911 1240">08-09 Preschool Outcome Baseline Data</td> <td align="center" data-bbox="911 1130 1184 1240"><u>Summary Statement 1</u>¹</td> <td align="center" data-bbox="1184 1130 1434 1240"><u>Summary Statement 2</u>²</td> </tr> <tr> <td data-bbox="541 1240 911 1312">Outcome A: Positive social-emotional</td> <td align="center" data-bbox="911 1240 1184 1312">65.9</td> <td align="center" data-bbox="1184 1240 1434 1312">75.8</td> </tr> </table>	08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²	Outcome A: Positive social-emotional	65.9	75.8	<p data-bbox="1488 881 1961 976">The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p>
08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²						
Outcome A: Positive social-emotional	65.9	75.8						

¹ 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 six years of age or exited the program.

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

Florida Part B FFY 2008 SPP/APR Response Table

	skills (including social relationships) (%)			
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	58.8	52.9	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	59.5	73.3	
<p>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.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities and targets for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 preschool reported data for this indicator are 43%. The State's FFY 2008 K-12 reported data for this indicator are 32%. The State did not meet its revised FFY 2008 targets of 47% for the preschool survey and 38% for the K-12 survey for this indicator.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State is reporting the results from parents of preschool children and parents of children in grades K-12 separately for the first time. As a result, Florida revised its targets for FFY 2008 through FFY 2010, using FFY 2008 data as its revised baseline.</p>			<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 0%. These data remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.</p> <p>The State provided its definition of disproportionate representation.</p>			<p>OSEP appreciates that State's efforts regarding this indicator.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 1.38%. These data</p>			<p>OSEP appreciates the State's efforts and looks forward to reviewing, in the FFY 2009 APR, the State's data demonstrating</p>

Florida Part B FFY 2008 SPP/APR Response Table

<p>of inappropriate identification. [Compliance Indicator]</p>	<p>remain unchanged from the FFY 2007 data of 1.38%. The State did not meet its FFY 2008 target of 0%.</p> <p>The State reported that 13 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories in special education and related services in FFY 2008. The State also reported that one district was identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of disproportionate representation.</p> <p>The State reported that the one finding of noncompliance identified in FFY 2007 for this indicator was corrected in a timely manner.</p>	<p>compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2008 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the district identified in FFY 2008 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements of 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory 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 district, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each</p>
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Florida Part B FFY 2008 SPP/APR Response Table

		<p>State’s definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. [Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 97%. These data represent progress from the FFY 2007 data of 94%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all 3,425 of its findings of noncompliance, including the 10 LEAs with findings of noncompliance, identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2009 APR, the State’s data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>

Florida Part B FFY 2008 SPP/APR Response Table

<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with the revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 99.2%. These data represent progress from the FFY 2007 data of 90.2%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all 469 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable</p>	<p>The State is not required to provide actual target data for FFY 2008 for this indicator.</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from</p>

Florida Part B FFY 2008 SPP/APR Response Table

<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State reported that all 297 findings of noncompliance identified in FFY 2007 were corrected in a timely manner.</p> <p>The State reported that one finding of noncompliance identified in FFY 2006 for this indicator was corrected.</p>	<p>2009-2010. Targets must remain 100%.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school.</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>	<p>The State is not required to provide actual target data, targets or improvement activities for FFY 2008 for this indicator.</p>	<p>In the FFY 2009 APR, the State must report a new baseline, targets, and, as needed, improvement activities.</p>

Florida Part B FFY 2008 SPP/APR Response Table

[Results Indicator]		
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 99.8%. These data represent progress from the FFY 2007 data of 99.6%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 1,302 of 1,305 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that three of three remaining findings subsequently were corrected by February 1, 2010.</p> <p>The State reported that one finding of noncompliance identified in FFY 2006 was corrected by February 1, 2010.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFY's 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR, the State's data demonstrating that the State timely corrected noncompliance, identified in FFY 2008, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e) and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements (i.e. achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 10, 11, and 12 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>
16. Percent of signed written	The State indicated in its FFY 2008 APR that it revised its indicator language	OSEP appreciates the State's efforts in

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<p>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.</p> <p>[Compliance Indicator]</p>	<p>(consistent with revisions in the Indicator Measurement Table) for this indicator.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State indicated in its FFY 2008 APR that it revised its indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 69%. These data remain unchanged from the FFY 2007 data of 69%. The State met its FFY 2008 target of 58%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 73%. These data remain unchanged from the FFY 2007 data of 73%. The State did not meet its FFY 2008 target of 75-85%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>20. State reported data (618 and</p>	<p>The State's FFY 2008 reported data for this indicator are 97.62%. These data</p>	<p>OSEP appreciates the State's efforts and</p>

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<p>State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p>	<p>looks forward to reviewing in the FFY 2009 APR, the State’s data demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2009 APR, the State must use the Indicator 20 Data Rubric.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
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