



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

JUN - 8 2010

Honorable Nancy S. Grasmick
State Superintendent of Schools
Maryland State Department of Education
200 West Baltimore Street, 7th Floor
Baltimore, Maryland 21201-2595

Dear Superintendent Grasmick:

Thank you for the timely submission of Maryland'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), Maryland 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 Maryland meets requirements under IDEA section 616(d) include: (1) Maryland provided valid and reliable FFY 2008 data reflecting the measurement for each indicator; and (2) Maryland reported high levels of compliance or correction for Indicators 9, 10, 11, 12, 15, 16, 17, and 20. We commend Maryland 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)(1) 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 on the State's website and made available to the public, consistent with 34 CFR §300.602(b)(1)(i)(B).

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-2600
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

OSEP is committed to supporting Maryland'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 Dwight Thomas, your OSEP State Contact, at 202-245-6238.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny". The signature is written in a cursive style with a large, looped initial "A".

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

Enclosures

cc: State Director of Special Education

Maryland 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. [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 2008 reported data for this indicator are 67.7%. These data represent slippage from the FFY 2007 data of 72.85%. The State did not meet its FFY 2008 target of 85.5%.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</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 2008 data for this indicator.</p> <p>The State provided a detailed progress report in its CSPR on its status of implementing a data collection system that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 3.11%. These data represent progress from the FFY 2007 data of 5.78%. The State did not meet its FFY 2008 target of 3%.</p> <p>The State provided a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.</p> <p>The State reported the required dropout rate calculation and timeline established by the Department under the ESEA. This means that the State submitted the most recent dropout data that the State reported to the Department as part of its CSPR. In its APR submitted February 1, 2010, the State reported FFY 2008 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>3. Participation and performance of</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>OSEP looks forward to the State's data</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																																										
<p>children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 20%. These data represent slippage from the FFY 2007 data of 38%. The State did not meet its FFY 2008 target of 50%.</p>	<p>demonstrating improvement in performance in the FFY 2009 APR.</p>																																										
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</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 2008 reported data for this indicator are 99.18% for reading and 99.03% for math. The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from the State’s reported FFY 2007 data. The State met its FFY 2008 targets of 95% for both reading and math.</p> <p>The State provided a web link to 2008 publicly-reported assessment results.</p> <p>http://mdreportcard.org</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 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:</p> <table border="1" data-bbox="548 1143 1419 1471"> <thead> <tr> <th>Grade</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> <tr> <td>3</td> <td>63.33%</td> <td>68.65%</td> <td>72.73%</td> <td>60.27%</td> <td>58.13%</td> <td>76.09%</td> </tr> <tr> <td>4</td> <td>72.23%</td> <td>69.39%</td> <td>80.75%</td> <td>66.85%</td> <td>66.90%</td> <td>75.95%</td> </tr> <tr> <td>5</td> <td>67.51%</td> <td>73.29%</td> <td>76.14%</td> <td>52.52%</td> <td>53.35%</td> <td>70.64%</td> </tr> <tr> <td>6</td> <td>51.24%</td> <td>57.10%</td> <td>77.50%</td> <td>44.51%</td> <td>46.39%</td> <td>65.60%</td> </tr> </tbody> </table>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3	63.33%	68.65%	72.73%	60.27%	58.13%	76.09%	4	72.23%	69.39%	80.75%	66.85%	66.90%	75.95%	5	67.51%	73.29%	76.14%	52.52%	53.35%	70.64%	6	51.24%	57.10%	77.50%	44.51%	46.39%	65.60%	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>
Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target																																						
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3	63.33%	68.65%	72.73%	60.27%	58.13%	76.09%																																						
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Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues							OSEP Analysis/Next Steps
	7	49.48%	52.72%	76.25%	35.23%	43.12%	64.15%	
	8	38.81%	50.35%	74.09%	29.51%	35.13%	63.18%	
	HS	45.91%	48.16%	65.83%	49.95%	47.46%	56.11%	
	<p>The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from the State’s reported FFY 2007 data. The State did not meet its FFY 2008 targets.</p> <p>The State provided a web link to 2008 publicly-reported assessment results. http://mdreportcard.org</p>							
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 12.5%. 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 16.67%.</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 for FFY 2007.</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 the LEAs identified with significant discrepancies for FFY 2007.</p> <p>The State reported that noncompliance identified in FFY 2007 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b), was corrected in a timely manner.</p> <p>The State reported that noncompliance identified in FFY 2006 was corrected.</p>							<p>OSEP appreciates the State’s efforts to improve performance.</p>
<p>4. Rates of suspension and</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</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps															
<p>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>(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 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 progress data for this indicator are:</p> <table border="1" data-bbox="550 1032 1467 1370"> <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>62.35</td> <td>63.99</td> <td>61.11</td> <td>1.64%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td>15.82</td> <td>15.1</td> <td>16.11</td> <td>0.72%</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	62.35	63.99	61.11	1.64%	B. % Inside the regular class less than 40% of the day	15.82	15.1	16.11	0.72%	<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	62.35	63.99	61.11	1.64%													
B. % Inside the regular class less than 40% of the day	15.82	15.1	16.11	0.72%													

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
	C. % In separate schools, residential facilities, or homebound/hospital placements	7.8	7.59	6.92	0.21%	
	These data represent progress for 5A, 5B and 5C from the FFY 2007 data. The State met its FFY 2008 targets for 5A and 5B, but did not meet its FFY 2008 target for 5C.					
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	The State is not required to report on this indicator in the FFY 2008 APR.					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>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>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>The State's FFY 2008 reported baseline data for this indicator are:</p>					The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues			OSEP Analysis/Next Steps
<p>meet their needs. [Results Indicator]</p>	<p>08-09 Preschool Outcome Baseline Data</p>	<p align="center"><u>Summary Statement 1</u>¹</p>	<p align="center"><u>Summary Statement 2</u>²</p>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	<p align="center">64.3</p>	<p align="center">68.5</p>	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	<p align="center">64.6</p>	<p align="center">55.3</p>	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	<p align="center">58.7</p>	<p align="center">66.2</p>	
<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. [Results Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 57% for parents of school-aged children and 69% for parents of preschool children. These data represent progress from the FFY 2007 data of 56% for parents of school-aged children and 68% for parents of preschool children. The State met its FFY 2008 target of 30% for parents of school-aged children and 35% for parents of preschool children.</p> <p>In its description of its FFY 2008 data, the State addressed whether the response group was representative of the population.</p>			<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p>	<p>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 two districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with</p>			<p>OSEP appreciates the 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>

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.

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<p>disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided the definition of disproportionate representation of racial and ethnic groups in special education and related services.</p>	
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State'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 15 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided the definition of disproportionate representation of racial and ethnic groups in specific disability categories.</p>	<p>OSEP appreciates the 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>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State 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 92%. These data represent progress from the FFY 2007 data of 89.02%. The State did not meet its FFY 2008 target of 100%. The State reported that 17 of 21 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that the remaining four findings subsequently were corrected by February 1, 2010.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State 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 on 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</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>system; and (2) has completed the evaluation, although late, for any child whose initial evaluation 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>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 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 97.28%. These data represent progress from the FFY 2007 data of 95.42%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all seven 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. When reporting on 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</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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 is not required to provide actual target data for FFY 2008 for this indicator.</p> <p>The State reported that 13 of 14 findings of noncompliance identified in FFY 2007 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance. Additional assistance was provided to the local school system with the remaining noncompliance identified in FFY 2006 and FFY 2007, which is under a court-ordered consent decree.</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p> <p>When reporting on the correction of noncompliance, the State must report in its FFY 2009 APR, that it has verified that each LEA with remaining noncompliance identified in FFY 2007: (1) is correctly implementing 34 CFR §300.320(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining one uncorrected noncompliance finding</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>identified in FFY 2007 and FFY 2006 was corrected. The State must take the steps necessary to ensure that it can report in the FFY 2009 APR that it has corrected this noncompliance.</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>[Results Indicator]</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>
<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 97.19%. These data represent progress from the FFY 2007 data of 96.46%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 208 of 214 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that five of six remaining findings subsequently were corrected by February 1, 2010. For findings of noncompliance that were not corrected, the State reported on the actions it took to address the uncorrected noncompliance. The State reported that four of eight findings of noncompliance identified in FFY 2006 and 2005 were subsequently corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected noncompliance. All of the remaining four findings of noncompliance identified in FFY 2006 and</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), 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</p>

Maryland Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>2005 are in the local school system that is under a court-ordered consent decree.</p>	<p>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>The State must demonstrate, in the FFY 2009 APR, that the remaining one finding of noncompliance identified in FFY 2007, the remaining one finding of noncompliance identified in FFY 2006, and the remaining three findings of noncompliance identified in FFY 2005 that were not reported as corrected in the FFY 2008 APR were corrected. The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2009 APR, that it has corrected this noncompliance.</p> <p>In responding to Indicators 11, 12 and 13 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the</p>

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<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</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>Indicator 15 Worksheet.</p> <p>OSEP appreciates the State's efforts in 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 revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 93%. These data represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR, demonstrating that the State is in 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's FFY 2008 reported data for this indicator are 79%. These data represent progress from the FFY 2007 data of 65%. The State met its FFY 2008 target of 64-75%.</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>The State's FFY 2008 reported data for this indicator are 77%. These data represent progress from the FFY 2007 data of 73%. The State met its FFY 2008 target of 75-85%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]		
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 100%. These data represent progress from the FFY 2007 data of 97.7%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving 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, due February 1, 2011, the State must use the Indicator 20 Data Rubric.</p>