

THE ARKANSAS SPECIAL  
EDUCATION DATA SUMMIT  
JUNE 25, 2007



ARKANSAS PART B FFY 2005  
STATE PERFORMANCE PLAN /  
ANNUAL PERFORMANCE REPORT  
RESPONSE

# United States Department of Education

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

June 15, 2007

The Department has reviewed the information provided in the State's FFY 2005 APR and revised SPP, other State-reported data, information obtained through monitoring visits, and other public information and has determined that, under section 616(d), Arkansas needs assistance in meeting the requirements of Part B of the IDEA.

Continued...

# United States Department of Education

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

June 15, 2007

The factors in the State's FFY 2005 APR and February 2, 2007 SPP submissions that affected the Department's determinations were whether the state:

- provided valid and reliable FFY 2005 data that reflect the measurement for each indicator, and if not, whether the State provided a plan to collect the missing or deficient data; and

Continued...

# United States Department of Education

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

June 15, 2007

- for each compliance indicator that was not new
  - a) demonstrated compliance or timely corrected noncompliance, and
  - b) in instances where it did not demonstrate compliance, had nonetheless made progress in ensuring compliance over prior performance in that area.

Continued...

# United States Department of Education

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

June 15, 2007

OSEP also considered whether the State had other IDEA compliance issues that were identified previously through the Department's monitoring, audit or other activities, and the State's progress in resolving those problems.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

## Status

The State's FFY 2005 reported data for this indicator are 87.9% of children with disabilities. These data are the same as the State's FFY 2004 reported data. The State did not meet its FFY 2005 target of 88.0%.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

## Status

The State's FFY 2005 reported data for this indicator are 2.59%. The State met its FFY 2005 target of 2.70%.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

3. Participation and performance of children with disabilities on statewide assessments:
  - A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.

Continued...

## Monitoring Priority: FAPE in the LRE

### Status

The State's FFY 2005 reported data for this indicator are 21.43% for literacy. The State met its FFY 2005 target of 9.00% for literacy.

The State's FFY 2005 reported data for this indicator are 32.00% for math. This represents slippage from the State's FFY 2004 reported data of 32.43%. The State did not meet its FFY 2005 target of 36.48% for math.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

3. Participation and performance of children with disabilities on statewide assessments:

B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

Continued...

# Monitoring Priority: FAPE in the LRE

## Status

The State's FFY 2005 reported data for this indicator are 96.56%. The State met its FFY 2005 Target of 95.00%.



# Monitoring Priority: FAPE in the LRE

## Results Indicator

3. Participation and performance of children with disabilities on statewide assessments:

C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.



Continued...

# Monitoring Priority: FAPE in the LRE

## Status

The State's FFY 2005 reported data for this indicator are 14.66% for literacy. The State met its FFY 2005 target of 13.71% for literacy.

The State's FFY 2005 reported data for this indicator are 19.09% for math. The State met its FFY 2005 target of 18.54% for math.



# Monitoring Priority: FAPE in the LRE

## Results Indicator

4. Rate of suspension and expulsion:
  - A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsion of children with disabilities for greater than 10 days in a school year; and

## Status

The State's FFY 2005 reported data for this indicator are 9.06%. This represents slippage from FFY 2004 data of 6.15%. The State did not meet its FFY 2005 target of 6.00%.

# Monitoring Priority: FAPE in the LRE

## New Results Indicator

4. Rate of suspension and expulsion:
  - B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsion of greater than 10 days in a school year of children with disabilities by race and ethnicity.

## Status

## Monitoring Priority: FAPE in the LRE

### Results Indicator

5. Percent of children with IEPs aged 6 through 21:
  - A. Removed from regular class less than 21% of the day;

### Status

The State's FFY 2005 reported data are 48.33%.  
The State met its FFY 2005 target of 46.33%.

### Results Indicator

- B. Removed from regular class greater than 60% of the day; or

### Status

The State's FFY 2005 reported data are 12.11%.  
The State met its FFY 2005 target of 12.53%.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

5. Percent of children with IEPs aged 6 through 21:  
C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

## Status

The State's FFY 2005 reported data are 2.60%. This represents slippage from the State's FFY 2004 reported data of 0.02%. The State did not meet its FFY 2005 target of 2.58%.

# Monitoring Priority: FAPE in the LRE

## Results Indicator

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

## Status

The State's FFY 2005 reported data for this indicator are 82.22%. The State met its FFY 2005 target of 63.35%.

# Monitoring Priority: FAPE in the LRE

## New Results Indicator

7. Percent of preschool children 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.

## Status

Entry data provided.

# Monitoring Priority: FAPE in the LRE

## New Results 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.

## Status

The State reported FFY 2005 baseline data of 82.92% for parents of children in early childhood programs and 95.35% for parents of children in the school-aged program.

# Monitoring Priority: Disproportionality

## New Compliance Indicator

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.

## Status

The State reported FFY 2005 baseline data of 0%.



# Monitoring Priority: Disproportionality

## New Compliance Indicator

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

## Status

The State reported FFY 2005 baseline data of 0%.

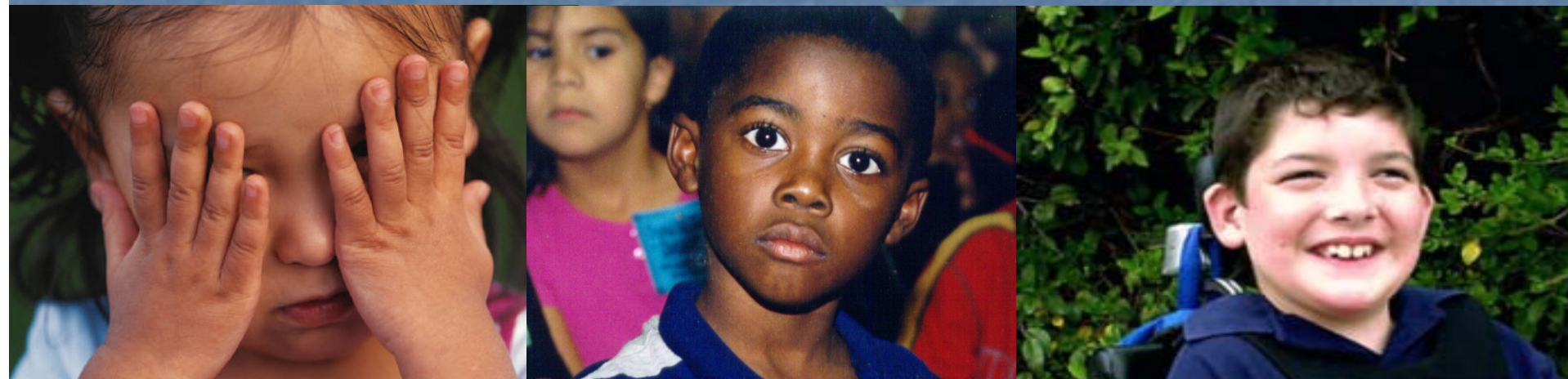
# Monitoring Priority: Effective General Supervision

## New Compliance Indicator

11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).

## Status

The State reported FFY 2005 baseline data of 91.9%.



## Monitoring Priority: Effective General Supervision

### Compliance 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.

### Status

The State's FFY 2005 reported data for this indicator are 75.91%. This represents slippage from the State's FFY 2004 reported data of 84.15%. The State did not meet its FFY 2005 target of 100%.

The State did not report on correction of the prior noncompliance.

## Monitoring Priority: Effective General Supervision

### New Compliance Indicator

13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

### Status

The State reported FFY 2005 baseline data of 98.4%.

## Monitoring Priority: Effective General Supervision

### New Compliance Indicator

14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both within one year of leaving high school.

### Status

A plan that describes how data will be collected was provided.

## Monitoring Priority: Effective General Supervision

### Compliance 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.

### Status

The State's FFY 2005 reported data for this indicator are 85.81%. This represents slippage from the State's FFY 2004 reported data of 99.60%. The State did not meet its FFY 2005 target of 100%.

## Monitoring Priority: Effective General Supervision

### Compliance 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.

### Status

The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.

## Monitoring Priority: Effective General Supervision

### Compliance Indicator

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

### Status

The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY target of 100%.

## Monitoring Priority: Effective General Supervision

### New Results Indicator

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

### Status

Baseline data of 50%.

## Monitoring Priority: Effective General Supervision

### Results Indicator

19. Percent of mediations held that resulted in mediation agreements.

### Status

The State's FFY 2005 reported data for this indicator are 52.00%. This represents slippage from the State's FFY 2004 reported data of 72.00%. The State did not meet its FFY 2005 target of 72.2%.

## Monitoring Priority: Effective General Supervision

### Compliance Indicator

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

### Status

The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.

## LEAs IDEA Section 616 Determination Criteria

Section 616(d) requires that the State review the LEA APR each year. Based on the information provided by the LEA, information obtained through monitoring visits, and any other public information, the Arkansas Department of Education (ADE) will determine if the LEA:

- Meets the requirements and purpose of Part B;
- Needs assistance in implementing the requirements of Part B;
- Needs intervention in implementing the requirements of Part B;
- Needs substantial intervention in implementing the requirements of Part B.

## **LEAs IDEA Section 616 Determination Criteria**

In making these determinations and in deciding upon appropriate enforcement actions, the ADE will consider all information available at the time of the determination, including the history, nature and length of time of any reported noncompliance, and any evidence of correction.

If the LEA provides quantitative and qualitative data demonstrating that it timely corrected the identified noncompliance in the compliance indicator, the State will consider the LEA to be in substantial compliance regarding that indicator.

The Arkansas Department of Education (ADE) looked closely at:

- ✓ Whether the LEA demonstrated compliance on all of the compliance indicators,
- ✓ Whether the LEA demonstrated timely correction of identified noncompliance, and
- ✓ Whether the LEA provided timely and accurate data as required by the ADE to make the necessary determination at the LEA level.

For the 2006/07 school year, the SPP compliance indicators used in making the determinations, based on 2005/06 data were:

✓ **Indicator 15:** Identification and Correction of Noncompliance: Timely correction, within one year of citation, of noncompliance identified by the ADE by monitoring or other means, including meeting early intervening services (EIS) compliance if applicable.

✓ **Indicator 20:** Timely and Accurate Data Reporting on all indicators.

The criteria used to determine the status of a district were the following:

**Meets Requirements:** Compliance indicators were met and the EIS requirement was met, if applicable.

**Needs Assistance:** At least one compliance indicator was not met and the EIS requirement was met, if applicable.

**Needs Intervention:** One or more compliance indicators were not met and/or failure to meet the EIS requirement, if applicable.

**Needs Substantial Intervention:** One or more compliance indicators were not met and/or EIS requirement was not met, if applicable; There is a failure to correct noncompliance within one year of being cited; a failure to substantially comply with IDEA requirements significantly affects the core requirements of the program, such as denial of FAPE for children with disabilities or State exercise of general supervision; and/or the LEA has informed the ADE that it is unwilling to comply with a requirement of IDEA.

# School Districts

TOTAL = 249

Meets Requirements (MR) = 180

Needs Assistance (NA) = 37

Needs Intervention (NI) = 29

Needs Substantial Intervention (NSI) = 3

## Special Education's Web-Site Information

*1. Main Web-Site:*

<http://arkansased.org/>

*2. Special Education's Web-Site:*

<http://arksped.k12.ar.us>



ARKANSAS DEPARTMENT OF

Education 

