



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 6 2008

Honorable Alexa Posny
Commissioner
Kansas State Department of Education
120 SE 10th Avenue
Topeka, KS 66612-1182

Dear Commissioner Posny:

Thank you for the timely submission of Kansas' FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to Kansas' SPP and APR received on April 14, 2008. We appreciate the State's efforts in preparing these documents.

The Department has determined that, under IDEA section 616(d), Kansas meets the requirements of Part B of the IDEA. The Department's determination is based on the totality of the State's data and information including the State's FFY 2006 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 2008" for further details.

Specific factors affecting OSEP's determination that Kansas met requirements under IDEA section 616(d) include: (1) Kansas provided valid and reliable FFY 2006 data reflecting the measurement for each indicator; and (2) Kansas reported correction or high levels of compliance for Indicators 9, 10, 11, 12, 13, 15, 16, and 17. We commend Kansas for its performance.

The enclosed table provides OSEP's analysis of the State's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the State to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. It also identifies, by indicator, the State's status in meeting its targets, whether the State's data reflect progress or slippage, and whether the State corrected noncompliance and provided valid and reliable data.

As you know, 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 under IDEA section 616(b)(2)(C)(ii)(I). In addition, your State must review LEA performance against targets in the State's SPP, determine if each LEA meets the requirements of the IDEA and inform each LEA of its determination. For further information regarding these requirements, see the SPP/APR Calendar at <http://spp-apr-calendar.rfcnetwork.org/>. Finally, if you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

OSEP is committed to supporting Kansas' efforts to improve results for children 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 do not hesitate to call Ellen Safranek, your OSEP State Contact, at 202-245-7515.

Sincerely,



William W. Knudsen
Acting Director
Office of Special Education Programs

Enclosures

cc: State Director of Special Education

How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2008: Part B

In making our determination for each State under section 616(d) of the Individuals with Disabilities Education Act (IDEA), we considered the State's FFY 2006 Annual Performance Report (APR)/State Performance Plan (SPP) submission, information from monitoring visits, including verification reviews, and other public information, such as the State's performance under any existing special conditions on its FFY 2007 grant or under a compliance agreement, longstanding unresolved audit findings, and other State compliance data under the IDEA.

FFY 2006 APR/SPP Submissions

In reviewing the States' FFY 2006 APR/SPP submissions, we considered both data and compliance:

With respect to data, for Indicators 1 through 19, we examined whether the State provided valid and reliable FFY 2006 data (e.g., the State provided all the required data, the data were for the correct year and were consistent with the required measurement, and the State did not acknowledge that its data were not valid and reliable) and if not, whether the State provided a plan to collect the missing or deficient data for reporting in next year's APR/SPP submission. Indicator 20 is itself about the timeliness and accuracy of data, which we addressed through the other indicators.

For compliance, we looked at Indicators 9, 10, 11, 12, 13, 15, 16 and 17. With respect to these indicators, we looked for evidence that the State demonstrated substantial compliance either through reporting a very high level of performance (generally 95% or better) or correction of noncompliance, and if the State did not, whether it nonetheless had made progress in ensuring compliance over its performance in that area as reported in its FFY 2005 SPP/APR submission. We considered progress to include reporting higher compliance numbers or reporting more accurate and complete compliance data compared to the data provided in the prior year's submission. Indicator 15 evaluates 'timely' correction, so for this indicator we specifically examined whether the correction was timely. For the other compliance indicators, we considered whether the State timely corrected previous noncompliance, but we also considered whether the State subsequently corrected noncompliance. We did not consider Indicator 20 because the data rubric was subject to inconsistent application. We are working with our contractor and consulting with State data managers on refining the document. Next year we will consider Indicator 20 as a part of the State's compliance data. We did not consider Indicators 16 and 17 if the State reported fewer than 10 complaints or fully adjudicated hearings and reported less than 100% compliance, in recognition of the problems in basing decisions on small numbers.

Generally, and absent any other issues (see below), we considered a State to "meet requirements" if it provided valid and reliable FFY 2006 data consistent with, or substantially the same as, the measurement for each indicator, AND demonstrated substantial compliance for Indicators 9, 10, 11, 12, 13, 15, 16, and 17. We determined that a State demonstrated substantial compliance if it provided data showing a very high level of compliance (generally 95% or better) or that it had fully corrected previously identified noncompliance. If a State did not meet these standards on only one indicator, we considered the State to "meet requirements" if the compliance level for this indicator was high (generally 90% or better) or, for a data issue, if the State provided a plan to collect the data

for next year. In no case, however, did we place a State in “meets requirements” if it failed to provide valid and reliable FFY 2006 data for compliance Indicators 9, 10, 11, 12, 13, 15, 16 and 17. We also considered whether the State, when it reported under Indicator 4a (1) had identified significant discrepancies in discipline of children with disabilities, (2) made clear that it reviewed policies, procedures and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, as required by 34 CFR §300.170(b), and (3) corrected noncompliance identified in these areas.

Generally, and absent any other issues (see below), we considered a State to be “in need of intervention” if it demonstrated very low performance for Indicators 11, 12, 13, 15, 16 or 17 (generally 50% or below) and did not demonstrate correction of the noncompliance or did not make progress over the prior year’s performance. We identified States as being in need of intervention if they did not provide any FFY 2006 data on Indicators 11, 12, 13, 15, 16 or 17 or if the data were not valid and reliable, *e.g.*, the reported data were not consistent with the required measurement, were for the wrong year, or the State acknowledged that its data were not valid and reliable. We also identified States as being in need of intervention if they did not provide valid and reliable FFY 2006 data on one of the other indicators and did not provide a plan to collect and report on the data.

This year we did not identify any State as being in need of intervention if it did not provide valid and reliable FFY 2006 data on Indicators 9 and 10 in recognition of the fact that these are complicated indicators that require a multiple step analysis including, at the first step, reviewing data to determine if there is disproportionate over- or underrepresentation of children with disabilities by racial or ethnic groups in special education and related services for Indicator 9 or in specific disability categories for Indicator 10, and, at the second step, determining whether any identified disproportionate representation is the result of inappropriate identification. States have continued to have difficulty with properly completing these tasks in a timely manner. Next year, however, we will consider Indicators 9 and 10 in determining whether States should be identified as in “need of intervention.” Specifically, we will consider whether a State demonstrates that it has examined child count data from FFY 2007 (reported to the Department under section 618 of the IDEA in February 2008) to identify disproportionate over- and underrepresentation of racial and ethnic groups in special education and related services, and in specific disability categories, and determined whether that disproportionate representation is the result of inappropriate identification.

We would identify a State as “in need of substantial intervention” if its substantial failure to comply significantly affected the core requirements of the program, such as the delivery of services to children with disabilities or the State’s exercise of general supervision, or if the State informed the Department that it was unwilling to comply with an IDEA requirement. In making this determination, we would consider the impact of any longstanding unresolved issues on the State’s current implementation of the program. We would also consider identifying a State “in need of substantial intervention” for failing to submit its APR/SPP.

We determined that States that did not “meet requirements” and were not “in need of intervention” or “in need of substantial intervention” were “in need of assistance,” absent any other issues (see below).

Monitoring Data and Other Public Information

We also considered other public information available to the Department, including information from OSEP monitoring activities, performance under pre-existing special conditions, and longstanding audit findings. We did not consider a State to “meet requirements” if the State had unresolved special conditions issues, OSEP monitoring findings, including verification visit findings, or longstanding audit issues or was under a compliance agreement. The length of time the problem had existed, the magnitude of the problem, and the State’s response to the problem, including progress the State had made to correct the problem, were factors we considered in determining whether the State should be identified as “in need of assistance,” “in need of intervention,” or “in need of substantial intervention.”

Kansas Part B FFY 2006 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 compared to percent of all youth in the State graduating with a regular diploma.</p> <p>[Results Indicator]</p>	<p>The State revised the data source, measurement and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 86.8%. These data represent progress from the FFY 2005 data of 85.7%.</p> <p>The State did not meet its FFY 2006 target of 86.9%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>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.</p> <p>[Results Indicator]</p>	<p>The State revised the data source, measurement and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 2.10%. These data represent slippage from the FFY 2005 data of 1.67%.</p> <p>The State did not meet its FFY 2006 target of 1.5%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>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.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator. OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 80%. These data represent slippage from the FFY 2005 data of 87.6%.</p> <p>The State did not meet its FFY 2006 target of 84.2%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>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.</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 98.1% for reading and 98.1% for math.</p> <p>These data represent progress in both reading and math from the FFY 2005 data of 97.2%.</p> <p>The State met its FFY 2006 targets of 96.5%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the baseline and targets for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 64.2% for reading and 60.3% for math. These data represent progress for reading from the FFY 2005 data of 58.3% and progress for math from the FFY 2005 data of 52.1%.</p> <p>The State met its FFY 2006 target of 57.7% for reading and met its FFY 2006 target of 55.7% for math.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts identified by the State 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; and</p> <p>[Results Indicator]</p>	<p>The State revised its method for determining significant discrepancy. However, the State did not revise its baseline or targets based on this revised calculation.</p> <p>The State revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are .34%. OSEP was unable to determine whether there was progress or slippage because the State changed its definition of significant discrepancy. The State met its FFY 2006 target of 1.99%. However, the target was based on the prior definition of significant discrepancy.</p>	<p>OSEP's June 15, 2007 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, a description of the review, and if appropriate, revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, as required by 34 CFR §300.170(b) for LEAs identified with significant discrepancies in FFY 2005. The State provided this information.</p> <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 2007 APR, due February 1, 2009.</p> <p>In reporting on this indicator in the FFY 2007 APR, due February 1, 2009, the State must describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must describe the review, and if appropriate, revision, of policies, procedures, and practices relating to the development and implementation of IEPs, the</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																
		use of positive behavioral interventions and supports, and procedural safeguards, to ensure compliance with the IDEA for the LEA identified with significant discrepancies in FFY 2006, as required by 34 CFR §300.170(b).																
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>[Results Indicator]</p>	<p>Reporting on Indicator 4B was not required for the FFY 2006 APR.</p>																	
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>The State revised its improvement activities and targets for this indicator. OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="550 998 1419 1380"> <thead> <tr> <th></th> <th>FFY 2005 Data</th> <th>FFY 2006 Data</th> <th>FFY 2006 Target</th> </tr> </thead> <tbody> <tr> <td>A. Removed from regular class less than 21% of the day.</td> <td>59.30%</td> <td>60.8%</td> <td>57.2%</td> </tr> <tr> <td>B. Removed from regular class greater than 60% of the day.</td> <td>8.12%</td> <td>7.9%</td> <td>9.6%</td> </tr> <tr> <td>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td>2.44%</td> <td>2.61%</td> <td>2.61%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2005 data for 5A and 5B and slippage from the FFY 2005 data for 5C.</p> <p>The State met its FFY 2006 targets.</p>		FFY 2005 Data	FFY 2006 Data	FFY 2006 Target	A. Removed from regular class less than 21% of the day.	59.30%	60.8%	57.2%	B. Removed from regular class greater than 60% of the day.	8.12%	7.9%	9.6%	C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	2.44%	2.61%	2.61%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2005 Data	FFY 2006 Data	FFY 2006 Target															
A. Removed from regular class less than 21% of the day.	59.30%	60.8%	57.2%															
B. Removed from regular class greater than 60% of the day.	8.12%	7.9%	9.6%															
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Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																								
<p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p>	<p>Reporting on Indicator 6 was not required for the FFY 2006 APR.</p>																									
<p>7. Percent of preschool children with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator; New]</p>	<p>The State's FFY 2006 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 646 1419 1333"> <thead> <tr> <th data-bbox="548 646 1060 821">06-07 Preschool Outcome Progress Data</th> <th data-bbox="1060 646 1178 821">Social Emotional</th> <th data-bbox="1178 646 1295 821">Knowledge & Skills</th> <th data-bbox="1295 646 1419 821">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 821 1060 889">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1060 821 1178 889">1.19%</td> <td align="center" data-bbox="1178 821 1295 889">1.19%</td> <td align="center" data-bbox="1295 821 1419 889">1.88%</td> </tr> <tr> <td data-bbox="548 889 1060 1027">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1060 889 1178 1027">9.73%</td> <td align="center" data-bbox="1178 889 1295 1027">11.6%</td> <td align="center" data-bbox="1295 889 1419 1027">8.02%</td> </tr> <tr> <td data-bbox="548 1027 1060 1127">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1060 1027 1178 1127">24.57%</td> <td align="center" data-bbox="1178 1027 1295 1127">29.86%</td> <td align="center" data-bbox="1295 1027 1419 1127">15.53%</td> </tr> <tr> <td data-bbox="548 1127 1060 1226">d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1127 1178 1226">29.01%</td> <td align="center" data-bbox="1178 1127 1295 1226">26.45%</td> <td align="center" data-bbox="1295 1127 1419 1226">27.13%</td> </tr> <tr> <td data-bbox="548 1226 1060 1333">e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1226 1178 1333">35.49%</td> <td align="center" data-bbox="1178 1226 1295 1333">30.89%</td> <td align="center" data-bbox="1295 1226 1419 1333">47.44%</td> </tr> </tbody> </table> <p>The State provided improvement activities for this indicator.</p>	06-07 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	1.19%	1.19%	1.88%	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	9.73%	11.6%	8.02%	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	24.57%	29.86%	15.53%	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	29.01%	26.45%	27.13%	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	35.49%	30.89%	47.44%	<p>OSEP's June 15, 2007 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, progress data and improvement activities. The State reported the required progress data and improvement activities. The State must provide progress data with the FFY 2007 APR, due February 1, 2009, and baseline data and targets with the FFY 2008 APR, due February 1, 2010.</p>
06-07 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior																							
a. % of preschoolers who did not improve functioning.	1.19%	1.19%	1.88%																							
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<p>8. Percent of parents with a child receiving special education services who report that schools facilitated</p>	<p>The State revised the targets for this indicator in its SPP and OSEP accepts those revisions.</p>	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement</p>																								

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 58.87%.</p> <p>OSEP was unable to determine whether there was progress because the State employed a different scoring rubric than that which was used for the FFY 2005 analysis.</p> <p>The State met its FFY 2006 target of 37%. However, that target was established based on the prior scoring rubric.</p>	<p>in performance in the FFY 2007 APR, due February 1, 2009.</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 its measurement and identification process for this indicator. The KDE also revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are .68%. These data represent slippage from the FFY 2005 data of 0%. The State did not meet its FFY 2006 target of 0%.</p> <p>The State reported the actual number of districts determined in FFY 2006 to have disproportionate representation that was the result of inappropriate identification.</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to demonstrate in the FFY 2006 APR, due February 1, 2008, that it requires an LEA to reserve the maximum amount of its Part B allocation for early intervening services when it is determined that significant disproportionality is occurring in the LEA, as required by 34 CFR §300.646(b)(2). The State provided information demonstrating compliance with this requirement.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2007 APR, due February 1, 2009 that demonstrate that the State has in effect policies and procedures as required by 34 CFR §300.173 and that the LEAs identified in FFY 2006 as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</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>The State revised its measurement and identification process for this indicator. The State also revised its improvement activities for this indicator and OSEP accepts these revisions.</p> <p>The State's FFY 2006 reported data for this indicator are .68%. These data represent progress from the FFY 2005 data of .7%.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the requirements of 34 CFR §§300.173, 300.111, 300.201, and 300.301 through 300.311 was corrected in a timely manner.</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<p>The State did not meet its FFY 2006 target of 0%.</p> <p>The State reported the actual number of districts determined in FFY 2006 to have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported that two of two LEAs identified in FFY 2005 as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2007 APR, due February 1, 2009 that demonstrate that the State has in effect policies and procedures as required by 34 CFR §300.173 and that the LEAs identified in FFY 2006 as having disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline).</p> <p>[Compliance Indicator]</p>	<p>The State revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 97.1%. These data represent slippage from the FFY 2005 data of 98.4%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that all findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the timely evaluations requirements in 34 CFR §300.301(c)(1) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §300.301(c)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.</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 its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 97.28%. These data represent progress from the FFY 2005 data of 79%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that all findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §300.124(b),</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		including reporting correction of the noncompliance identified in the FFY 2006 APR.
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State re-established its baseline and revised its measurement tool and the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 71%.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State used a different data collection tool.</p> <p>The State did not meet its target of 100%.</p> <p>The State reported that all findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was corrected in a timely manner.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>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 both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>The State provided baseline data, targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator.</p> <p>The State's FFY 2006 reported baseline data for this indicator are 89.8%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.</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 revised its improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%.</p> <p>The State met its FFY 2006 target of 100%.</p>	<p>OSEP appreciates the State's efforts in timely correcting noncompliance identified under this indicator in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600 and looks forward to reviewing data in the FFY 2007 APR, due February 1, 2009, that continue to demonstrate compliance with these requirements.</p> <p>In addition, in responding to indicators 9, 10,</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		11, 12 and 13, the State must specifically address the noncompliance identified in this table under those indicators.
<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. [Compliance Indicator]</p>	<p>The State revised its improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%. The State met its FFY 2006 target of 100%.</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 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. [Compliance Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 100%. These data are based on one hearing. These data remain unchanged from the FFY 2005 data of 100%. The State met its FFY 2006 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely due process hearing resolution requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]</p>	<p>The State revised improvement activities for this indicator and OSEP accepts those revisions. The State reported that six of eight resolution sessions resulted in settlement agreements. The State reported fewer than ten resolution meetings held in FFY 2006. The State is not required to meet its targets or provide improvement activities until any FFY in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.</p>
<p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State revised its improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2006 reported data for this indicator are 82%. The State met its FFY 2006 target of 76%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

Kansas Part B FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 revised its improvement activities for this indicator. OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 100% for timeliness and 94.3% for accuracy.</p> <p>The State did not meet its FFY 2006 targets of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the timely and accurate data requirement for IDEA sections 616, 618 and 34 CFR §§76.720 and 300.601(b).</p>