



State of Maine

Department of Education

Part B Annual Performance Report (APR) for 2005

April 27, 2007

Part B State Annual Performance Report (APR) for 2005

Overview of the Annual Performance Report Development:

This Annual Performance Report (APR) is the first report of the progress toward the targets established in the State Performance Plan (SPP) on December 2, 2005. The APR will present the first year of progress toward the Measurable and Rigorous Targets established in the SPP for all indicators that were not new last year. New indicators have seen data collected this year that provide baseline or entry data that is presented in the update to the SPP. This Annual Performance Report is companion to the updated submission of Maine's State Performance Plan update also submitted February 1, 2007.

Maine Advisory Council for the Education of Children with Disabilities (MACECD) was the stakeholder organization supporting the development of the SPP indicators and continues to review progress toward the targets. Development of indicator content and revision of indicators has been guided by the stakeholder group throughout the past 13 months. The stakeholder group regularly reviews data developed for each measurement, formulates and pursues hypotheses associated with the data, and builds recommendations for the Maine Department of Education to consider in legislation, rule making, procedures and reporting. The quality of Maine's SPP and its APR have benefited greatly from the advice and guidance of our stakeholder organization.

As data were assembled and reviewed by IDEA data analysts for the Local Educational Agencies (LEAs) across the state as a part of the measurement process, it became clear that many of our districts have very small populations represented in certain measurement categories. In order to ensure FERPA protections in the public presentation of data, a minimum of 10 students must be present in the data. In cases where a particular subset contains fewer than 10 students, those data are suppressed. Many of the SPP measurements require comparison of percentages between populations. Sizes of Maine's LEAs are sufficiently small that statistically significant definitions were required to account normally occurring variation in small population data. Analysis of means¹ (ANOM) calculations were applied to each percentage measurement to establish upper and lower detection limits that were sensitive to the small populations in our districts. Data found outside the limit values exhibit significant difference from the state average while accounting for their small population values, and will be assigned a level of determination consistent with the magnitude of the deviation from the state average.

Maine Department of Education has provided substantial technical assistance to its LEAs during the 2005-2006 and 2006-2007 school years concerning the SPP and APR. Regional meetings were held in May of 2005 and in December of 2006 to provide understanding of the requirements and intent of the SPP and to offer guidance to LEAs in preparing for and reacting to the range of likely measurement outcomes to be presented in the APR. The sessions have helped the LEAs to become comfortable with the accountability system, planning improvements and defining professional development needs. Further, the sessions have provided opportunities for the LEAs to express concerns and ask questions that have shaped the support provided by the Maine Department of Education. The December 2005 submission of the SPP started a process that has engaged Maine's LEAs in understanding their data. Data presented in the SPP establish a baseline performance using 2003-2004 school year performance data. The data presented in the APR for the 2005-2006 school year, had been collected at the time of the SPP submission, so LEAs have had only limited opportunity to affect improvements based on the data. As the data are presented publicly in early 2007, the process for system-wide improvement will begin.

¹ Ott, E. R. (1967). "Analysis of Means -- A Graphical Procedure", *Industrial Quality Control* 24, pp. 101-109. Reprinted in *Journal of Quality Technology* 15 (January 1983), pp. 10-18.

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The Office of Special Education Programs (OSEP) review of the SPP submission resulted in a response letter and issues tables (A and B) that presented opportunities for improvement in the SPP documentation and corrective actions that were required for the SPP update. Throughout this Annual Performance Report, the comments from the OSEP Tables will be included in the text at the point in the indicator where the issue is addressed. Those entries are marked (as is this paragraph) clearly with double-bar in both margins and this type font.

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47	16	<i>OSEP Table A; non-compliance</i>
49	17	<i>OSEP Table B; non-compliance</i>
54	20	<i>OSEP Table B; timeliness and accuracy of data</i>

Governor Baldacci has forwarded a budget bill to the legislature decreasing 290 Local Education Agencies (LEAs) to 26 regional centers and the number of superintendents from 152 to 26 by June 2008. The 26 regional centers will include the 16 Child Development Service sites. Each regional center will have a board with one representative from each of the local school boards within its jurisdiction. The concept and timeframe is currently being discussed by the legislature and the public.

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Updated 4/23/07 to include required changes to indicator 4

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Monitoring Priority: FAPE in the LRE

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.

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

FFY	Measurable and Rigorous Target
2005	At least 76% of youth with IEPs graduating from high school with a regular diploma
FFY	Actual Target Data for 2005
2005	66.1% of youth with IEPs graduated from high school with a regular diploma

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

OSEP Table A: 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. The State must include, in the FFY 2005 APR, due February 1, 2007, accurate data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to provide accurate data at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

Definition of Diploma:

Maine's State law, Title 20-A §4722 High School Diploma Standards, defines diploma as: "3. Satisfactory Completion, A diploma may be awarded to secondary school students who have satisfactorily completed all diploma requirements in accordance with the academic standards of the school administrative unit and this chapter. All secondary school students must work toward achievement of the content standards of the system of *Learning Results*. Exceptional students, as defined in section 7001, subsection 2, who successfully meet the content standards of the system of learning results in addition to any other diploma requirements applicable to all secondary school students, as specified by the goals and objective of their individualized education plans may be awarded a high school diploma.

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Further discussion of high school diploma standards is found in Chapter 127 which is currently being revised. These revisions may provide definitions for additional diplomas. These additions may lead to a change in the data collection process.

The table below shows the graduation rates based on the formula outlined above. The data indicate an overall graduation rate of 79.6% compared with a graduation rate for students with IEPs of 66.1% with 76% (117 of 151) reporting.

	a. Regular Diploma	b. Other	c. Dropouts	Rate(a./(a.+b.+c.))
All Students	12574	60	3162	79.6%
Students w IEPs	1371	13	689	66.1%

While data for all students and for special education students are comparable, the method used does not conform to the National Governor’s Association cohort calculation methodology. The Maine Education Data Management System (MEDMS) began collecting comparable data in 2004-2005. This means that comparable substitute cohort graduation data will become available in 2009, when the first graduating class matriculates through the system.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Targets will remain as originally submitted in the State Performance Plan. The data used to compute graduation rates includes all LEAs who have reported their completer’s data and validated the data. Several LEAs in the state have yet to complete that process.

We will publish results of individual LEA performance on our website during the next two month and use the difference between the Target and the state performance as a motivation to aggressively pursue dropout reduction, which will be the mechanism for graduation rate improvement.

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Draft and post an informational/administrative letter to inform superintendents of the dropout targets set in this SPP.	X						
Request that each school and LEA complete a self-assessment of its district and school dropout prevention programs.	X						
Review the trend data of all districts and schools to determine whether dropout prevention activities are working.	X						
Provide districts with longitudinal baseline data for future program improvement activities.	X						

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Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Conduct an analysis of means test on all districts to determine those whose dropout rates are above the State average.	X						
Require LEAs to develop dropout prevention activities for raising the scores of those areas that the self-assessment showed as needing improvement.	X						
Provide training to districts on how to develop an effective dropout prevention program.	X						
Have each school complete a dropout risk/asset assessment rubric on each of its sixth and seventh grade students	X						
For each student who scores in the moderate to high-risk range, develop a dropout prevention plan for that student.	X						
Analyze the data from 2005-06 to determine if districts are making progress.		X	X	X	X	X	
Target those districts whose rates remain above the target and provide technical assistance.		X	X	X	X	X	
Provide regional workshops on dropout prevention, working with the Institute for the Study of Students at Risk.		X	X	X	X	X	

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Monitoring Priority: FAPE in the LRE

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.

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

FFY	Measurable and Rigorous Target
2005	A dropout rate of 4.6% or lower for students with IEPs
FFY	Actual Target Data for 2005
2005	Dropout rate is 8.6% for students with IEPs

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

OSEP Table A: 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. The State must include, in the FFY 2005 APR, due February 1, 2007, accurate data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to provide accurate data at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

Data for School Year 2005-06

The table below provides comparable data for calculating total dropout rate and dropout rate for students with IEPs. This is an event calculation derived from summing the 2005-06 enrollment for each grade 9-12 as well as the number of dropouts for grades 9-12. To calculate the rate, the dropout data are summed across all grades and divided by the enrollment summed across all grades. These calculations are based on data from 118 of 153 districts. Once all districts have reported and confirmed the accuracy of their data, any changes will be sent to OSEP.

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	9th Grade	10th Grade	11th Grade	12th Grade	Total
Overall					
Enrollment	16066	16124	15414	15222	62826
Dropouts	436	653	981	1672	3742
Dropout Rate	2.7%	4.0%	6.4%	11.0%	6.0%
Special Ed					
SE Enrollment	2620	2474	2054	1883	9031
Dropouts	128	149	189	309	775
Dropout Rate	4.9%	6.0%	9.2%	16.4%	8.6%

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005
[If applicable]

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Draft and post an informational/administrative letter to inform superintendents of the dropout targets set in this SPP.	X						
Request that each school and LEA complete a self-assessment of its district and school dropout prevention programs.	X						
Review the trend data of all districts and schools to determine whether dropout prevention activities are working.	X						
Provide districts with longitudinal baseline data for future program improvement activities.	X						
Conduct an analysis of means test on all districts to determine those whose dropout rates are above the State average.	X						

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Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Require LEAs to develop dropout prevention activities for raising the scores of those areas that the self-assessment showed as needing improvement.	X						
Provide training to districts on how to develop an effective dropout prevention program.	X						
Have each school complete a dropout risk/asset assessment rubric on each of its sixth and seventh grade students	X						
For each student who scores in the moderate to high-risk range, develop a dropout prevention plan for that student.	X						
Analyze the data from 2004-05 to determine if districts are making progress.		X	X	X	X	X	
Target those districts whose rates remain above the target and provide technical assistance.		X	X	X	X	X	
Provide regional workshops on dropout prevention, working with the Institute for the Study of Students at Risk.		X	X	X	X	X	

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Monitoring Priority: FAPE in the LRE

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

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

Measurement:

A. Percent = $[(\# \text{ of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}) \text{ divided by the (total \# of districts that have a disability subgroup that meets the State's minimum "n" size in the State)}] \text{ times } 100.$

B. Participation rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in regular assessment with no accommodations (percent = $[(b) \text{ divided by } (a)] \text{ times } 100$);
- c. # of children with IEPs in regular assessment with accommodations (percent = $[(c) \text{ divided by } (a)] \text{ times } 100$);
- d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = $[(d) \text{ divided by } (a)] \text{ times } 100$); and
- e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = $[(e) \text{ divided by } (a)] \text{ times } 100$).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = $[(b + c + d + e) \text{ divided by } (a)].$

C. Proficiency rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = $[(b) \text{ divided by } (a)] \text{ times } 100$);
- c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = $[(c) \text{ divided by } (a)] \text{ times } 100$);
- d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = $[(d) \text{ divided by } (a)] \text{ times } 100$); and
- e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = $[(e) \text{ divided by } (a)] \text{ times } 100$).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = $[(b + c + d + e) \text{ divided by } (a)].$

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FFY	Measurable and Rigorous Target								
2005 (2005-2006)	A.			B.			C.		
	AYP Reading		97%	Participation Reading			Proficiency Reading		
				4 th	8 th	11 th	4 th	8 th	11 th
				98%	98%	90%	41%	42%	50%
	AYP Math		98.8%	Participation Math			Proficiency Math		
			4 th	8 th	11 th	4 th	8 th	11 th	
			98%	98%	90%	21%	22%	22%	
FFY	Actual Target Data for 2005								
2005 (2005-2006)	A.			B.			C.		
	AYP Reading		96.2%	Participation Reading			Proficiency Reading		
				4 th	8 th	11 th	4 th	8 th	11 th
				99%	99%	87.9%	32%	16%	11%
	AYP Math		98.2%	Participation Math			Proficiency Math		
			4 th	8 th	11 th	4 th	8 th	11 th	
			98%	98%	87.9%	34%	12%	10%	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

- A. 17 of 448 grade 4 and grade 8 schools in the state did not meet State's AYP objectives for progress for the disability subgroup in reading and 8 of 448 did not meet State's AYP objectives for progress for the disability subgroup in math. Grade 11 results have not yet been released pending review of the State's testing approach for third year high school students.
- B. Participation in assessments exceeded or met expectations in all but the 11th grade. This year was the first year that the state used the Scholastic Aptitude Test (SAT) as its assessment mechanism. Participation was affected by a number of factors peculiar to the requirements of the SAT examination (e.g. administered on Saturday, etc.). Schools have developed and will deploy during this upcoming testing cycle a wide variety of strategies designed to improve participation in the SAT.
- C. Performance did not meet the aggressive trajectory established in the State Performance Plan except in 4th grade math performance. However, all areas either met or exceeded the baseline established in the state performance plan.

Baseline Data

Proficiency Reading		
4 th	8 th	11 th
24%	13%	11%
Proficiency Math		
4 th	8 th	11 th
21%	10%	6%

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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

NCLB consultants are working closely with schools not making AYP that are in continuous improvement status. They meet with these LEAs and schools and provide technical assistance on core curriculum development, alternate methods of teaching and help the LEA develop a comprehensive work plan to enable the school/LEA to meet AYP. MDOE Special Services staff is working cooperatively with these consultants providing data analysis and program assistance to ensure that children with IEPs meet participation and proficiency targets.

Improvement Activities	Timelines						Resources
	<i>FFY Year when activities will occur</i>						
	05	06	07	08	09	10	
High schools will employ a variety of strategies (including bus services, awards, food, etc) to improve participation in the SAT.		X	X	X	X	X	Until the test is administered in the spring of 2007, we will not know what type of an impact these changes will have on either participation or performance.

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Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- 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
- 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.

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

Measurement:

- A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

FFY	Measurable and Rigorous Target	
2005	A. Percent of districts with significant discrepancy of suspensions and expulsions greater than 10 days.	B. Percent of districts with significant discrepancy of suspensions and expulsions by ethnicity.
	New calculation methodology produces a baseline of 0.65%	New indicator, no target was established.
FFY	Actual Target Data for 2005	
2005	A. Percent of districts with significant discrepancy of suspensions and expulsions greater than 10 days.	B. Percent of districts with significant discrepancy of suspensions and expulsions by ethnicity.
	0.65%	See 2005 State Performance Plan update for discussion of baseline data.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

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Definition of Significant Discrepancy

The following decision rules were used to determine if there was a significant discrepancy in the rates of suspensions/expulsions of children with disabilities. Rules are defined as follows:

- The LEA has to have a minimum of 10 students;
- The number of students suspended or expelled has to be greater than 1;
- The percentage of special education students suspended/expelled in the LEA has to be at least 3.5 times greater than that the three year average for ALL special education students suspended and expelled (the SEA average).

If an LEA met these 3 conditions it was considered to have a significant discrepancy between its rate of suspension/expulsion for students with IEPs and the state average for suspensions/expulsions of students with IEPs.

Table 4 provides data for Measurement A. Using the discrepancy definition outlined above, 3 of 153 districts suspend or expel 3.5 times more students with IEPs than the state average.

Table 4: LEAs Exhibiting a Significant Discrepancy in the Rate of Suspension/Expulsion of Students with IEPs

	# LEAs
# with Significant Discrepancy	3
# without Significant Discrepancy	152
Total	153
% with Significant Discrepancy	1.96%

In addition to identification of districts exhibiting significant discrepancy, an absolute measure of suspension and expulsion rate is being used to ensure reduction of rates over time. In 2005-2006, 497 of 26, 246 students with IEPs were suspended for more than 10 days or expelled from school (1.9%). As the number of districts exhibiting significant discrepancy reduces to 0 (in FFY 2007), the suspension and expulsion percentage rate will begin to be used as the basis for measurement and improvement.

OSEP's October 27, 2005 response to the State's FFY 2003 APR required the State to, no later than 60 days from the date of the letter, either: (1) demonstrate that it was meeting the requirements of 34 CFR §300.146; or (2) submit a plan including strategies, proposed evidence of change, targets and timelines designed to ensure correction of the noncompliance. The letter further required the State to: (1) ensure compliance with the requirements of 34 CFR §300.146 as soon as possible and not more than one year after OSEP accepted the plan; (2) provide a progress report no later than 6 months from the date of the letter; and (3) submit a Final Report demonstrating compliance within 30 days following the one-year timeline. As part of its submission of information for indicator 4 in the APR, due February 1, 2007, the State must provide documentation of compliance with the requirements of 34 CFR §300.146. The State must include data from all LEAs and CDSs, a description of its process for examining the existing policies, procedures and practices in those districts and CDSs where significant discrepancies occurred, and a summary of the results of its review. The State must review and, if

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necessary revise, its improvement strategies to ensure they will enable the State to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

FFY	Measurable and Rigorous Target	
	<i>A. Percent of districts with significant discrepancy of suspensions and expulsions greater than 10 days.</i>	<i>B. Percent of districts with significant discrepancy of suspensions and expulsions by ethnicity.</i>
2005 (2005-2006)	New calculation methodology produces a baseline of 3 of LEAs with a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. The rate of suspension expulsion is 1.9% statewide	Develop methods for identifying significant discrepancies that minimize the probability of saying there is a significant discrepancy when there is not. Work with the Office of Information Technology (OIT) to have in place an alternative method for capturing Incidence of Prohibitive Behaviors that lead to suspension/expulsion, based on an incident-by-incident method rather than an end-of-year report.
2006 (2006-2007)	Reduce the suspension expulsion rate for students with IEPs from 1.9% to 1.75%. Reduce the number of districts with significant discrepancies to 1	Reduce the suspension expulsion rate for students with IEPs from 1.9% to 1.75%. Reduce the number of districts with significant discrepancies to 1
2007 (2007-2008)	Reduce the suspension expulsion rate for students with IEPs from 1.75% to 1.70%. Reduce the number of districts with significant discrepancies to 0	Reduce the suspension expulsion rate for students with IEPs from 1.75% to 1.70%. Reduce the number of districts with significant discrepancies to 0
2008 (2008-2009)	Reduce the suspension expulsion rate for students with IEPs from 1.70% to 1.65%. Maintain the number of districts with significant discrepancies at 0	Reduce the suspension expulsion rate for students with IEPs from 1.70% to 1.65%. Maintain the number of districts with significant discrepancies at 0
2009 (2009-2010)	Reduce the suspension expulsion rate for students with IEPs from 1.65% to 1.60%. Maintain the number of districts with significant discrepancies at 0	Reduce the suspension expulsion rate for students with IEPs from 1.65% to 1.60%. Maintain the number of districts with significant discrepancies at 0
2010 (2010-2011)	Reduce the suspension expulsion rate for students with IEPs from 1.60% to 1.55%. Maintain the number of districts with significant discrepancies at 0	Reduce the suspension expulsion rate for students with IEPs from 1.60% to 1.55%. Maintain the number of districts with significant discrepancies at 0

These targets represent a departure from Maine's initial SPP. There we assessed the discrepancy between the general education population and the special education population whereas here we considered the discrepancy across LEAs regarding suspensions and expulsions of students with IEPs. A three year average was also used for this submission, whereas initially a single year was used. The

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decision was made to use the average due to the small numbers of students. So with regard to the targets, we are no longer reducing the discrepancy between general education and special education students; instead we are trying to lower the special education suspension and expulsion rate.

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Identify the 25 LEAs with the highest dropout rate and the highest suspension/expulsion rate.	X						
Identify the 25 LEAs with the lowest dropout and suspension/expulsion rates.	X						
Notify these LEAs of their status on these indicators.	X						
Provide technical assistance to the low performing LEAs to help assess the LEA environment and policies to see what can be done to lower the rates.	X	X	X	X	X	X	
Disseminate best practice guidelines by identifying districts that have low suspension/expulsion rates, pilot projects that reduce expulsion/suspension, and inquire into the effectiveness of alternative education programs or other hands-on education that will prevent students from dropping out while still meeting <i>The Learning Results</i> .	X	X	X	X	X	X	

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;²
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Measurement:

- A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs removed from regular class greater than 60% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

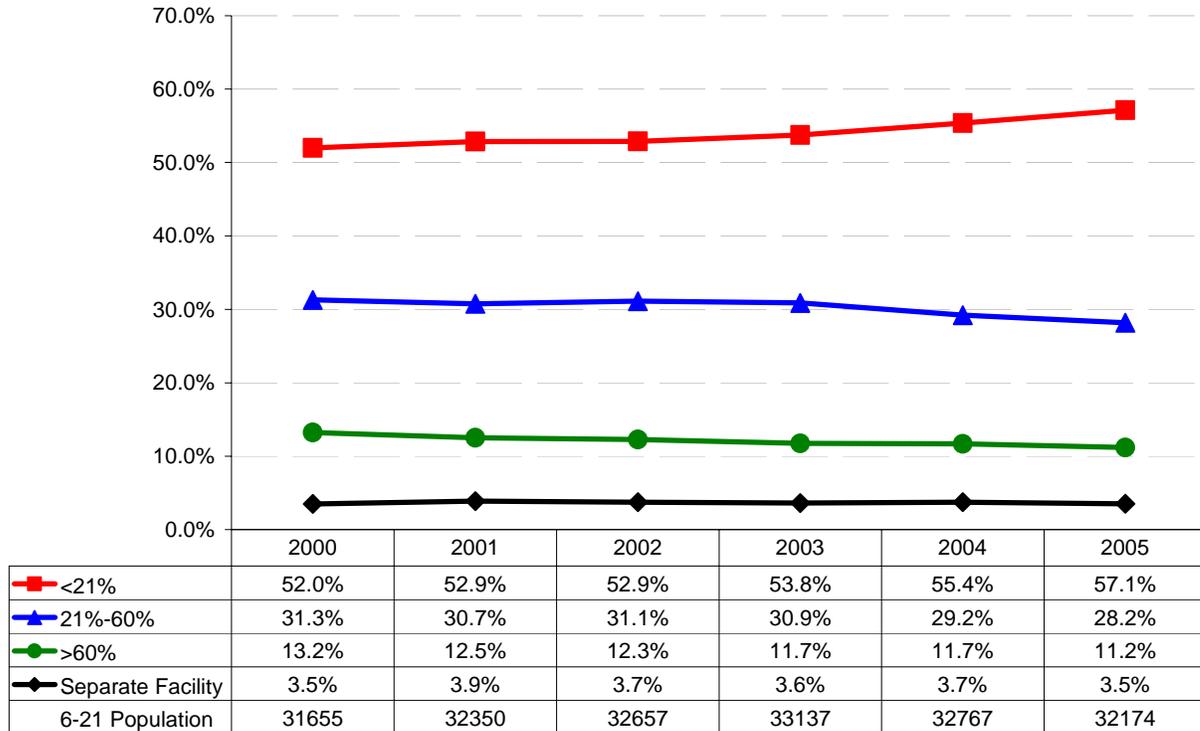
FFY	Measurable and Rigorous Target		
2005 (2005-2006)	5A. Less than 21%	5B. Greater than 60%	5C. Separate Facility
	60%	12%	4%
FFY	Actual Target Data for 2005		
2005 (2005-2006)	5A. Less than 21%	5B. Greater than 60%	5C. Separate Facility
	57.1%	11.2%	3.5%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

² At the time of the release of this package, revised forms for collection of 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State reported data collections.

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Percent Educational Placement of Students 6-21 With IFSPs or IEPs



Discussion of Data:

While Maine failed to achieve the 60% target for Indicator 5A, it did make considerable progress, showing an increase of 1.7%. Maine achieved the targets for both 5B and 5C. An increased percentage of students are being placed in inclusive classroom settings while fewer are placed in more restrictive settings. One possible reason for not achieving the target for 5A is that districts were not made aware of the target until it was too late to make any changes. Since the closing date of 12/01/2006 for the 2006-2007 school year has already passed, districts will also not be able to influence the data for the next APR either.

Identification of Outlying Districts:

Districts will be assigned a level of determination for their 2005-2006 data based on two criteria.

- a. There are at least 10 students with IEPs in the district;
- b. the district's position relative to the state average on an Analysis of Means test.³

For 5A, districts that are at or above the target will get a Level 1 determination. Districts that are below the target but above the state average and UCL will get a Level 2 determination. Districts that are below the state average but above the LCL will get a Level 3 determination. Districts that are below the LCL will get a Level 4 determination. The same logic will apply for 5b and 5c but scoring will be based on the opposite trajectory. That is, instead of looking for a greater percentage of students in the setting, the criterion will be fewer students in the setting.

³ For Indicator 5A below the lower control limit, for 5B and 5C above the upper control limit.

Part B State Annual Performance Report (APR) for 2005

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005:

No revision is necessary. Maine continues to encourage the use of inclusive strategies in the classroom and promotes the placement of special education student into classroom setting with their non-disable peers. Progress this year is indicative of the procedures, technical assistance, professional development and practical supports provided to LEAs by the Maine Department of Education.

The Measurable and Rigorous Targets stated in the Maine State Performance Plan for this indicator are aggressive, achievable and appropriate.

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Employ the latest proven technology for universal design ⁴ in the classroom	X	X					
Increase the use and understand of assistive technology in the classroom	X	X					Maine CITE and University of Maine at Farmington.
Continue staff development efforts in differentiated instruction techniques, inclusion strategies, tolerance, and other supportive approaches in the classroom	X	X					University of Maine at Farmington
Improve and increase sharing among school systems to broaden the use of best practices and build more equity among LEAs			X	X	X	X	University of Maine at Farmington
Increase the availability and usage of assistive technology assessment professionals across the State			X	X	X	X	Maine CITE and University of Maine at Farmington
Build collaborative structures, incentives and supports between the Department of Health and Human Services and the Department of Education to reduce the number of State Agency Clients, State Wards, and other students at risk who are placed in separate facilities rather than typical classroom settings.			X	X	X	X	Maine Department of Education

⁴ Universal Design is a curriculum approach that incorporates a variety of strategies for educating children of all learning styles.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 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).

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

Measurement:

Preschool children aged 3 to 5 years receiving special education services in Maine may have those services documented in an Individualized Education Program (IEP) or in an Individualized Family Services Plan (IFSP) as determined by the Early Childhood Team (ECT) or Pupil Evaluation Team (PET) defining the service needs for the child. Maine is serving children aged 3 to 5 in a seamless 0 to 5 system that assures minimum transition disruption of service for developmental issues in the formative years of life. Most of the state's children are served at age 3 in Child Development Services, while many are served in LEAs by age 5. For the purposes of this measurement, IEP and IFSP are considered to be equivalent.

The percentage of preschool children with an IFSP or IEP served in settings with their typically developing peers is determined by dividing the number of children served in typical environments by the total number of children served.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	At least 81% of Children 3-5 receiving services in settings with typically developing peers.
FFY	Actual Target Data for 2005
2005 (2005-2006)	79% of Children 3-5 receiving services in settings with typically developing peers.

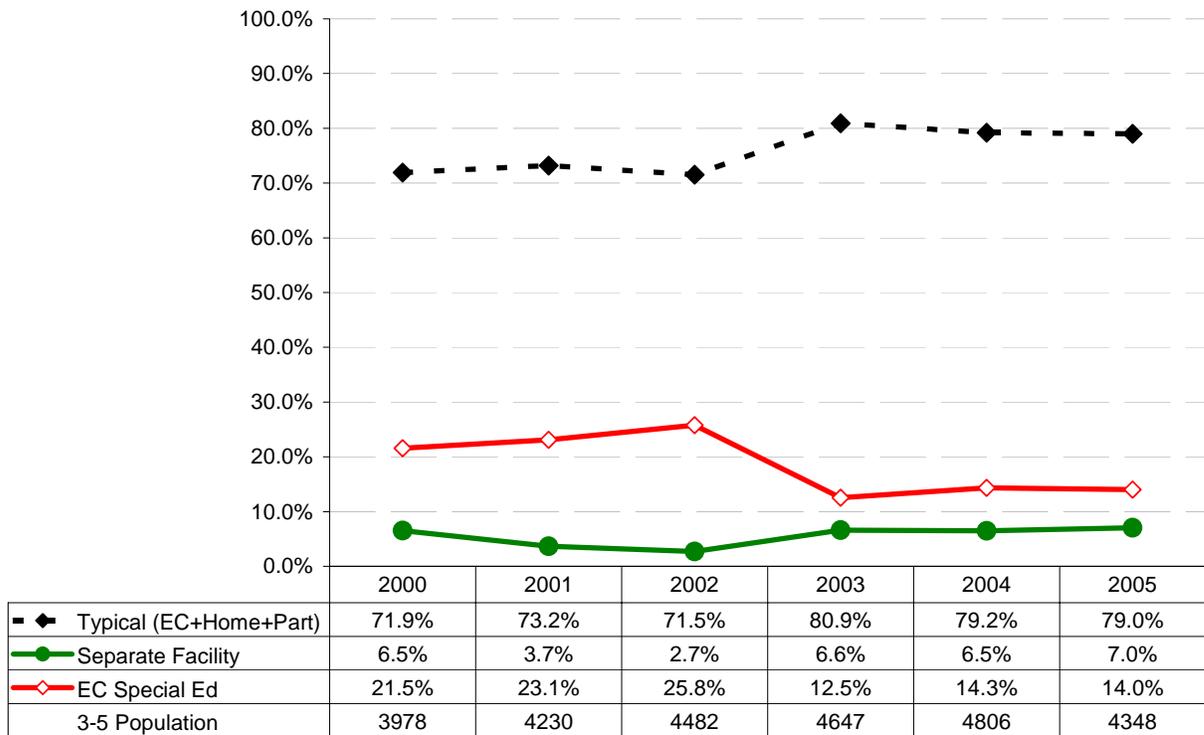
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

Natural Settings, Early Childhood Special Education and Separate Facility usage sustained FFY 2004 performance levels but did not progress at the projected rate this year. Changes to the CDS structure have disrupted every phase of operations. Structural changes in the relationship between the MDOE and CDS and the "centralization" of many of the administrative tasks created an environment of uncertainty and have led to abnormally high employee turnover. The turnover has impeded efficient case management and been a contributing factor in performance issues. These changes are

Part B State Annual Performance Report (APR) for 2005

now mostly in place so some gains can be expected from a more stable work environment. CDS central office continues to evaluate time line and service delivery levels monthly.

Percent of Students 3-5 With IFSPs in Various Settings



Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005:

Changes in the targets at this point would be premature. MDOE continues to provide professional development and technical assistance to all of the CDS sites that will prove fruitful as the rate of system change reduces.

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
As changes continue in the CDS system, the State will monitor settings data to assure that children are served in the least restrictive environment.	X	X	X	X	X	X	CDS State Office
Professional development contractors will provide training to individuals who develop IFSP/IEPs on strategies to get services needed to support children's needs.	X	X	X	X	X	X	CDS State Office
Data personnel in the reporting sites will continue to receive regular professional development to assure that the data sustains high accuracy regarding settings' data definitions.	X	X	X	X	X	X	CDS State Office
State program and data personnel will monitor and assess data collection methods, data definitions, and reporting requirements to ensure consistent and compatible criteria are applied for all children.	X	X	X	X	X	X	CDS State Office
CDS Sites will continue to recruit and retain qualified service providers throughout the state in order to assure availability of service in all communities and rural regions.	X	X	X	X	X	X	CDS State Office

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

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.

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

Measurement:

A. Positive social-emotional skills (including social relationships):

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

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

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):

- a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

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

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

C. Use of appropriate behaviors to meet their needs:

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

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

FFY	Measurable and Rigorous Target
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

[See 2005 State Performance Plan update for discussion of baseline data.](#)

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Disproportionality

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.

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

Measurement:

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

Include State’s definition of “disproportionate representation.”

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Baseline data for 2005
2005	<i>0% of districts will have disproportionate representations in special education due to inappropriate identification.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Include State’s definition of “disproportionate representation.”

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Baseline data for 2005
2005	<i>0% of districts will have disproportionate representations in specific disability categories due to inappropriate identification.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations were completed within 60 days (or State established timeline).
- c. # determined eligible whose evaluations were completed within 60 days (or State established timeline).

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

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

FFY	Measurable and Rigorous Target
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.

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

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

FFY	Measurable and Rigorous Target
2005	100% 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.
FFY	Actual Target Data for 2005
2005	97% 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.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

The data system was modified as planned to collect all the codes related to children who leave the system from the Part C program. Data recorded in Table 12.1 and in "Actual Target Data" about were extracted from the new data system.

Emphasis on transition was increased and formalized by:

- Providing additional training to CDS sites related to the transition process.
- Notifying the parent that transition will occur in the next 3 to 6 months

Part B State Annual Performance Report (APR) for 2005

- Notifying the local education agency (school district) that there will be an Early Childhood Team (ECT) meeting to address transition steps.
- Coordinating meeting date with the family and school district.
- Explaining to the family the differences between Part C and Part B 619.
- Taking steps to prepare the toddler and family for changes in service delivery.
- Providing information about community resources.
- Modifying the IFSP to document transition outcomes by age 3.
- Ensuring, for children whose first eligibility meeting is held after age 2 years 6 months that the IFSP developed includes transition information.
- Expanding the data collection system to include elements specific to transition.
- The date of the final ECT meeting to review the IFSP for inclusion of transition needs.

Table 12.1: Children Exited to Part B 619 12/2/03 - 12/1/04

Children Exited to Part B 619 12/2/04 - 12/1/05	Children	Percent
Total	1283	100%
Eligible for Part B 619	1242	97%
Not Eligible for Part B 619	3	0%
Undetermined	38	3%

Table 12.1 is based on the OSEP Part C Child Count Table 3 submitted to OSEP in October of 2005.

- The children served in Part C and referred to Part B 619 is represented by the "Total", that is 1283 children.
- The number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays is represented by "Not Eligible for Part B 619", 3 children.
- The number of those found eligible who have an IEP developed and implemented by their third birthdays is represented by "Eligible for Part B 619" 1242.

There were also in the data 38 children who turned age three but whose Part B 619 eligibility was "Undetermined". Those children have left the CDS System or their Part B 619 eligibility would be known.

As is mentioned above, current policies require that existing plans be reviewed and modified before transition so that existing services are uninterrupted by transition to Part B 619. That means that all children have implemented IFSP/IEPs at transition.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

No change in targets is required.

Maine continues to implement professional development and technical assistance activities that will improve compliance within the CDS system for transition.

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
In previous reviews of the CDS System Exit data was questioned. The CDS sites were notified of the concerns related to transition and training was provided related to Exit codes and procedures with specific emphasis on the Part C to Part B 619 transition. The data system was modified to collect all the codes related to children who leave the system from the Part C program.	X	X	X	X	X	X	CDS State Office
Emphasis on transition will continue to be increased and formalized by:	X	X	X	X	X	X	
<ul style="list-style-type: none"> Providing additional training to CDS sites related to the transition process. 	X	X	X	X	X	X	CDS State Office
<ul style="list-style-type: none"> Notifying the parent that transition will occur in the next 3 to 6 months 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Notifying the local education agency (school district) that there will be an Early Childhood Team (ECT) meeting to address transition steps. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Coordinating meeting date with the family and school district. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Explaining to the family the differences between Part C and Part B 619. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Taking steps to prepare the toddler and family for changes in service delivery. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Providing information about community resources. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Modifying the IFSP to document transition outcomes by age 3. 	X	X	X	X	X	X	CDS State Office
<ul style="list-style-type: none"> Ensuring, for children whose first eligibility meeting is held after age 2 years 6 months, that the IFSP developed includes transition information. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Expanding the data collection system to include elements specific to transition. 	X	X	X	X	X	X	CDS State Office
<ul style="list-style-type: none"> The date of the final ECT meeting to review the IFSP for inclusion of transition needs. 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Send notification to the LEA 	X	X	X	X	X	X	CDS sites

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
<ul style="list-style-type: none"> Codified results of the meeting 	X	X	X	X	X	X	CDS sites
<ul style="list-style-type: none"> Verification that the child's IFSP/IEP is in place at transition. 	X	X	X	X	X	X	CDS State Office
<ul style="list-style-type: none"> Any other modifications required to effectively monitor compliance by the CDS sites with transition requirements. 	X	X	X	X	X	X	CDS State Office
Monitor sites for compliance and verify data and data entry. Based on findings, continue to provide ongoing professional development and trainings to enhance understanding and compliance.		X	X	X	X	X	CDS State Office

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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.

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

Measurement: Percent = [(# of youth with disabilities 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) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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 postsecondary school, or both, within one year of leaving high school.

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

Measurement: 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) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

FFY	Measurable and Rigorous Target
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: **General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.**

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target		
	A. Noncompliance related to monitoring priority areas and indicators	B. Noncompliance related to areas not included in the above monitoring priority areas and indicators	C. Noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.)
2005 (2005-2006)	100%	100%	100%
FFY	Actual Target Data for 2005		
	A. Noncompliance related to monitoring priority areas and indicators	B. Noncompliance related to areas not included in the above monitoring priority areas and indicators	C. Noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.)
2005	100%	100%	100%

Part B State Annual Performance Report (APR) for 2005

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

OSEP Table A: 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. The State must include the required data and calculations in reporting its performance on this indicator in the APR, due February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

OSEP Table B: OSEP's October 27, 2005 response to the State's FFY 2003 APR required the State to submit, with the SPP, clear information regarding the State's effectiveness in identification and correction of noncompliance for preschool- and school-aged children placed by public agencies in private, special-purpose schools. With the FFY 2005 APR, due February 1, 2007, Maine must provide documentation that it is effectively identifying and correcting noncompliance related to services for school-aged and preschool-aged children with disabilities that public agencies place in private, special-purpose schools. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

OSEP Table B: In its FFY 2003 APR, the State described revisions to its policies, procedures and practices regarding timely correction of previously-identified noncompliance. The State's September 2005 Progress Report included further explanation regarding the correction of noncompliance in school-aged programs stating that, through the State's new focused monitoring, local educational agencies (LEAs) now have only one year to reach 100 percent correction of noncompliance identified through monitoring. OSEP's October 27, 2005 response to the FFY 2003 APR stated that it would determine, based on data in the SPP, whether the State needed to continue reporting on this issue in the Final Report, due April 4, 2006. OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating continued compliance with this requirement. As noted in Table A, the State must include the measurement information required under indicators 15A, 15B and 15C.

OSEP Table B: OSEP's October 27, 2005 response to the State's FFY 2003 APR required the State to submit in its SPP, updated data to address noncompliance under 34 CFR §§300.300(a) and 300.350(a)(1), regarding the provision of services to preschool-aged children as set forth in their IEPs/IFSPs, due to personnel shortages. OSEP would decide, based upon those data, whether the State needed to submit a Final Report, due April 4, 2006, that included data demonstrating full compliance. OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. The State must, as part of the data that it submits for indicator 15B, provide data specific to the correction of noncompliance regarding the provision of services to preschool-aged children, as set forth in their IEPs/IFSPs.

Part B State Annual Performance Report (APR) for 2005

OSEP Table B: OSEP's March 2005 response to the State's FFY 2002 APR required that, for the two secondary transition areas with newly-identified noncompliance -- (1) agency responsibilities (34 CFR §300.348(a)); and (2) age of majority (34 CFR §300.347(c)) -- the State submit, within 60 days of that letter, a plan to correct the noncompliance. In its FFY 2003 APR, the State provided data from which OSEP could not determine whether the State had corrected, or even decreased, the noncompliance in those two areas. OSEP's October 27, 2005 response to the State's FFY 2003 APR required the State to submit, not later than 60 days from the date of the letter, a plan with strategies, proposed evidence of change and timelines, to ensure correction of both areas of noncompliance, as soon as possible but no later than one year from the date on which OSEP accepted the plan. With its response to indicator 15 in the FFY 2005 APR, due February 1, 2007, the State must submit documentation that it has ensured the correction of the noncompliance related to the requirements regarding: (1) agency responsibilities (34 CFR §300.348(a)); and (2) age of majority (34 CFR §300.347(c). The State must ensure that it is implementing its improvement strategies to enable it to include data in the APR that demonstrates correction of these specific areas of noncompliance. The State must include the number of findings of noncompliance related to these specific requirements made in 2004-2005 and the number of findings that were corrected as soon as possible but no later than one year from identification. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

OSEP Table B: As noted in OSEP's October 27, 2005 response to the State's FFY 2003 APR, OSEP's March 2005 response to the State's FFY 2002 APR required the State to submit a Final Report, due April 4, 2006 demonstrating compliance with requirements regarding: (1) inviting a student and a representative of another agency to the IEP meeting (34 CFR §300.348(a)); and (2) transition-related content of the IEP meeting notification (34 CFR §300.347(b)). OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with these requirements. The State must, as part of the data that it submits for indicator 15B, provide data that are specific to the correction of noncompliance regarding: (1) inviting a student and a representative of another agency to the IEP meeting (34 CFR §300.348(a)); and (2) transition-related content of the IEP meeting notification (34 CFR §300.347(b)).

The Program Review Team performed on-site Focused Monitoring visit and audits at 22 LEAs during the 2005-2006 school year. The monitoring process reviewed performance and compliance requirements using a combination of interviews of staff and students and detailed reviews of student IEP documents using a well established Pupil Record Audit Form (PRAF). An outcome of the on-site visit is a detailed letter citing any non-compliance requiring documentation or other appropriate evidence that can be used to verify correction of any cited non-compliance. To ensure that corrective actions are completed within one year, the letter requires closure of non-compliance identified during the on-site audit be completed within 90 days.

The March 13, 2006 response letter included the Table A and Table B issue identified above. The table below is a detailed accounting of the elements reviewed during the on-site monitoring audits. Table 15A presents the data collected on performance indicators during the on-site audits of LEAs.

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Table 15B collects the data on compliance indicators collected during the on-site audits of LEAs. Due to the relatively large number of items reviewed during the Program Review Monitoring Audits, compilation tables are used to show the number of items reviewed, the number of LEAs with findings, the number of individual findings, and the number corrected within one year. Those data are used to calculate closer rates for each item and totals are transfer to Tables 15A and 15B to tally compliance overall. Table 15C collects data on due process complaints and hearing that resulted in a corrective action. Each of the tables identifies the number of non-compliances raised in the Program Review Focused Monitoring and Due Process activities.

Part B Indicator #15 - 2005-2006 School Year (FFY2005)

Table 15 A

Monitoring Priority: Effective General Supervision Part B		
Indicator	Measurement Calculation	Explanation
<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>A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification:</p> <p>c. # of findings of noncompliance made related to monitoring priority areas and indicators.</p> <p>d. # of corrections completed as soon as possible but in no case later than one year from identification.</p> <p>Percent = b divided by a times 100.</p>	<p>See attached Compilation Table for specifications of data included here</p> <p>a = 0</p> <p>b = 0</p> <p>$b/a * 100 = 100\%$</p>	<p>No performance violations cited in on-site monitoring during the school year.</p>

Compilation Table

Performance Indicator	Monitoring Mechanism	# Reviewed	# with Findings	a. # of Findings	b. # Corrected w/in 1 yr	% Corrected w/in 1 yr
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Self-Assessment					
	On-site Visit					
	Data Review	22	0	0		

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Performance Indicator	Monitoring Mechanism	# Reviewed	# with Findings	a. # of Findings	b. # Corrected w/in 1 yr	% Corrected w/in 1 yr
	Other: Specify					
2. Percent of youth with IEPs dropping of high school	Self-Assessment					
	On-site Visit					
	Data Review	22	0	0		
	Other: Specify					
3. Participation and performance of children with disabilities on statewide assessments	Self-Assessment					
	On-site Visit					
	Data Review	22	0	0		
	Other: Specify					
4. Rates of suspension and expulsion	Self-Assessment					
	On-site Visit					
	Data Review	22	0	0		
	Other: Specify					
5. Percent of children with IEPs aged 6 through 21 – educational placements	Self-Assessment					
	On-site Visit					
	Data Review	22	0	0		
	Other: Specify					
7. Percent of preschool children with IEPs who demonstrated improved outcomes New Indicator, Entry Data 2005-06	Self-Assessment					
	On-site Visit					
	Data Review	65	0	0		
	Other: Specify					

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Performance Indicator	Monitoring Mechanism	# Reviewed	# with Findings	a. # of Findings	b. # Corrected w/in 1 yr	% Corrected w/in 1 yr
8. Percent of parents with a child receiving special education services who report that schools facilitated parents involvement New Indicator, Baseline Data 2005-06	Self-Assessment					
	On-site Visit					
	Data Review	6793	0	0		
	Other: Specify					
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 New Indicator, Baseline Data 2005-06	Self-Assessment					
	On-site Visit					
	Data Review	497	0	0		
	Other: Specify					
TOTALS	SUM COLUMNS A AND B			0		

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Table 15B

Monitoring Priority: Effective General Supervision Part B		
Indicator	Measurement Calculation	Explanation
<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>B. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification:</p> <p>a. # of findings of noncompliance made related to such areas.</p> <p>b. # of corrections completed as soon as possible but in no case later than one year from identification.</p> <p>Percent = b divided by a times 100.</p>	<p>a = 76</p> <p>b = 76</p> <p>$b/a * 100 = 100\%$</p>	<p>Areas of noncompliance citations:</p> <p>8 LEAs found to have IEPs with timeliness violations in evaluation after parental consent requiring corrective action at the LEA.; all were resolved within 3 months.</p> <p>10 LEAs found to have IEPs with inadequate transition planning elements for student aged 16 requiring corrective action at the LEA.; all were resolved within 3 months.</p>

Compliance Indicator	Monitoring Mechanism	# Reviewed	# with Findings	a. # of Findings	b. # Corrected w/in 1 yr	% Corrected w/in 1 yr
<p>9. & 10. Percent of districts with disproportionate representation of racial and ethnic groups in special education</p> <p>New Indicator, Baseline Data 2005-06</p>	Self-Assessment					
	On-site Visit					
	Data Review	151	1	0		
	Other: Specify					
<p>11. Percent of children with parental consent to evaluate, evaluated within State established timelines</p> <p>New Indicator, Baseline Data 2005-06</p>	Self-Assessment					
	On-site Visit					
	Data Review	254	8	37	37	100%
	Other: Specify					

Part B State Annual Performance Report (APR) for 2005

Compliance Indicator	Monitoring Mechanism	# Reviewed	# with Findings	a. # of Findings	b. # Corrected w/in 1 yr	% Corrected w/in 1 yr
12. Percent of children referred by Part C prior to age 3 have an IEP developed and implemented by their third birthday. Date provided by CDS database.	Self-Assessment					
	On-site Visit					
	Data Review					
	Other: Specify					
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals New Indicator, Baseline Data 2005-06	Self-Assessment					
	On-site Visit	229	10	39	39	100%
	Data Review					
	Other: Specify					
TOTALS	SUM COLUMNS A AND B			76	76	100%

Part B State Annual Performance Report (APR) for 2005

Table 15C

Monitoring Priority: Effective General Supervision Part B																																
Indicator	Measurement Calculation	Explanation																														
<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>C. Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification:</p> <p>a. # of agencies in which noncompliance was identified through other mechanisms</p> <p>b. # of findings of noncompliance made.</p> <p>c. # of corrections completed as soon as possible but in no case later than one year from identification.</p> <p>Percent = c divided by b times 100.</p>	<p>a = 14</p> <p>b = 14</p> <p>c = 14</p> <p>$c/b * 100 = 100\%$</p>	<p>These are monitored using the Due Process Office (DPO) CAP database.</p> <table border="1"> <thead> <tr> <th>2005-2006 cases (CAP)</th> <th>Days to Close</th> </tr> </thead> <tbody> <tr><td>05.126C</td><td>229</td></tr> <tr><td>05.117C</td><td>211</td></tr> <tr><td>05.128C</td><td>188</td></tr> <tr><td>05.129C</td><td>178</td></tr> <tr><td>04.165H</td><td>170</td></tr> <tr><td>05.101C</td><td>155</td></tr> <tr><td>05.069H</td><td>150</td></tr> <tr><td>05.081H</td><td>142</td></tr> <tr><td>05.060H</td><td>129</td></tr> <tr><td>05.087C</td><td>119</td></tr> <tr><td>05.122C</td><td>86</td></tr> <tr><td>05.125C</td><td>64</td></tr> <tr><td>05.044C</td><td>62</td></tr> <tr><td>05.107C</td><td>59</td></tr> </tbody> </table>	2005-2006 cases (CAP)	Days to Close	05.126C	229	05.117C	211	05.128C	188	05.129C	178	04.165H	170	05.101C	155	05.069H	150	05.081H	142	05.060H	129	05.087C	119	05.122C	86	05.125C	64	05.044C	62	05.107C	59
2005-2006 cases (CAP)	Days to Close																															
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05.125C	64																															
05.044C	62																															
05.107C	59																															

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005:

[If applicable]

No change is necessary.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

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

Measurement:

Percent = [(Reports within timeline) + (Reports within extended timelines) divided by Complaints with reports issued] times 100.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of complaints resolved within timelines or extended timelines
FFY	Actual Target Data for FFY 2005
2005 (2005-2006)	81.3% of complaints were completed within timelines or extended timelines

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

Forty-nine (49) complaints were processed by the due process office (DPO) during the July 1, 2005 to June 30, 2006 period. Nineteen (19) complaints resulted in reports being issued. Of the nineteen (19), sixteen (16) were completed within timelines or within extended timelines. Three (3) cases were not completed within timelines.

For the 2005-2006 school year, out of 19 state complaints with reports issued, three reports (16%) were issued outside of the complaint investigation timelines, and the complaint investigation timelines had not been extended by the complaint investigator(s). Of those three complaint investigation reports, the number of days outside of the complaint investigation timelines was, at the most, 13 calendar days.

In early calendar year 2006, the Maine Department of Education (MDOE) was actively attempting to recruit new complaint investigators but had only one seasoned complaint investigator on the roster for appointments by the Commissioner of Education to complaint investigations; therefore, any requests for complaint investigations that were received by MDOE at that time would have been appointed to

Part B State Annual Performance Report (APR) for 2005

the one complaint investigator. The one complaint investigation report in this sub-group of complaint investigations was issued 13 calendar days after the 60-day complaint investigation timeline ended.

In April of 2006, the MDOE's search for new complaint investigators was fruitful, and the MDOE contracted with two new complaint investigators. In order for the MDOE to ensure that the new complaint investigators would be well prepared to conduct thorough investigations, perform comprehensive analyses of the law & regulations, and draft well- thought-out report, with each new complaint investigator with whom the MDOE contracts, the MDOE has paired that person with the seasoned complaint investigator for the first two completed complaint investigation appointments. The give-and-take of such a co-complaint investigation dynamic requires a little more time for the complaint investigation process, which in the 2005-2006 school year resulted in the issuance of two complaint investigation reports three and seven days past the 60-day timeline.

OSEP Table A: 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. The State must ensure that this noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

The MDOE continues to achieve and strive for excellence in its complaint investigation reports by: 1) evaluating on a regular basis the performance of its new complaint investigators; 2) requiring that new investigators complete two quality complaint investigation reports before they are allowed to conduct complaint investigations on their own; 3) terminating its contractual relationship with new investigators whose performance after two co-complaint investigation reports has not met MDOE standards; and 4) recruiting more complaint investigators. Now the MDOE has a roster of five complaint investigators, one of whom is seasoned and may conduct complaint investigations on her own and four of whom must co-investigate with the seasoned investigator until they have achieved two quality complaint investigation reports.

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Hired new complaint investigators.	X						Pauline Lamontagne
Implemented a complaint investigator oversight and approval process	X						DPO

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
The DPO has sent a memo to Complaint Investigators regarding more formalization of the extension of complaint investigations, guidance regarding clear criteria of granting extensions, and the inception of case conferences to discuss complaint investigation drafts. The DPO is in the process of finalizing an internal list of "extenuating circumstances" to distribute to complaint investigators as guidance for the joint (with DPO) consideration of requests for extensions.	X						DPO
DPO performs reviews of case progress and complaint investigator staffing to ensure that timelines can be met under current load conditions. Staff adjustments are made as needed.		X	X	X	X	X	Pauline Lamontagne

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

A number of system monitoring and control activities have been added to resolve timeliness issues due to lack of sufficient complaint investigators. Additional oversight and case reviews are required to ensure that closure timeliness complies with requirements and that the necessary skills are maintained within the staff of complaint investigators.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

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.

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

Measurement:

Percent = [(hearing decisions within timeline + hearing decisions within extended timeline) divided by Hearings (fully adjudicated)] times 100.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% 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.
FFY	Actual Target Data for FFY 2005
2005 (2005-2006)	100% of hearings were completed within timelines or extended timelines.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

Four (4) hearing were fully adjudicated during the school year July 1, 2005 through June 30, 2006. All were completed within extended timelines. Due to the relatively small pool of attorneys in Maine who represent schools and families, oftentimes, if there are multiple hearings scheduled during the same time period, and if these attorneys are representing the parties, the hearing officers will frequently receive numerous requests for extensions for the hearings over which they are presiding.

OSEP Table B: “OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.”

Data for the year demonstrate full compliance.

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
From January 2005 through May 23, 2005, the DPO had only one hearing officer. This was due to the fact that the DOE received a very poor response to the RFP's for hearing officers and complaint investigators. By June of 2005, the DPO had appointed two more hearing officers. On August 2, 2005, the DPO met with six hearing officers, four of whom are on the regular hearing roster and two of whom are back-up/emergency basis hearing officers (see attached agenda of meeting). The appointment of more hearing officers is a significant improvement to our hearing services.	X						
In response to the July 1, 2005 effective date of the IDEIA 2004, the Commissioner issued Informational Letters #18 and #20 regarding filing for hearings and expedited hearings.	X						
In response to IDEA and in order to promote resolution of the issues brought to a hearing, the DPO is scheduling mediations to occur on the 21 st day after the LEA's receipt of the request for hearing if both parties are willing to participate in mediation. Then, if the resolution session is waived by both parties or unsuccessful, the parties can participate in mediation.	X						
A peer reviewer has been contracted with to read and comment on drafts of hearing decisions.	X						

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

No revisions.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

FFY	Baseline Data
2005	<i>New indicator, no target was established.</i>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

See 2005 State Performance Plan update for discussion of baseline data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent = (mediation agreements for mediations related to due process + mediation agreements for mediations NOT related to due process) divided by # mediations completed times 100.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	76% of mediations held resulted in mediation agreements.
FFY	Actual Target Data for FFY 2005
2005 (2005-2006)	83.3% of mediations held resulted in mediation agreements.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

Mediations held during the school year July 1, 2005 through June 30, 2006 resulted in mediation agreements at a rate higher than had been predicted. The due process office continue to use consistent processes for monitoring dispute resolution case progress that help to support resolutions at the lowest possible level of escalation.

Mediation is a voluntary process. To implement mediation, the Due Process Office (DPO) provides well-qualified mediators and tracks the results of each mediation request whether or not the mediation is conducted. The DPO implements a mediation tracking system to document that mediations are assigned to a mediator in a timely manner and that data are maintained to address the state's performance indicators. Mediators are assigned whenever there has been a request for an impartial due process hearing, as long as the request pertains to a special education issue(s) under the authority of the IDEA 2004. If both parties agree to participate, mediations are scheduled as quickly as the parties agree upon a schedule to meet. The DPO maintains mediation documentation.

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
The DPO has changed the DOCKET designation of stand-alone mediations to "S" so as to differentiate them from mediations associated with complaint investigations, hearings and expedited hearings. This improves the data collection process.	X						
With the advent of the resolution session for hearings initiated by parents, the DPO mediation process has been put in a deferential position vis-à-vis the resolution session timeframe. If both parties agree to participate in mediation within the timelines of a hearing requested by a family, the DPO sets up the mediation to occur on or after the 21 st day from the receipt of the request for hearing. As in resolution sessions, mediations are a voluntary process and there's very little that the DPO can do, other than contact the initiating party about the benefits of participation in mediation to ensure that parties participate in mediation. Keeping this in mind, it is difficult to set a percentage goal for mediation agreements when so much of the process is out of the control of the SEA.	X	X	X	X	X	X	When a dispute resolution request is received for a complaint investigation, hearing or expedited hearing and the initiating party has indicated an unwillingness to participate in mediation, DPO staff follow up with the initiating party to discuss the benefits of mediation, the difference between mediation and a PET meeting, the expertise and objectivity of the mediator and the wide scope of issues in hopes that the person will choose to participate in mediation.
Review of the indicator by the stakeholder group highlighted the opportunity to improve mediation outcomes by establishing standards for advocates. Additional evaluation will be done of advocate relationships to mediation outcomes to determine the most effective strategies for defining standards.		X	X				

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2005:

No revision is necessary.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

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

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

FFY	Measurable and Rigorous Target
2005	100% of data were accurate and submitted on time.
FFY	Actual Target Data for 2005
2005	100% of data were accurate and submitted on time.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:

OSEP Table B: OSEP’s October 27, 2005 response to the State’s FFY 2003 APR required the State to submit, with the SPP, data and analysis (including targets, strategies, explanation of progress or slippage, proposed evidence of change and timelines) to address collection and timely reporting of accurate data for preschool- and school-aged children. OSEP looks forward to reviewing data in the APR, due February 1, 2007, regarding the accuracy and timeliness of the State’s data.

Data accuracy of all data submitted was verified with LEAs prior to submission using a data validity verification and signoff form. Dates of submission are shown in the table below.

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Data requirement	Content	Due Data	Actual Date
Table 2	Personnel	November 1, 2005	10/27/05
Table 4	Exiting	November 1, 2005	10/27/05
Table 5	Discipline	November 1, 2005	10/27/05
Table 1	Child Count	February 1, 2006	1/25/06
Table 3	Educational Environments	February 1, 2006	1/25/06
Table 6	Assessment	February 1, 2006	1/25/06
Table 7	Dispute Resolution	February 1, 2007	February 1, 2007

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005

[If applicable]

Targets were revised to state the data submissions will be timely and accurate.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of data submitted will be on time and accurate.
2006 (2006-2007)	100% of data submitted will be on time and accurate.
2007 (2007-2008)	100% of data submitted will be on time and accurate.
2008 (2008-2009)	100% of data submitted will be on time and accurate.
2009 (2009-2010)	100% of data submitted will be on time and accurate.
2010 (2010-2011)	100% of data submitted will be on time and accurate.

Part B State Annual Performance Report (APR) for 2005

Improvement Activities	Timelines						Resources
	FFY Year when activities will occur						
	05	06	07	08	09	10	
Maine will continue to track required report deadlines and ensure completion on time.	X	X	X	X	X	X	
Child count data are being provided in-part using an electronic upload to the OSEP EDEN database.	X	X	X	X	X	X	
Additional data elements and other improvement will continue as they are defined.	X	X	X	X	X	X	

TABLE 7

OFFICE OF SPECIAL EDUCATION
PROGRAMS

REPORT OF DISPUTE RESOLUTION UNDER PART B,
OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT
2006-07

OMB NO.: 1820-0677

FORM EXPIRES:
08/31/2009

STATE: Maine

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	
(1.1) Complaints with reports issued	49
(a) Reports with findings	19
(b) Reports within timeline	16
(c) Reports within extended timelines	3
(1.2) Complaints withdrawn or dismissed	13
(1.3) Complaints pending	30
(a) Complaint pending a due process hearing	0
SECTION B: Mediation requests	
(2) Mediation requests total	120
(2.1) Mediations	
(a) Mediations related to due process	5
(i) Mediation agreements	4
(b) Mediations not related to due process	31
(i) Mediation agreements	26
(2.2) Mediations not held (including pending)	84
SECTION C: Hearing requests	
(3) Hearing requests total	56
(3.1) Resolution sessions	23
(a) Settlement agreements	13
(3.2) Hearings (fully adjudicated)	4
(a) Decisions within timeline	0
(b) Decisions within extended timeline	4
(3.3) Resolved without a hearing	43
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	9
(4.1) Resolution sessions	1
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0