



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. William J. AuMiller
Superintendent
Allegany County Public Schools
P.O. Box 1724
Cumberland, MD 21502

Dear Dr. AuMiller:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Allegany County Public Schools (ACPS) has been determined to be **Meets Requirements**.

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To be in the category of Meets Requirements, the ACPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the ACPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

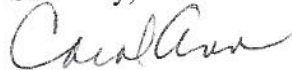
- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the ACPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the ACPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR/gh

Attachments

c: Nancy S. Grasmick
Sheree Witt
Branch/Section Chiefs

Allegany County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 74.73%. This is below the State's target of 85.50% by 10.77%.	Allegany County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 66.97% for students with disabilities. MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 5.74%. This does not meet the State's target of 3.54% by 2.20%.	Allegany County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 7.31% for students with disabilities. MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Allegany County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.79 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Allegany County Public Schools' data met the State's target for single event suspensions and did not meet the State's target for multiple suspensions summing to greater than 10 days. MSDE looks forward to Allegany County Public Schools' FFY 2008 data meeting the State's target.

**Allegany County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

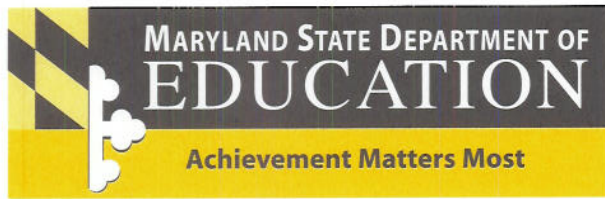
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Allegany County Public Schools' FFY 2007 data for this indicator is 83.27%. This exceeds the State's target of 60.61% for FFY 2007 by 22.66%. B. Allegany County Public Schools' FFY 2007 data for this indicator is 7.78%. This exceeds the State's target of 16.36% for FFY 2007 by 8.58%. C. Allegany County Public Schools' FFY 2007 data for this indicator is 4.20%. This exceeds the State's target of 7.17% for FFY 2007 by 2.97%.	Allegany County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality 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. [Compliance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 0%.	Allegany County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating continued compliance.

**Allegany County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 0%.	Allegany County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 95.97%. The State's target is 100%.	Allegany County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Allegany County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Allegany County Public Schools' FFY 2008 data maintaining 100% compliance.

**Allegany County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Allegany County Public Schools' FFY 2007 data for this indicator is 97.0%. The State's target is 100%.	Allegany County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Allegany County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Allegany County Public Schools had three corrective actions due in FFY 2007.	Allegany County Public Schools had three findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. The three findings were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Allegany County Public Schools did not submit required 618 data in a timely manner.	Allegany County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Allegany County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Kevin M. Maxwell
Superintendent
Anne Arundel Co. Public Schools
2644 Riva Road
Annapolis, MD 21401

Dear Dr. Maxwell:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Anne Arundel County Public Schools (AACPS) has been determined to be ***Needs Assistance, Year Three***.

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Dr. Kevin M. Maxwell
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To be in the category of Meets Requirements, the AACPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the AACPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the AACPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

The MSDE FFY 2005 and FFY 2006 determination for AACPS were also Needs Assistance. In accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for AACPS are: Indicator 11 (Initial Evaluation Timeline); Indicator 20 (Timely and Accurate Data); Indicator 1 (Graduation); Indicator 2 (Drop Out); and Indicator 5 (Least Restrictive Environment).

Dr. Kevin M. Maxwell
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As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the AACPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Mary Tillar
Branch/Section Chiefs

Anne Arundel County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 69.75%. This is below the State's target of 85.50% by 15.75%.	Anne Arundel County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 81.66% for students with disabilities. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 6.87%. This does not meet the State's target of 3.54% by 3.33%.	Anne Arundel County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 4.84% for students with disabilities. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.77 and for single event suspensions is 1.33 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Anne Arundel County Public Schools' data met the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data meeting the State's target.

**Anne Arundel County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Anne Arundel County Public Schools' FFY 2007 data for this indicator is 64.52%. This exceeds the State's target of 60.61% for FFY 2007 by 3.91%. B. Anne Arundel County Public Schools' FFY 2007 data for this indicator is 11.16%. This exceeds the State's target of 16.36% for FFY 2007 by 5.20%. C. Anne Arundel County Public Schools' FFY 2007 data for this indicator is 9.36%. This does not meet the State target of 7.17% for FFY 2007 by 2.19%.	Anne Arundel County Public Schools' data exceeded the State's targets for Indicators 5A and 5B and was significantly below the State's target for Indicator 5C. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality 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. [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 0%.	Anne Arundel County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data demonstrating continued compliance.

**Anne Arundel County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 0%.	Anne Arundel County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 91.40%. The State's target is 100%.	Anne Arundel County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Anne Arundel County Public Schools FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Anne Arundel County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data maintaining 100% compliance.

Anne Arundel County Public Schools
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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. [Compliance Indicator]	Anne Arundel County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Anne Arundel County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Anne Arundel County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Anne Arundel County Public Schools had one corrective action plan due during FFY 2007.	Anne Arundel County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Anne Arundel County Public Schools did not submit required 618 data in a timely manner.	Anne Arundel County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Anne Arundel County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Joe A. Hairston
Superintendent
Baltimore County Public Schools
6901 North Charles Street
Towson, MD 21204

Dear Dr. Hairston:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

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Dr. Joe A. Hairston
April 17, 2009
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To be in the category of Meets Requirements, the BCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) indicators (5a, 5b, or 5c). In addition, the BCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
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The "Part B Local Determination Table" provides an analysis of the BCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

The MSDE FFY 2005 and FFY 2006 determinations for BCPS were also Needs Assistance. In accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for students with disabilities in BCPS are: Indicator 4 (Suspension/Expulsion); Indicator 11 (Initial Evaluation Timeline); Indicator 20 (Timely and Accurate Data); Indicator 1 (Graduation); Indicator 2 (Drop Out); and Indicator 5 (LRE).

Dr. Joe A. Hairston
April 17, 2009
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As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the BCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Patricia Lawton
Branch/Section Chiefs

Baltimore County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 74.11%. This is below the State's target of 85.50% by 11.39%.	Baltimore County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 82.85% for students with disabilities. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 8.05%. This does not meet the State's target of 3.54% by 4.51%.	Baltimore County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 3.12% for students with disabilities. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.76 and for single event suspensions is 1.93 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Baltimore County Public Schools' data did not meet the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data meeting the State's target.

**Baltimore County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Baltimore County Public Schools' FFY 2007 data for this indicator is 62.81%. This exceeds the State's target of 60.61% for FFY 2007 by 2.20%. B. Baltimore County Public Schools' FFY 2007 data for this indicator is 16.47%. This does not meet the State's target of 16.36% for FFY 2007 by 0.11%. C. Baltimore County Public Schools' FFY 2007 data for this indicator is 8.13%. This does not meet the State's target of 7.17% for FFY 2007 by 0.96%.	Baltimore County Public Schools' data exceeded the State's target for Indicator 5A and was below the State's target for Indicators 5B, and 5C. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 0%.	Baltimore County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating continued compliance.

**Baltimore County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 0%.	Baltimore County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 92.71%. The State's target is 100%.	Baltimore County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Baltimore County Public Schools FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 99.62%. The State's target is 100%.	Baltimore County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Baltimore County Public Schools' FFY 2008 data demonstrating 100% compliance.

Baltimore County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Baltimore County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Baltimore County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Baltimore County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Baltimore County Public Schools had one corrective action due in FFY 2007.	Baltimore County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was not corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Baltimore County Public Schools did not submit required 618 data in a timely manner.	Baltimore County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Baltimore County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Andrés Alonso
Chief Executive Officer
Baltimore City Public Schools
200 East North Avenue
Baltimore, MD 21202

Dear Dr. Alonso:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Baltimore City Public Schools (City Schools) has been determined to be ***Needs Substantial Intervention***.

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To be in the category of Meets Requirements, the City Schools must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) indicators (5a, 5b, or 5c). In addition, the City Schools must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the City Schools' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for City Schools are: Indicator 4 (Suspension/Expulsion), Indicator 11 (Initial Evaluation Timeline), Indicator 20 (Timely and Accurate Data), Indicator 1 (Graduation), Indicator 2 (Drop Out), Indicator 5 (LRE), and Indicator 15 (General Supervision).

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

Dr. Andrés Alonso
April 17, 2009
Page Three

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the City Schools to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR

Attachments

c: Nancy S. Grasmick
Kim Lewis
Branch/Section Chiefs

Baltimore City Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 38.85%. This is below the State's target of 85.50% by 46.65%.	Baltimore City Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 35.79% for students with disabilities. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 13.16%. This does not meet the State's target of 3.54% by 9.62%.	Baltimore City Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 13.96% for students with disabilities. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.96 and for single event suspensions is 1.97 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Baltimore City Public Schools' data did not meet the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data meeting the State's target.

Baltimore City Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Baltimore City Public Schools' FFY 2007 data for this indicator is 43.92%. This did not meet the State's target of 60.61% for FFY 2007 by 16.69%. B. Baltimore City Public Schools' FFY 2007 data for this indicator is 27.83%. This did not meet the State's target of 16.36% for FFY 2007 by 11.47%. C. Baltimore City Public Schools' FFY 2007 data for this indicator is 10.15%. This did not meet the State's target of 7.17% for FFY 2007 by 2.98%.	Baltimore City Public Schools' data was significantly below the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 0%.	Baltimore City Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating continued compliance.

Baltimore City Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 0%.	Baltimore City Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 89.49%. The State's target is 100%.	Baltimore City Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 93.07%. The State's target is 100%.	Baltimore City Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating 100% compliance.

Baltimore City Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Baltimore City Public Schools' FFY 2007 data for this indicator is 80.0%. The State's target is 100%.	Baltimore City Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Baltimore City Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Baltimore City Public Schools had 12 corrective actions due in FFY 2007.	Baltimore City Public Schools had 12 findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Six were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Baltimore City Public Schools did not submit required 618 data in a timely manner.	Baltimore City Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Baltimore City Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Mr. Jack R. Smith
Superintendent
Calvert County Public Schools
1305 Dares Beach Road
Prince Frederick, MD 20678

Dear Mr. Smith:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Calvert County Public Schools (CCPS) has been determined to be ***Needs Assistance***.

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Mr. Jack R. Smith
April 17, 2009
Page Two

To be in the category of Meets Requirements, the CCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) Indicators (5a, 5b, or 5c). In addition, the CCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the CCPS' data and current data in correcting previously identified findings of noncompliance. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Please be advised that in accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

To assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for CCPS are: Indicator 4 (Suspension/Expulsion), Indicator 13 (Secondary Transition), Indicator 5 (LRE), Indicator 1 (Graduation), and Indicator 2 (Drop Out).

Mr. Jack R. Smith
April 17, 2009
Page Three

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Annette Lagana
Branch/Section Chiefs

Calvert County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 81.55%. This is below the State's target of 85.50% by 3.95%.	Calvert County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 87.18% for students with disabilities. MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 6.63%. This does not meet the State's target of 3.54% by 3.09%.	Calvert County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 5.64% for students with disabilities. MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Calvert County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 2.22 and for single event suspensions is 0.27 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Calvert County Public Schools' data did not meet the State's target for multiple suspensions summing to greater than 10 days and met the State's target for single event suspensions. MSDE looks forward to Calvert County Public Schools' FFY 2008 data meeting the State's target.

Calvert County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Calvert County Public Schools' FFY 2007 data for this indicator is 50.98%. This does not meet the State's target of 60.61% for FFY 2007 by 9.63%. B. Calvert County Public Schools' FFY 2007 data for this indicator is 8.46%. This exceeds the State's target of 16.36% for FFY 2007 by 7.90%. C. Calvert County Public Schools' FFY 2007 data for this indicator is 5.85%. This exceeds the State's target of 7.17% for FFY 2007 by 1.32%.	Calvert County Public Schools' data exceeded the State's targets for Indicators 5B and 5C and was significantly below the State's target for indicator 5A. MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 0%.	Calvert County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating continued compliance.

Calvert County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 0%.	Calvert County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 95.50%. The State's target is 100%.	Calvert County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 98.08%. The State's target is 100%.	Calvert County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Calvert County Public Schools' FFY 2008 data demonstrating 100% compliance.

Calvert County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Calvert County Public Schools' FFY 2007 data for this indicator is 67.0%. The State's target is 100%.	Calvert County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Calvert County Public Schools FFY 2008 data demonstrating improvement.
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. [Compliance Indicator]	Calvert County Public Schools had four corrective actions due in FFY 2007.	Calvert County Public Schools had four findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. All four were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Calvert County Public Schools submitted required 618 data in a timely manner.	Calvert County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Calvert County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

April 17, 2009

Dr. Edward W. Shirley
Superintendent
Caroline County Public Schools
204 Franklin Street
Denton, MD 21629

Dear Dr. Shirley:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Caroline County Public Schools (CCPS) has been determined to be ***Meets Requirements***.

Dr. Edward W. Shirley
April 17, 2009
Page Two

To be in the category of Meets Requirements, the CCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the CCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the CCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Rosemary D. Thomas
Branch/Section Chiefs

Caroline County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 76.67%. This is below the State's target of 85.50% by 8.83%.	Caroline County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 70.83% for students with disabilities. MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 9.04%. This does not meet the State's target of 3.54% by 5.50%.	Caroline County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 8.02% for students with disabilities. MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Caroline County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.29 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Caroline County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Caroline County Public Schools' FFY 2008 data meeting the State's target.

Caroline County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Caroline County Public Schools' FFY 2007 data for this indicator is 83.30%. This exceeds the State's target of 60.61% for FFY 2007 by 22.69%. B. Caroline County Public Schools' FFY 2007 data for this indicator is 11.19%. This exceeds the State's target of 16.36% for FFY 2007 by 5.17%. C. Caroline County Public Schools' FFY 2007 data for this indicator is 2.20%. This exceeds the State's target of 7.17% for FFY 2007 by 4.97%.	Caroline County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 0%.	Caroline County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating continued compliance.

Caroline County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 0%.	Caroline County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 98.45%. The State's target is 100%.	Caroline County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Caroline County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Caroline County Public Schools' FFY 2008 data maintaining 100% compliance.

Caroline County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Caroline County Public Schools' FFY 2007 data for this indicator is 98.0%. The State's target is 100%.	Caroline County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Caroline County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Caroline County Public Schools had one corrective action due in FFY 2007.	Caroline County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Caroline County Public Schools submitted required 618 data in a timely manner.	Caroline County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Caroline County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

April 17, 2009

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

Dr. Charles I. Ecker
Superintendent
Carroll County Public Schools
125 North Court Street
Westminster, MD 21157

Dear Dr. Ecker:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Carroll County Public Schools (CCPS) has been determined to be **Meets Requirements**.

Maryland Public Schools: #1 in the Nation

marylandpublicschools.org



Dr. Charles I. Ecker
April 17, 2009
Page Two

To be in the category of Meets Requirements, the CCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the CCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

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- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the CCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Jane Conner
Branch/Section Chiefs

Carroll County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 89.76%. This exceeds the State's target of 85.50% by 4.26%.	Carroll County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 0.43%. This exceeds the State's target of 3.54% by 3.11%.	Carroll County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Carroll County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.93 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Carroll County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data meeting the State's target.

Carroll County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

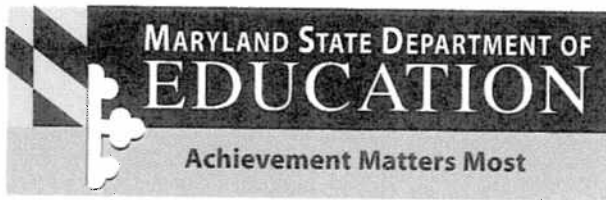
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Carroll County Public Schools' FFY 2007 data for this indicator is 71.94%. This exceeds the State's target of 60.61% for FFY 2007 by 11.33%. B. Carroll County Public Schools' FFY 2007 data for this indicator is 8.26%. This exceeds the State's target of 16.36% for FFY 2007 by 8.10%. C. Carroll County Public Schools' FFY 2007 data for this indicator is 4.84%. This exceeds the State's target of 7.17% for FFY 2007 by 2.33%.	Carroll County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 0%.	Carroll County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating continued compliance.

Carroll County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 0%.	Carroll County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 97.12%. The State's target is 100%.	Carroll County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Carroll County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Carroll County Public Schools' FFY 2008 data maintaining 100% compliance.

Carroll County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Carroll County Public Schools' FFY 2007 data for this indicator is 97.0%. The State's target is 100%.	Carroll County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Carroll County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Carroll County Public Schools had one corrective action due in FFY 2007.	Carroll County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Carroll County Public Schools submitted required 618 data in a timely manner.	Carroll County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Carroll County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Mr. Henry Shaffer
Interim Superintendent
Cecil County Public Schools
201 Booth Street
Elkton, MD 21921

Dear Dr. Shaffer:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Cecil County Public Schools (CCPS) has been determined to be ***Meets Requirements***.

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Mr. Henry Shaffer
April 17, 2009
Page Two

To be in the category of Meets Requirements, the CCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the CCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

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The "Part B Local Determination Table" provides an analysis of the CCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Mark Zawislak
Branch/Section Chiefs

Cecil County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 68.42%. This is below the State's target of 85.50% by 17.08%.	Cecil County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 57.38% for students with disabilities. MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 6.57%. This does not meet the State's target of 3.54% by 3.03%.	Cecil County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 7.07% for students with disabilities. MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Cecil County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.30 and for single event suspensions is 1.04 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Cecil County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Cecil County Public Schools' FFY 2008 data meeting the State's target.

Cecil County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

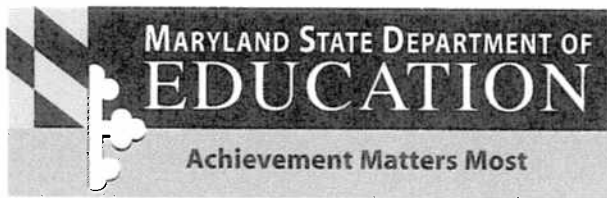
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Cecil County Public Schools' FFY 2007 data for this indicator is 89.18%. This exceeds the State's target of 60.61% for FFY 2007 by 28.57%. B. Cecil County Public Schools' FFY 2007 data for this indicator is 3.16%. This exceeds the State's target of 16.36% for FFY 2007 by 13.20%. C. Cecil County Public Schools' FFY 2007 data for this indicator is 4.66%. This exceeds the State's target of 7.17% for FFY 2007 by 2.51%.	Cecil County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 0%.	Cecil County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating continued compliance.

Cecil County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 0%.	Cecil County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 97.66%. The State's target is 100%.	Cecil County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Cecil County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Cecil County Public Schools' FFY 2008 data maintaining 100% compliance.

Cecil County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Cecil County Public Schools' FFY 2007 data for this indicator is 97.0%. The State's target is 100%.	Cecil County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Cecil County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Cecil County Public Schools had two corrective actions due in FFY 2007.	Cecil County Public Schools had two findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Both findings were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Cecil County Public Schools submitted required 618 data in a timely manner.	Cecil County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Cecil County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Mr. James E. Richmond
Superintendent
Charles County Public Schools
P.O. Box 2770
LaPlata, MD 20646

Dear Mr. Richmond:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Charles County Public Schools (CCPS) has been determined to be ***Meets Requirements***.

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Mr. James E. Richmond
April 17, 2009
Page Two

To be in the category of Meets Requirements, the CCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the CCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the CCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR

Attachments

c: Nancy S. Grasmick
Arden Sotomayor
Branch/Section Chiefs

Charles County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 72.52%. This is below the State's target of 85.50% by 12.98%.	Charles County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 69.83% for students with disabilities. MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 4.49%. This does not meet the State's target of 3.54% by 0.95%.	Charles County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 4.71% for students with disabilities. MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Charles County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.44 and for single event suspensions is 0.85 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in single events of suspension, Charles County Public Schools' data was not included in the analysis of this compliance indicator. Charles County Public Schools met the State's target for multiple suspensions summing to greater than 10 days. MSDE looks forward to Charles County Public Schools' FFY 2008 data meeting the State's target.

Charles County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

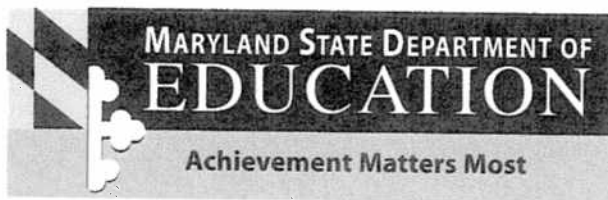
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Charles County Public Schools' FFY 2007 data for this indicator is 63.72%. This exceeds the State's target of 60.61% for FFY 2007 by 3.11%. B. Charles County Public Schools' FFY 2007 data for this indicator is 14.97%. This exceeds the State's target of 16.36% for FFY 2007 by 1.39%. C. Charles County Public Schools' FFY 2007 data for this indicator is 3.73%. This exceeds the State's target of 7.17% for FFY 2007 by 3.44%.	Charles County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 0%.	Charles County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating continued compliance.

Charles County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 0%.	Charles County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 93.85%. The State's target is 100%.	Charles County Public Schools' data did not meet the State's target of 100% for this compliance indicator MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Charles County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Charles County Public Schools' FFY 2008 data maintaining 100% compliance.

Charles County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Charles County Public Schools' FFY 2007 data for this indicator is 95%. The State's target is 100%.	Charles County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Charles County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Charles County Public Schools had three corrective actions due in FFY 2007.	Charles County Public Schools had three findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. All three were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Charles County Public Schools submitted required 618 data in a timely manner.	Charles County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Charles County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Frederic Hildenbrand
Superintendent
Dorchester County Public Schools
P. O. Box 619
Cambridge, MD 21613

Dear Dr. Hildenbrand:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Dorchester County Public Schools (DCPS) has been determined to be ***Meets Requirements***.

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Dr. Frederic Hildenbrand
April 17, 2009
Page Two

To be in the category of Meets Requirements, the DCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the DCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the DCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the DCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Angela McPeake Gebert
Branch/Section Chiefs

Dorchester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 55.56%. This is below the State's target of 85.50% by 29.94%.	Dorchester County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 53.13% for students with disabilities. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 0.00%. This exceeds the State's target of 3.54% by 3.54%.	Dorchester County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data maintaining 0.00% for this performance indicator.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.00 and for single event suspensions is 0.54 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspensions, Dorchester County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data meeting the State's target.

**Dorchester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

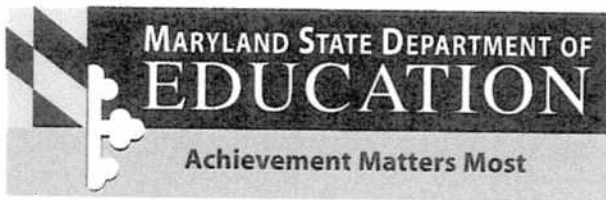
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Dorchester County Public Schools' FFY 2007 data for this indicator is 74.70%. This exceeds the State's target of 60.61% for FFY 2007 by 14.09%. B. Dorchester County Public Schools' FFY 2007 data for this indicator is 8.27%. This exceeds the State's target of 16.36% for FFY 2007 by 8.09%. C. Dorchester County Public Schools' FFY 2007 data for this indicator is 1.42%. This exceeds the State's target of 7.17% for FFY 2007 by 5.75%.	Dorchester County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality 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. [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 0%.	Dorchester County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data demonstrating continued compliance.

Dorchester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 0%.	Dorchester County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 96.94%. The State's target is 100%.	Dorchester County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Dorchester County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Dorchester County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data maintaining 100% compliance.

Dorchester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Dorchester County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Dorchester County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Dorchester County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Dorchester County Public Schools had no corrective actions due in FFY 2007.	Dorchester County Public Schools had no findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Dorchester County Public Schools did not submit required 618 data in a timely manner.	Dorchester County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Dorchester County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

April 17, 2009

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

Dr. Linda D Burgee
Superintendent
Frederick County Public Schools
115 East Church Street
Frederick, MD 21701

Dear Dr. Burgee:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Frederick County Public Schools (FCPS) has been determined to be **Meets Requirements**.

Maryland Public Schools: #1 in the Nation

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Dr. Linda D. Burgee
April 17, 2009
Page Two

To be in the category of Meets Requirements, the FCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the FCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

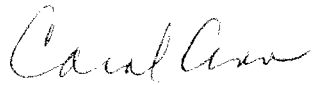
- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the FCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the FCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR

Attachments

c: Nancy S. Grasmick
Pamela Pencola
Branch/Section Chiefs

Frederick County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 92.47%. This exceeds the State's target of 85.50% by 6.97%.	Frederick County Public Schools' data exceeds the State target for this indicator. MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 0.41%. This exceeds the State's target of 3.54% by 3.13%.	Frederick County Public Schools' data exceeds the State target for this indicator. MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Frederick County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.22 and for single event suspensions is 0.36 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Frederick County Public Schools' data met the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Frederick County Public Schools' FFY 2008 data meeting the State's target.

Frederick County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

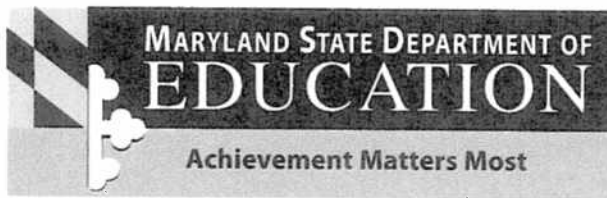
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Frederick County Public Schools' FFY 2007 data for this indicator is 79.89%. This exceeds the State's target of 60.61% for FFY 2007 by 19.28%. B. Frederick County Public Schools' FFY 2007 data for this indicator is 5.15%. This exceeds the State's target of 16.36% for FFY 2007 by 11.21%. C. Frederick County Public Schools' FFY 2007 data for this indicator is 4.21%. This exceeds the State's target of 7.17% for FFY 2007 by 2.96%.	Frederick County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 0%.	Frederick County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating continued compliance.

Frederick County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 0%.	Frederick County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 95.83%. The State's target is 100%.	Frederick County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 98.21%. The State's target is 100%.	Frederick County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Frederick County Public Schools' FFY 2008 data demonstrating 100% compliance.

Frederick County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Frederick County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Frederick County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Frederick County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Frederick County Public Schools had three corrective actions due in FFY 2007.	Frederick County Public Schools had three findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. The three were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Frederick County Public Schools submitted required 618 data in a timely manner.	Frederick County Public Schools' data met the State's target for the timely submission of required 618 data and other data requirements for FFY 2007. MSDE expects Frederick County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Wendell D. Teets
Superintendent
Garrett County Public Schools
40 South Second Street
Oakland, MD 21550

Dear Dr. Teets:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Garrett County Public Schools (GCPS) has been determined to be ***Meets Requirements***.

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Dr. Wendell D. Teets
April 17, 2009
Page Two

To be in the category of Meets Requirements, the GCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the GCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the GCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the GCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Jennifer Kotulak
Branch/Section Chiefs

Garrett County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 70.00%. This is below the State's target of 85.50% by 15.50%.	Garrett County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 78.33% for students with disabilities. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 5.00%. This does not meet the State's target of 3.54% by 1.46%.	Garrett County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 5.38% for students with disabilities. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Garrett County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.00 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Garrett County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data meeting the State's target.

Garrett County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

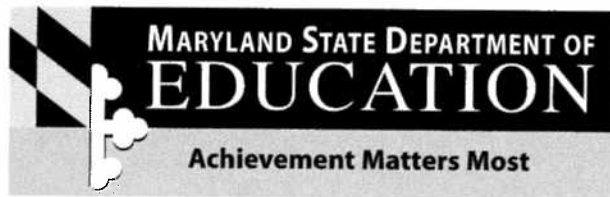
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Garrett County Public Schools' FFY 2007 data for this indicator is 78.45%. This exceeds the State's target of 60.61% for FFY 2007 by 17.84%. B. Garrett County Public Schools' FFY 2007 data for this indicator is 10.17%. This exceeds the State's target of 16.36% for FFY 2007 by 6.19%. C. Garrett County Public Schools' FFY 2007 data for this indicator is 1.90%. This exceeds the State's target of 7.17% for FFY 2007 by 5.27%.	Garrett County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 0%.	Garrett County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating continued compliance.

Garrett County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 0%.	Garrett County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 93.91%. The State's target is 100%.	Garrett County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Garrett County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data maintaining 100% compliance.

Garrett County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Garrett County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Garrett County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Garrett County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Garrett County Public Schools had two corrective actions due in FFY 2007.	Garrett County Public Schools had two findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Both were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Garrett County Public Schools submitted required 618 data in a timely manner.	Garrett County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Garrett County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Ms. Patricia L. Skebeck
Interim Superintendent
Harford County Public Schools
102 South Hickory Avenue
Bel Air, MD 21014-3731

Dear Ms. Skebeck:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Harford County Public Schools (HCPS) has been determined to be ***Needs Intervention, Year Two***.

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Ms. Patricia L. Skebeck
April 17, 2009
Page Two

To be in the category of Meets Requirements, the HCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the HCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the HCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for HCPS are: Indicator 4 (Suspension/Expulsion), Indicator 11 (Initial Evaluation Timeline), Indicator 12 (Part C to Part B Transition), Indicator 1 (Graduation), Indicator 2 (Drop Out), and Indicator 15 (General Supervision).

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

Ms. Patricia L. Skebeck
April 17, 2009
Page Three

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the HCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol Ann Heath".

Carol Ann Heath, Ed. D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Ann-Marie Spakowski
Branch/Section Chiefs

Harford County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 68.44%. This is below the State's target of 85.50% by 17.06%.	Harford County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 50.00% for students with disabilities. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 5.16%. This does not meet the State's target of 3.54% by 1.62%.	Harford County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 7.22% for students with disabilities. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Harford County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 3.88 and for single event suspensions is 2.86 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Harford County Public Schools' data did not meet the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Harford County Public Schools' FFY 2008 data meeting the State's target.

Harford County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Harford County Public Schools' FFY 2007 data for this indicator is 78.48%. This exceeds the State's target of 60.61% for FFY 2007 by 17.87%. B. Harford County Public Schools' FFY 2007 data for this indicator is 8.62%. This exceeds the State's target of 16.36% for FFY 2007 by 7.74%. C. Harford County Public Schools' FFY 2007 data for this indicator is 5.61%. This exceeds the State's target of 7.17% for FFY 2007 by 1.56%.	Harford County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 0%.	Harford County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating continued compliance.

Harford County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 0%.	Harford County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 84.60%. The State's target is 100%.	Harford County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 88.43%. The State's target is 100%.	Harford County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating 100% compliance.

Harford County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Harford County Public Schools' FFY 2007 data for this indicator is 98.0%. The State's target is 100%.	Harford County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Harford County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Harford County Public Schools had four corrective actions due in FFY 2007.	Harford County Public Schools had four findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Three were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Harford County Public Schools submitted required 618 data in a timely manner.	Harford County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Harford County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

April 17, 2009

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

Dr. Sydney L. Cousin
Superintendent
Howard County Public School System
10910 Route 108
Ellicott City, MD 21042

Dear Dr. Cousin:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Howard County Public School System (HCPSS) has been determined to be ***Meets Requirements***.

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Dr. Sydney L. Cousin
April 17, 2009
Page Two

To be in the category of Meets Requirements, the HCPSS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the HCPSS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the HCPSS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the HCPSS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
James Walsh
Branch/Section Chiefs

Howard County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 90.53%. This exceeds the State's target of 85.50% by 5.03%.	Howard County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 2.24%. This exceeds the State's target of 3.54% by 1.30%.	Howard County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Howard County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.29 and for single event suspensions is 2.01 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size for multiple suspensions summing to greater than 10 days and single event suspension, Howard County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data meeting the State's target.

**Howard County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

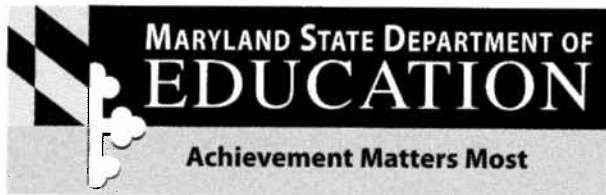
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Howard County Public Schools' FFY 2007 data for this indicator is 76.84%. This exceeds the State's target of 60.61% for FFY 2007 by 16.23%. B. Howard County Public Schools' FFY 2007 data for this indicator is 5.44%. This exceeds the State's target of 16.36% for FFY 2007 by 10.92%. C. Howard County Public Schools' FFY 2007 data for this indicator is 4.75%. This exceeds the State's target of 7.17% for FFY 2007 by 2.42%.	Howard County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 0%.	Howard County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating continued compliance.

Howard County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 0%.	Howard County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 98.00%. The State's target is 100%.	Howard County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Howard County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Howard County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data maintaining 100% compliance.

Howard County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Howard County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Howard County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Howard County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Howard County Public Schools had three corrective actions due in FFY 2007.	Howard County Public Schools had three findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. All three were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Howard County Public Schools did not submit required 618 data in a timely and accurate manner.	Howard County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Howard County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. A. Barbara Wheeler
Superintendent
Kent County Public Schools
215 Washington Avenue
Chestertown, MD 21620

Dear Dr. Wheeler:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Kent County Public Schools (KCPS) has been determined to be ***Needs Assistance***.

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Dr. A. Barbara Wheeler
April 17, 2009
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To be in the category of Meets Requirements, the KCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) Indicators (5a, 5b, or 5c). In addition, the KCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the KCPS' data and current data in correcting previously identified findings of noncompliance. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Please be advised that in accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

To assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for KCPS are: Indicator 11 (Initial Evaluation Timeline), Indicator 20 (Timely and Accurate Data), Indicator 2 (Drop Out), and Indicator 15 (General Supervision).

Dr. A. Barbara Wheeler
April 17, 2009
Page Three

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the KCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Laura Cochran
Branch/Section Chiefs

Kent County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 86.36%. This exceeds the State's target of 85.50% by 0.86%.	Kent County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 7.87%. This does not meet the State's target of 3.54% by 4.33%.	Kent County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 3.33% for students with disabilities. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Kent County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.58 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Kent County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data meeting the State's target.

Kent County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Kent County Public Schools' FFY 2007 data for this indicator is 74.46%. This exceeds the State's target of 60.61% for FFY 2007 by 13.85%. B. Kent County Public Schools' FFY 2007 data for this indicator is 7.08%. This exceeds the State's target of 16.36% for FFY 2007 by 9.28%. C. Kent County Public Schools' FFY 2007 data for this indicator is 1.23%. This exceeds the State's target of 7.17% for FFY 2007 by 5.94%.	Kent County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 0%.	Kent County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating continued compliance.

Kent County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 0%.	Kent County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 73.21%. The State's target is 100%.	Kent County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Kent County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Kent County Public Schools' FFY 2008 data maintaining 100% compliance.

Kent County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Kent County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Kent County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Kent County Public School's FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Kent County Public Schools had three corrective actions due in FFY 2007.	Kent County Public Schools had three findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Two were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Kent County Public Schools did not submit required 618 data in a timely manner.	Kent County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Kent County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Jerry Dean Weast
Superintendent
Montgomery County Public Schools
850 Hungerford Drive
Rockville, MD 20850

Dear Dr. Weast:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Montgomery County Public Schools (MCPS) has been determined to be ***Needs Intervention, Year Two***.

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Dr. Jerry Dean Weast
April 17, 2009
Page Two

To be in the category of Meets Requirements, the MCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the MCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the MCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

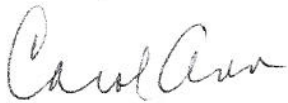
Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for Montgomery County Public Schools are: Indicator 4 (Suspension/Expulsion), 11 (Initial Evaluation Timeline), Indicator 12 (Part C to Part B Transition), Indicator 20 (Timely and Accurate Data), Indicator 1 (Graduation), Indicator 5 (LRE), and Indicator 15 (General Supervision).

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

Dr. Jerry Dean Weast
April 17, 2009
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If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the MCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Gwendolyn J. Mason
Judith Pattik
Branch/Section Chiefs

Montgomery County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 84.43%. This is below the State's target of 85.50% by 1.07%.	Montgomery County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 88.32% for students with disabilities. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 3.17%. This exceeds the State's target of 3.54% by 0.37%.	Montgomery County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 2.66 and for single event suspensions is 2.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Montgomery County Public Schools' data did not meet the State's target for multiple suspensions summing to greater than 10 days and single event suspensions. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data meeting the State's target.

Montgomery County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

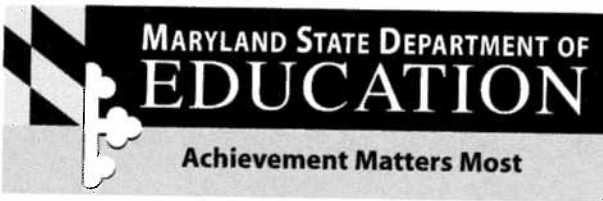
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Montgomery County Public Schools' FFY 2007 data for this indicator is 61.05%. This exceeds the State's target of 60.61% for FFY 2007 by 0.44%. B. Montgomery County Public Schools' FFY 2007 data for this indicator is 17.04%. This does not meet the State's target of 16.36% for FFY 2007 by 0.68%. C. Montgomery County Public Schools' FFY 2007 data for this indicator is 6.02%. This exceeds the State's target of 7.17% for FFY 2007 by 1.15%.	Montgomery County Public Schools' data exceeded the State's targets for Indicators 5A and 5C and was below the State's target for indicator 5B. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 0%.	Montgomery County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating continued compliance.

**Montgomery County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 0%.	Montgomery County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 75.35%. The State's target is 100%.	Montgomery County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 87.50%. The State's target is 100%.	Montgomery County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data demonstrating 100% compliance.

Montgomery County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Montgomery County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Montgomery County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Montgomery County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Montgomery County Public Schools had two corrective actions due in FFY 2007.	Montgomery County Public Schools had two findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. The two were not corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Montgomery County Public Schools did not submit required 618 data in a timely manner.	Montgomery County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Montgomery County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. William R. Hite
Interim Superintendent
Prince George's County Public Schools
14201 School Lane
Upper Marlboro, MD 20772

Dear Dr. Hite:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Prince George's County Public Schools (PGCPS) has been determined to be ***Needs Assistance***.

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Dr. William R. Hite
April 17, 2009
Page Two

To be in the category of Meets Requirements, the PGCPs must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) Indicators (5a, 5b, or 5c). In addition, the PGCPs must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the PGCPs' data and current data in correcting previously identified findings of noncompliance. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

Please be advised that in accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

To assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for PGCPs are: Indicator 4 (Suspension/Expulsion), Indicator 11 (Initial Evaluation Timeline), Indicator 1 (Graduation), Indicator 5 (LRE), and Indicator 15 (General Supervision).

Dr. William R. Hite
April 17, 2009
Page Three

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the PGCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Pamela Downing-Hosten
Branch/Section Chiefs

Prince George's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 83.83%. This is below the State's target of 85.50% by 1.67%.	Prince George's County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 91.84% for students with disabilities. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 3.36%. This exceeds the State's target of 3.54% by 0.18%.	Prince George's County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.60 and for single event suspensions is 1.48 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Prince George's County Public Schools' data met the State's target for single event suspensions and did not meet the State's target for multiple suspensions summing to greater than 10 days. MSDE looks forward to Prince George's County Public Schools' FFY 2008 meeting the State's target.

Prince George's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

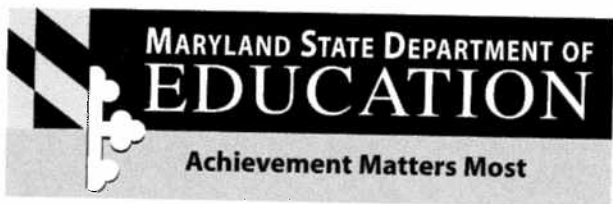
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Prince George's County Public Schools' FFY 2007 data for this indicator is 47.68%. This does not meet the State's target of 60.61% for FFY 2007 by 12.93%. B. Prince George's County Public Schools' FFY 2007 data for this indicator is 26.63%. This does not meet the State's target of 16.36% for FFY 2007 by 10.27%. C. Prince George's County Public Schools' FFY 2007 data for this indicator is 11.31%. This does not meet the State's target of 7.17% for FFY 2007 by 4.14%.	Prince George's County Public Schools' data was significantly below the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 0%.	Prince George's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating continued compliance.

Prince George's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 0%.	Prince George's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 78.76%. The State's target is 100%.	Prince George's County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 96.17%. The State's target is 100%.	Prince George's County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Prince George's County Public Schools' FFY 2008 data demonstrating 100% compliance.

Prince George's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Prince George's County Public Schools' FFY 2007 data for this indicator is 99.0%. The State's target is 100%.	Prince George's County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Prince George's Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Prince George's County Public Schools had one corrective action due in FFY 2007.	Prince George's County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was not corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Prince George's County Public Schools submitted required 618 data in a timely manner.	Prince George's County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Prince George's County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Carol A. Williamson
Superintendent
Queen Anne's County Public Schools
202 Chesterfield Avenue
Centreville, MD 21617

Dear Dr. Williamson:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Queen Anne's County Public Schools (QACPS) has been determined to be ***Needs Assistance, Year Three***.

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Dr. Carol A. Williamson
April 17, 2009
Page Two

To be in the category of Meets Requirements, the QACPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the QACPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the QACPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

The MSDE FFY 2005 and FFY 2006 determination for QACPS were also Needs Assistance. In accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rrfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

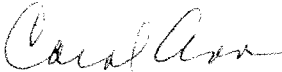
Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for QACPS are: Indicator 11 (Initial Evaluation Timeline), Indicator 13 (Secondary Transition), Indicator 20 (Timely and Accurate Data), Indicator 1 (Graduation), and Indicator 2 (Drop Out).

Dr. Carol A. Williamson
April 17, 2009
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As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the QACPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Diane McGowan
Branch/Section Chiefs

Queen Anne's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 71.05%. This is below the State's target of 85.50% by 14.45%.	Queen Anne's County Public Schools' data was below the State's target. The FFY 2007 data shows an increase from the previous year's graduation rate of 63.64% for students with disabilities. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 4.09%. This does not meet the State's target of 3.54% by 0.55%.	Queen Anne's County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 6.32% for students with disabilities. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.81 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Queen Anne's County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data meeting the State's target.

Queen Anne's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

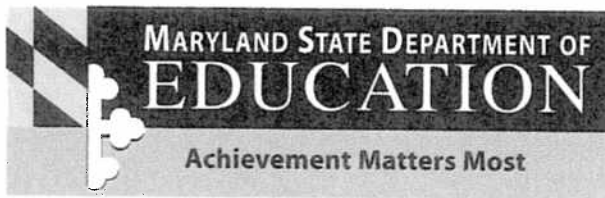
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Queen Anne's County Public Schools' FFY 2007 data for this indicator is 91.18%. This exceeds the State's target of 60.61% for FFY 2007 by 30.57%. B. Queen Anne's County Public Schools' FFY 2007 data for this indicator is 2.94%. This exceeds the State's target of 16.36% for FFY 2007 by 13.42%. C. Queen Anne's County Public Schools' FFY 2007 data for this indicator is 2.12%. This exceeds the State's target of 7.17% for FFY 2007 by 5.05%.	Queen Anne's County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 0%.	Queen Anne's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating continued compliance.

Queen Anne's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 0%.	Queen Anne's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 92.57%. The State's target is 100%.	Queen Anne's County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating 100% compliance
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. [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Queen Anne's County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data maintaining 100% compliance.

Queen Anne's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Queen Anne's County Public Schools' FFY 2007 data for this indicator is 87%. The State's target is 100%.	Queen Anne's County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to Queen Anne's County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Queen Anne's County Public Schools had one corrective action due in FFY 2007.	Queen Anne's County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Queen Anne's County Public Schools did not submit required 618 data in a timely manner.	Queen Anne's County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Queen Anne's County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

April 17, 2009

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

Dr. Michael J. Martirano
Superintendent
St. Mary's County Public Schools
P. O. Box 641
Leonardtown, MD 20650

Dear Dr. Martirano:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the St. Mary's County Public Schools (SMCPS) has been determined to be ***Meets Requirements***.

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Dr. Michael J. Martirano
April 17, 2009
Page Two

To be in the category of Meets Requirements, the SMCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the SMCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

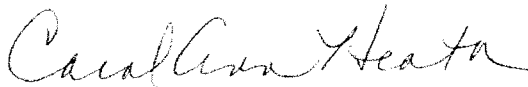
- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the SMCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the SMCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Melissa Charbonnet
Branch/Section Chiefs

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 77.11%. This is below the State's target of 85.50% by 8.39%.	St. Mary's County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 90.91% for students with disabilities. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 5.69%. This does not meet the State's target of 3.54% by 2.15%.	St. Mary's County Public Schools' data did not meet the State's target. The FFY 2007 data shows an increase from the previous year's dropout rate of 2.62% for students with disabilities. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.19 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, St. Mary's County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data meeting the State's target.

**St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. St. Mary's County Public Schools' FFY 2007 data for this indicator is 77.17%. This exceeds the State's target of 60.61% for FFY 2007 by 16.56%. B. St. Mary's County Public Schools' FFY 2007 data for this indicator is 8.52%. This exceeds the State's target of 16.36% for FFY 2007 by 7.84%. C. St. Mary's County Public Schools' FFY 2007 data for this indicator is 1.91%. This exceeds the State's target of 7.17% for FFY 2007 by 5.26%.	St. Mary's County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 0%.	St. Mary's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating continued compliance.

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 0%.	St. Mary's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 85.88%. The State's target is 100%.	St. Mary's County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 90.91%. The State's target is 100%.	St. Mary's County Public Schools' data did not meet the State's target of 100% for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data demonstrating 100% compliance.

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	St. Mary's County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	St. Mary's County Public Schools had two corrective actions due in FFY 2007.	St. Mary's County Public Schools had two findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Both findings were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	St. Mary's County Public Schools submitted required 618 data in a timely manner.	St. Mary's County Public Schools' data met the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects St. Mary's County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

July 31, 2008

Dr. Michael J. Martirano
Superintendent
St. Mary's County Public Schools
P.O. Box 641
Leonardtown, Maryland 20650

Dear Dr. Martirano:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. On June 6, 2008, OSEP issued its determination letters to each state's lead agency for Part B on the implementation of IDEA for Federal Fiscal Year (FFY) 2006, the 2006-2007 academic year. OSEP notified the Maryland State Department of Education (MSDE) that Maryland's Part B was at the level of Needs Assistance.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i), states are required to assign these same levels of determination annually under §1416(d) to each local school system based on performance. In accordance with §1416(e) of IDEA 2004, states must use one of the following four categories to assign a determination to each local school system: Meets Requirements, Needs Assistance, Needs Intervention, and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets as defined by the SPP for Part B. Attached is a document entitled "Part B Indicators Considered in Making Determinations" that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on available data, as well as information obtained through monitoring and complaint investigations, the St. Mary's County Public Schools has been determined to be *Needs Assistance*.

Specific factors affecting MSDE's determination that St. Mary's County Public Schools *Needs Assistance* include not demonstrating substantial compliance in two of seven compliance indicators (11 and 12). Attached to this letter are copies of the following documents:

- Part B Local Determination Overview;
- Part B Local Determination Scoring Criteria;
- Part B Local Determination Table;
- Part B Local Determination Framework for Assistance and Intervention; and
- Division Technical Assistance Providers for Each Indicator.

The "Part B Local Determination Table" provides an analysis of the St. Mary's County Public Schools' data. The "Part B Local Determination Framework for Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

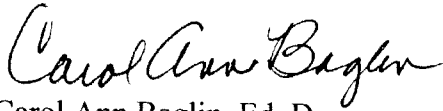
Please be advised that in accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the information about Maryland's performance at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA. If you have any feedback on our past technical assistance efforts or the need for guidance, we would be happy to hear from you as we work to develop further mechanisms to support local improvement activities.

Dr. Michael J. Martirano
July 31, 2008
Page Three

The MSDE is committed to supporting the efforts of the St. Mary's County Public Schools to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

A handwritten signature in cursive script that reads "Carol Ann Baglin".

Carol Ann Baglin, Ed. D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAB/KAL:gh

Attachments

c: Nancy S. Grasmick
Melissa Charbonnet
Branch/Section Chiefs
Donna Riley

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 90.91%. This exceeds the State's target of 83.24% by 7.67%.	St. Mary's County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued improvement.
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. [Performance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 2.62%. This exceeded the State's target of 3.81% by 1.19%.	St. Mary's County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 ratio for multiple suspensions summing to greater than 10 days is .04 and for extended suspensions is 0.00 when compared to nondisabled peers. The State's target for both summing to and extended suspensions is 0.00 - 1.49.	St. Mary's County Public Schools' data met the State's target for multiple suspensions summing to greater than 10 days and extended suspensions. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued compliance.

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

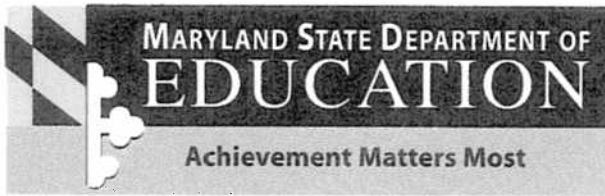
Monitoring Priorities and Indicators	Status	MSDE Analysis/
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. St. Mary's County Public Schools' FFY 2006 data for this indicator is 76.38%. This exceeds the State's target of 60.11% by 16.27%. B. St. Mary's County Public Schools' FFY 2006 data for this indicator is 6.73%. This exceeds the State's target of 16.61% by 9.88%. C. St. Mary's County Public Schools' FFY 2006 data for this indicator is 2.49%. This exceeds the State's target of 7.42% by 4.93%.	St. Mary's County Public Schools' data exceeded the State's targets for Indicators 5A, 5B and 5C. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 0%.	St. Mary's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued compliance.

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 0%.	St. Mary's County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to St. Mary's County Public Schools' FFY 2007 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 86.62%. The State's target is 100%.	St. Mary's County Public Schools' data did not meet the State's target of 100% for this compliance indicator for two consecutive years. MSDE acknowledges the <i>Rating Change Form</i> submitted with the <i>Self-Assessment</i> and looks forward to verifying the data.
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 88.71%. The State's target is 100%.	St. Mary's County Public Schools' data did not meet the State's target of 100% for this compliance indicator and declined over the previous year's data. MSDE acknowledges the <i>Rating Change Form</i> submitted with the <i>Self-Assessment</i> and looks forward to verifying the data.

St. Mary's County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	St. Mary's County Public Schools' FFY 2006 data for this indicator is 95.10%. The State's target is 100%.	St. Mary's County Public Schools' data did not meet the State's target of 100% for this compliance indicator but is substantially compliant (95-99.9%). MSDE acknowledges the <i>Rating Change Form</i> submitted with the <i>Self-Assessment</i> and looks forward to verifying the data.
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. [Compliance Indicator]	St. Mary's County Public Schools had one corrective action due in FFY 2006.	St. Mary's County Public Schools had one finding of noncompliance identified by the State in FFY 2005 that was due for correction in FFY 2006 and was corrected within timelines. MSDE expects that all identified noncompliance be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) is timely and accurate. [Compliance Indicator]	St. Mary's County Public Schools submitted required 618 data in a timely and accurate manner.	St. Mary's County Public Schools' data met the State's target of 100% for the timely and accurate submission of required 618 data and other data requirements for FFY 2006. MSDE expects St. Mary's County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Karen B. Salmon
Superintendent
Talbot County Public Schools
P. O. Box 1029
Easton, MD 21601

Dear Dr. Salmon:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Talbot County Public Schools (TCPS) has been determined to be ***Meets Requirements***.

Maryland Public Schools: #1 in the Nation

marylandpublicschools.org



Dr. Karen B. Salmon
April 17, 2009
Page Two

To be in the category of Meets Requirements, the TCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the TCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the TCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the TCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Jean Carrion
Branch/Section Chiefs

Talbot County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 70.00%. This is below the State's target of 85.50% by 15.50%.	Talbot County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 72.22% for students with disabilities. MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 8.26%. This does not meet the State's target of 3.54% by 4.72%.	Talbot County Public Schools' data did not meet the State's target. The FFY 2007 data shows a decrease from the previous year's dropout rate of 8.40% for students with disabilities. MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Talbot County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 2.66 and for single event suspensions is 1.09 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Talbot County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Talbot County Public Schools' FFY 2008 data meeting the State's target.

Talbot County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

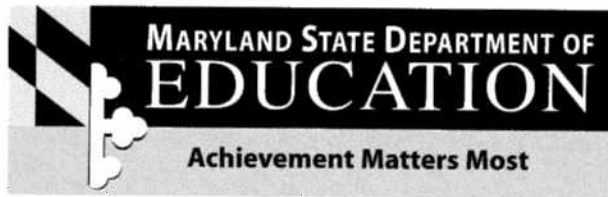
Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Talbot County Public Schools' FFY 2007 data for this indicator is 78.72%. This exceeds the State's target of 60.61% for FFY 2007 by 18.11%. B. Talbot County Public Schools' FFY 2007 data for this indicator is 6.99%. This exceeds the State's target of 16.36% for FFY 2007 by 9.37%. C. Talbot County Public Schools' FFY 2007 data for this indicator is 0.30%. This exceeds the State's target of 7.17% for FFY 2007 by 6.87%.	Talbot County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 0%.	Talbot County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating continued compliance.

Talbot County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 0%.	Talbot County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 96.55%. The State's target is 100%.	Talbot County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Talbot County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Talbot County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Talbot County Public Schools' FFY 2008 data maintaining 100% compliance.

Talbot County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Talbot County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Talbot County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Talbot County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Talbot County Public Schools had two corrective actions due in FFY 2007.	Talbot County Public Schools had two findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. Both findings were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Talbot County Public Schools submitted required 618 data in a timely manner.	Talbot County Public Schools' data met the State's target for the timely and accurate submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Talbot County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. Elizabeth M. Morgan
Superintendent
Washington County Public Schools
P. O. Box 730
Hagerstown, MD 21741

Dear Dr. Morgan:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008) Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms, consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in §300.604(a)(1) technical assistance, (a)(3) conditions on funding of a local school system, (b)(2)(i) a corrective action plan or improvement plan, (b)(2)(v) withholding funds, in whole or in part, by MSDE, and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Washington County Public Schools (WCPS) has been determined to be *Needs Assistance, Year Three*.

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Dr. Elizabeth M. Morgan

April 17, 2009

Page Two

To be in the category of Meets Requirements, the WCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment (LRE) indicators (5a, 5b, or 5c). In addition, the WCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the WCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

The MSDE FFY 2005 and FFY 2006 determination for WCPS were also Needs Assistance. In accordance with 20 U.S.C. §1416(e) and 34 C. F. R. §§300.600 and 300.604, if a local school system is determined to be in need of assistance for two consecutive years, MSDE must take one or more of the following actions: 1) Advise the local school system of available sources of technical assistance that may help the local school system address the areas in which the local school system needs assistance; 2) Direct the use of federal funds to the area or area(s) the local school system needs assistance; or 3) Identify the local school system as a high-risk grantee and impose special conditions on the local school system's IDEA Part B grant award.

Pursuant to these requirements, and to assist all local school systems to meet or maintain the determination status of Meets Requirements, the MSDE provides and recommends technical assistance. Each local school system has a responsibility to access the Technical Assistance and Determination Network at <http://spp-apr-calendar.rfcnetwork.org> and other sources of technical assistance to improve performance and/or correct noncompliance. You will be directed to a list of indicators. Select a specific indicator for a list of centers, documents, web seminars, and other sources of relevant technical assistance.

Those local school systems that were below the State's target on any indicator are required to access sources of technical assistance and inform the MSDE of the type, amount, and frequency of assistance needed to address specific needs. Attached is a list of Division personnel, with contact information for monitoring specialists and each SPP indicator. The specific indicators most critical to improving results for the WCPS are: Indicator 1 (Graduation); and Indicator 5 (LRE).

Dr. Elizabeth M. Morgan
April 17, 2009
Page Three

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any feedback on our past technical assistance efforts or the need for guidance, we would be happy to hear from you as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the WCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Jeff Gladhill
Branch/Section Chiefs

Washington County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 82.64%. This is below the State's target of 83.24% by 0.6%.	Washington County Public Schools' data is below the State's target for this indicator. The FFY 2006 data shows an increase from the previous year's graduation rate of 76.54% for students with disabilities. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating improvement.
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. [Performance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 2.91%. This exceeds the State's target of 3.81% by 0.9%.	Washington County Public Schools' data exceeded the State's target for this indicator. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating continued improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Washington County Public Schools' FFY 2006 ratio for multiple suspensions summing to greater than 10 days is 0.91 and for extended suspensions is 0.38 when compared to nondisabled peers. The State's target for both summing to and extended suspensions is 0.00 - 1.49.	Washington County Public Schools' data met the State's target for multiple suspensions summing to greater than 10 days and extended suspensions. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating continued compliance.

Washington County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

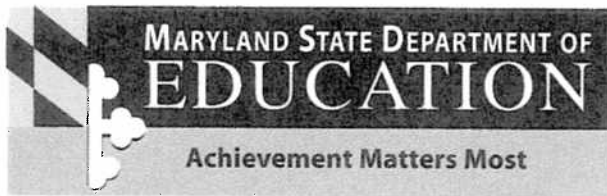
Monitoring Priorities and Indicators	Status	MSDE Analysis
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements. [Performance Indicator]	A. Washington County Public Schools' FFY 2006 data for this indicator is 80.11%. This exceeds the State's target of 60.11% by 20.0%. B. Washington County Public Schools' FFY 2006 data for this indicator is 6.16%. This exceeds the State's target of 16.61% by 10.45%. C. Washington County Public Schools' FFY 2006 data for this indicator is 7.95%. This was below the State's target of 7.42% by .53%.	Washington County Public Schools' data exceeded the State's targets for Indicators 5A and 5B but did not meet the State's target for Indicator 5C. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 0%.	Washington County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating continued compliance.

Washington County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 0%.	Washington County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Washington County Public Schools' FFY 2007 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 91.34%. The State's target is 100%.	Washington County Public Schools' data did not meet the State's target of 100% for this compliance indicator for two consecutive years. MSDE acknowledges the <i>Rating Change Form</i> submitted with the <i>Self-Assessment</i> and looks forward to verifying the data.
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. [Compliance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 91.8%. The State's target is 100%.	Washington County Public Schools' data did not meet the State's target of 100% for this compliance indicator and declined over the previous year's data. MSDE expects Calvert County Public Schools to fully implement the Corrective Action Plan to ensure correction of noncompliance as soon as possible, but in no case later than one year.

Washington County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2006)
July 1, 2006 through June 30, 2007

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Washington County Public Schools' FFY 2006 data for this indicator is 100%. The State's target is 100%.	Washington County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Washington County Public Schools' FFY 2007 data maintaining 100% compliance.
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. [Compliance Indicator]	Washington County Public Schools had one corrective action due in FFY 2006.	Washington County Public Schools had one finding of noncompliance identified by the State in FFY 2005 that was due for correction in FFY 2006 and was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) is timely and accurate. [Compliance Indicator]	Washington County Public Schools submitted required 618 data in a timely and accurate manner.	Washington County Public Schools' data met the State's target of 100% for the timely and accurate submission of required 618 data and other data requirements for FFY 2006. MSDE expects Washington County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17, 2009

Dr. John Fredericksen
Superintendent
Wicomico County Public Schools
P.O. Box 1538
Salisbury, MD 21802-1538

Dear Dr. Fredericksen:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Wicomico County Public Schools (WCPS) status has been determined to be ***Meets Requirements***.

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Dr. John Fredericksen
April 17, 2009
Page Two

To be in the category of Meets Requirements, the WCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the WCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

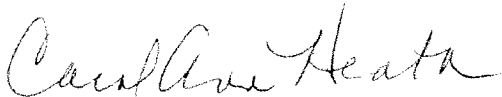
- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the WCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the WCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent

Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Bonnie L. Walston
Branch/Section Chiefs

Wicomico County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities	Indicators	Status	MSDE Analysis
Monitoring Priority: FA	in the LRE		
1. Percent of youth with IEP in high school with a regular diploma compared to percent of all youth in the State with a regular diploma. [Performance Indicator]	graduating from high school compared to the State	Wicomico County Public Schools' FFY 2007 data for this indicator is 78.46%. This is below the State's target of 85.50% by 7.04%.	Wicomico County Public Schools' data was below the State's target. The FFY 2007 data shows a decrease from the previous year's graduation rate of 85.25% for students with disabilities. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data demonstrating improvement.
2. Percent of youth with IEP in high school compared to the percent of youth in the State dropping out of high school. [Performance Indicator]	dropping out of high school	Wicomico County Public Schools' FFY 2007 data for this indicator is 0.00%. This exceeds the State's target of 3.54%.	Wicomico County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data maintaining 0.00% for this performance indicator.
4. Percent of districts identifying students with significant discrepancy in suspensions and expulsions compared to the State. [Compliance Indicator]	students with suspensions and expulsions	Wicomico County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 0.45 and for single event suspensions is 9.35 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension, Wicomico County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data meeting the State's target.

Wicomico County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

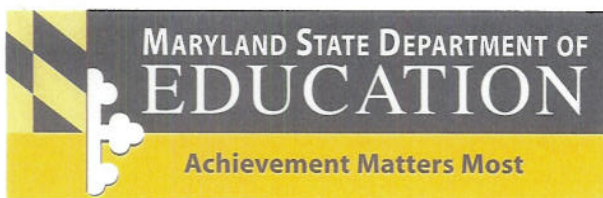
Monitoring Priorities	Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with through 21: A. Removed from regular of the day; B. Removed from regular 60% of the day; or C. Served in public or private schools, residential placement or hospital placements. [Performance Indicator]	6 is less than 21% is greater than separate , or homebound	A. Wicomico County Public Schools' FFY 2007 data for this indicator is 78.32%. This exceeds the State's target of 60.61% for FFY 2007 by 17.71%. B. Wicomico County Public Schools' FFY 2007 data for this indicator is 10.84%. This exceeds the State's target of 16.36% for FFY 2007 by 5.52%. C. Wicomico County Public Schools' FFY 2007 data for this indicator is 0.92%. This exceeds the State's target of 7.17% for FFY 2007 by 6.25%.	Wicomico County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Dis	proportionality		
9. Percent of districts with representation of racial and special education and related the result of inappropriate i [Compliance Indicator]	proportionate in groups in services that is ification.	Wicomico County Public Schools' FFY 2007 data for this indicator is 0%.	Wicomico County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data demonstrating continued compliance.

Wicomico County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities	Indicators	Status	MSDE Analysis
10. Percent of districts with representation of racial and ethnic groups in specific disability categories of inappropriate identification of inappropriate identification [Compliance Indicator]	disproportionate representation of racial and ethnic groups in specific disability categories of inappropriate identification of inappropriate identification	Wicomico County Public Schools' FFY 2007 data for this indicator is 0%.	Wicomico County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effectiveness	General Supervision		
11. Percent of children with mental health needs who were evaluated within 60 days (or State established timeline) [Compliance Indicator]	Mental health needs identified within 60 days	Wicomico County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Wicomico County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data maintaining 100% compliance
12. Percent of children referred for evaluation prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday [Compliance Indicator]	Identified by Part C eligible for Part B by third birthday	Wicomico County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Wicomico County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data maintaining 100% compliance.

Wicomico County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008

Monitoring Priorities	Indicators	Status	MSDE Analysis
13. Percent of youth aged an IEP that includes coordinated annual IEP goals and transition services that will reasonably enable the post-secondary goals. [Compliance Indicator]	and above with d, measurable, services that ent to meet the	Wicomico County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Wicomico County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Wicomico County Public Schools' FFY 2008 data maintaining 100% compliance.
15. General supervision monitoring, complaints, he identifies and corrects non-compliance as soon as possible but in no case later than one year from identification. [Compliance Indicator]	n (including gs, etc.) pliance as soon than one year	Wicomico County Public Schools had five corrective actions due in FFY 2007.	Wicomico County Public Schools had five findings of noncompliance identified by MSDE in FFY 2006 that were due for correction in FFY 2007. All five were corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (61 Performance Plan and Annual Report) are timely and accurate. [Compliance Indicator]	d State Performance s.	Wicomico County Public Schools did not submit required 618 data in a timely manner.	Wicomico County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Wicomico County Public Schools' submission of required data to be timely and accurate.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

April 17 2009

Dr. Jon Andes
Superintendent
Worcester County Public Schools
6270 Worcester Highway
Newark, MD 21841

Dear Dr. Andes:

The Individuals with Disabilities Education Act 2004 (IDEA) focuses on each state's accountability on the State Performance Plan (SPP) indicators defined by the Office of Special Education Programs (OSEP). OSEP reviews each state's SPP and Annual Performance Report (APR) annually. Using the information obtained through review of the APR and other data sources, OSEP evaluates each state's performance on these indicators, and assigns each state to one of four levels of determination: Meets Requirements; Needs Assistance; Needs Intervention; or Needs Substantial Intervention. The determinations required under the federal statute are part of the ongoing efforts to improve results for children and youth with disabilities. The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Federal Fiscal Year (FFY) 2007 (2007-2008), Part B in early June, 2009. In accordance with 34 CFR §300.606, if OSEP identifies MSDE as Needs Assistance, Needs Intervention, or Needs Substantial Intervention, MSDE is required to notify local school systems, public agencies, the media, and the public of this action.

Pursuant to 20 U.S.C. §1416(a)(1)(C)(i) and 34 C.F.R. §300.600, MSDE is required to make determinations annually on the performance of each local school system in the State using the categories in 34 C.F.R. §300.603(b)(1), use appropriate enforcement mechanisms consistent with 34 C.F.R. §300.604, which must include, if applicable, the enforcement mechanisms identified in: §300.604(a)(1) technical assistance; (a)(3) conditions on funding of a local school system; (b)(2)(i) a corrective action plan or improvement plan; (b)(2)(v) withholding funds, in whole or in part, by MSDE; and (c)(2) withholding funds, in whole or in part, by MSDE. In accordance with 20 U.S.C. §1416(e) and 34 C.F.R. §300.603(b)(1), MSDE must use one of the following four categories to assign a determination to each local school system: Meets Requirements; Needs Assistance; Needs Intervention; and Needs Substantial Intervention.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each public agency's performance in meeting the State's targets for FFY 2007 as defined by the SPP for Part B. Attached is a document entitled, "Part C and Part B Public Agency Determination," that lists the Part B indicators considered in making determinations. MSDE carefully considered all aspects of this process. Based on FFY 2007 data, as well as information obtained through monitoring and complaint investigations, the Worcester County Public Schools (WCPS) has been determined to be **Meets Requirements**.

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To be in the category of Meets Requirements, the WCPS must have met or exceeded the State's targets on five performance indicators (1, 2, 5a, 5b, and 5c) or were not significantly below the target on least restrictive environment indicators (5a, 5b, or 5c). In addition, the WCPS must have demonstrated compliance (100%) or substantial compliance (95-99.9%) for at least five of the seven compliance indicators (4, 9, 10, 11, 12, 13, and 20), and had no corrective actions or had completed corrective actions within one year (15).

Attached to this letter are copies of the following documents:

- Part B Local Determination Table; and
- Part B Local Determination Framework for Technical Assistance and Intervention.

The "Part B Local Determination Table" provides an analysis of the WCPS' data. The "Part B Local Determination Framework for Technical Assistance and Intervention" provides additional information relative to technical assistance and support available to your local school system.

As you know, the State must report annually to the public on the performance of each local school system on the targets in the SPP under IDEA. The public may access the MSDE IDEA performance report at <http://mdideareport.org>. The requirement for public reporting on local school system performance is a critical provision in ensuring accountability focusing on improved results for students with disabilities. MSDE will continue to provide technical assistance opportunities as you work to improve performance under Part B of the IDEA.

If you have any comments on our past technical assistance efforts or the need for guidance, we would appreciate your feedback as we work to develop further mechanisms to support local improvement activities. The MSDE is committed to supporting the efforts of the WCPS to improve results for students with disabilities. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,



Carol Ann Heath, Ed.D.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

CAH/DRR:gh

Attachments

c: Nancy S. Grasmick
Glen Hammerbacher
Branch/Section Chiefs

**Worcester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
Monitoring Priority: FAPE in the LRE		
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. [Performance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 97.06%. This exceeds the State's target of 85.50% by 11.56%.	Worcester County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating improvement.
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. [Performance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 2.56%. This exceeds the State's target of 3.54% by 0.98%.	Worcester County Public Schools' data exceeds the State's target for this indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating improvement.
4. Percent of districts identified as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than ten days in a school year. [Compliance Indicator]	Worcester County Public Schools' FFY 2007 ratio for multiple suspensions summing to greater than 10 days is 1.89 and for single event suspensions is 0.00 when compared to nondisabled peers. The State's target for both multiple and single event suspensions is 0.00 – 1.49.	Due to the small group size in multiple suspensions summing to greater than 10 days and single events of suspension of greater than 10 days, Worcester County Public Schools' data was not included in the analysis of this compliance indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data meeting the State's target.

**Worcester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis/Next Steps
5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; 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. [Performance Indicator]	A. Worcester County Public Schools' FFY 2007 data for this indicator is 87.70%. This exceeds the State's target of 60.61% for FFY 2007 by 27.09%. B. Worcester County Public Schools' FFY 2007 data for this indicator is 2.46%. This exceeds the State's target of 16.36% for FFY 2007 by 13.90%. C. Worcester County Public Schools' FFY 2007 data for this indicator is 5.74%. This exceeds the State's target of 7.17% for FFY 2007 by 1.43%.	Worcester County Public Schools' data exceeded the State's targets for Indicators 5A, 5B, and 5C. MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating continued improvement.
Monitoring Priority: Disproportionality		
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. [Compliance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 0%.	Worcester County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating continued compliance.

**Worcester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 0%.	Worcester County Public Schools' data met the State's target for this compliance indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating continued compliance.
Monitoring Priority: Effective General Supervision		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 97.93%. The State's target is 100%.	Worcester County Public Schools' data did not meet the State's target of 100% for this compliance indicator, but was substantially compliant (95-99.9%). MSDE looks forward to Worcester County Public Schools' FFY 2008 data demonstrating 100% compliance.
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. [Compliance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Worcester County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data maintaining 100% compliance.

**Worcester County Public Schools
Part B Local Determination Table
Federal Fiscal Year (FFY 2007)
July 1, 2007 through June 30, 2008**

Monitoring Priorities and Indicators	Status	MSDE Analysis
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. [Compliance Indicator]	Worcester County Public Schools' FFY 2007 data for this indicator is 100%. The State's target is 100%.	Worcester County Public Schools' data met the State's target of 100% for this compliance indicator. MSDE looks forward to Worcester County Public Schools' FFY 2008 data maintaining 100% compliance.
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. [Compliance Indicator]	Worcester County Public Schools had one corrective action due in FFY 2007.	Worcester County Public Schools had one finding of noncompliance identified by MSDE in FFY 2006 that was due for correction in FFY 2007. The finding was corrected within timelines. MSDE expects all identified noncompliance to be corrected as soon as possible but in no case later than one year.
20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	Worcester County Public Schools did not submit required 618 data in a timely manner.	Worcester County Public Schools' data did not meet the State's target for the timely submission of required 618 data and other data required by the State for FFY 2007. MSDE expects Worcester County Public Schools' submission of required data to be timely and accurate.