

Table B Ohio Part B
Previously Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 15</p> <p>In its September 22, 2005 FFY 2003 Annual Performance Report (APR) letter, OSEP required ODE to:</p> <ul style="list-style-type: none"> submit, in the SPP, data and analysis demonstrating that the State ensures correction of identified noncompliance in a timely manner as required at 34 CFR §300.600. 	<p>ODE submitted in the SPP:</p> <ul style="list-style-type: none"> On pages 103-113, evidence documenting the State's ability to correct noncompliance within one year from identification. The State described its correction process, steps the State implements to review policies and procedures, strategies, targets, and evidence of change to ensure correction of identified noncompliance within one year. On pages 111-112, data demonstrating that 100% of noncompliance identified in 2003-2004 was corrected within one year. 	<p>The State reported data showing full correction of identified noncompliance with the requirement at 34 CFR §300.600. OSEP appreciates the State's efforts in ensuring compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating continuing compliance with this requirement.</p>
<p>Indicator 15 – <u>Correction of Noncompliance regarding LRE, the Provision of Related Services, and Secondary Transition</u></p> <p>In its September 22, 2005 FFY 2003 APR letter, OSEP required ODE to submit data and analysis in the SPP demonstrating the correction in the following areas:</p> <ul style="list-style-type: none"> Provision of services in the LRE: 	<p>ODE submitted in the SPP:</p> <ul style="list-style-type: none"> On pages 103-113, evidence documenting the State's ability to correct noncompliance within one year from identification. The State described its correction process, steps the State implements to review policies and procedures, strategies, targets, and evidence of change to ensure correction of identified noncompliance within one 	<p>The State reported data showing full correction of previously identified noncompliance with the requirements at 34 CFR §§300.550-553; 300.347(a)(3); 300.121; 300.300; 300.29 and 300.344.</p> <p>OSEP appreciates the State's efforts in ensuring compliance with these requirements.</p>	<p>No further action required.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p>34 CFR §§300.550-553 and 300.347(a)(3);</p> <ul style="list-style-type: none"> • Provision of psychological counseling and positive behavioral interventions and supports: 34 CFR §§300.121 and 300.300; and • Secondary Transition: 34 CFR §§300.29 and 300.344. <p>Also, in its September 22, 2005 FFY 2003 APR letter, OSEP required ODE to submit data and analysis in the SPP demonstrating that children received the related services indicated on their IEPs, in the absence of qualified personnel.</p>	<p>year; and</p> <ul style="list-style-type: none"> • On pages 111-112, data demonstrating that 100% of noncompliance identified in 2003-2004 was corrected within one year. • In its February 2, 2006 response to OSEP's September 22, 2005 FFY 2003 APR letter, ODE assured OSEP that the 100% compliance data reported in indicator 15 addresses the previously identified noncompliance with regard to: Provision of services in the LRE: 34 CFR §§300.550-553 and 300.347(a)(3); Provision of psychological counseling and positive behavioral interventions and supports: 34 CFR §§300.121 and 300.300; and Secondary Transition: 34 CFR §§300.29 and 300.344. 		
<p>Indicator 15 – <u>Correction of Noncompliance Related to Assessment</u></p> <p>In its September 22, 2005 FFY 2003 APR letter, OSEP required ODE to submit in the SPP, a description of how the State will ensure compliance with 34 CFR §§300.138 and 300.139, including through monitoring.</p>	<p>On pages 13-16 of its SPP, the State provided a description of its monitoring system and three-tiered models of interventions and activities designed to ensure and verify compliance and to improve participation and performance of children with disabilities on statewide and districtwide assessments.</p>	<p>The State submitted the requested information regarding the requirements of 34 CFR §§300.138 and 300.139. OSEP appreciates the State's efforts in ensuring compliance with these requirements.</p>	<p>No further action required.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 12</p> <p>Ohio's FFY 2005 Grant Award was released subject to Special Conditions regarding Early Childhood Transition as required by 34 CFR §300.121(c). In accordance with the Special Conditions, in its September 22, 2005 FFY 2003 APR letter, OSEP required ODE to submit on or before October 31, 2005, an interim report on the State's progress in ensuring compliance with 34 CFR §300.121(c) regarding children with disabilities transitioning from Part C to Part B.</p>	<p>On pages 81-88 of its SPP, and in its October 31, 2005 interim report, ODE reported data and provided a description of the State's data collection system including changes to its data collection for school year 2006-2007 for children referred from Part C to Part B services. On page 85 of the SPP and in its October 31, 2005 interim report, the State reported that, for the 2004-2005 school year, 27.9% of eligible children had an IEP in effect prior to or on their third birthday, and 54.10% had an IEP in effect after their 3rd birthday. A separate State data collection reported that 77% of the children transitioning from Part C to Part B who were eligible for Part B had an IEP in place by their 3rd birthday. In addition, ODE reported data indicating the number of days between a child's third birthday and the effective date of an IEP.</p>	<p>The State provided information in its SPP and October 31, 2005 interim report on the Special Conditions in the State's FFY 2005 grant award concerning compliance with the requirements of Early Childhood Transition as required by 34 CFR §300.121(c). This information demonstrated that, while the State has made progress, it has not yet satisfied this Special Condition on its FFY 2005 grant award.</p>	<p>Under the Special Conditions, a final progress report is due May 31, 2006. Failure to demonstrate compliance with this requirement in the final progress report may result in the State being identified as a "high risk" grantee or otherwise affect the State's FFY 2006 grant award.</p>