



DEPARTMENT OF EDUCATION

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Secretary of Education
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June 19, 2017

Mr. Joseph Mock
Delaware Design-Lab High School
179 Stanton Christiana Road
Newark, DE 19702

**RE: Revised June 2017
LEA Determination Under the Individuals With Disabilities Education Act (IDEA)**

Dear Mr. Mock:

Thank you for your ongoing dedication and commitment to educating students with disabilities. We encourage you to use the information in this report to celebrate growth and identify opportunities for continued improvement.

Under the IDEA, the Department has a responsibility to review the data of local education agencies (LEAs) relating to targets identified in the State's Performance Plan (SPP) and to make annual determinations on LEA performance.

For FFY 2015, LEAs are receiving their annual determination based on a combination of the following compliance and results indicators:

- **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
- Indicator 12 Early Childhood Transition from Part C to Part B
- Indicator 13 Transition Planning in the IEP

- **Results:**

- Indicator 1 Graduate Rate
- Indicator 2 Drop-Out Rate
- Indicator 3B Participation Rate in the State Assessment
- Indicator 3C Proficiency Rate on the State Assessment
- Indicator 4A Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities
- Indicator 7 Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

June 19, 2017
Delaware Design-Lab High School
Revised June 2017
LEA Determination Under the Individuals With Disabilities Education Act (IDEA)
Page 2

Based on a review of your LEA's data and current implementation of an Intervention Plan for IDEA Compliance Monitoring, the Department has determined your LEA *Needs Assistance* in implementing the requirements of the IDEA.

Attached, please find an overview of the "IDEA General Supervision & Reporting Requirements" along with an explanation of how your LEA's determination was calculated. The response table provides the Department's analysis of the reported data, and identifies, by indicator, your LEA's status in meeting its targets.

Your Exceptional Children Resources liaison, Jill Scannell, will be in contact with you and continue to provide technical assistance with your Intervention Plan. In the interim, please do not hesitate to contact me at (302) 735-4210 or maryann.mieczkowski@doe.k12.de.us.

Sincerely,



Mary Ann Mieczkowski
Director, Exceptional Children Resources

Sincerely,



Michael S. Watson
Chief Academic Officer

MAM/mnl
Attachment

cc: Susan S. Bunting, Ed.D, Secretary of Education
Ashley Bystricky, Special Education Coordinator
Denise Stouffer, Education Associate, Charter School Office
Maria N. Locuniak, Ph.D., NCSP, Education Associate, Exceptional Children Resources
Jill Scannell, Education Associate, Exceptional Children Resources

IDEA General Supervision & Reporting Requirements

The Department's General Monitoring Duties Under the IDEA

By way of background, the IDEA requires the Department to monitor the implementation of Part B of the IDEA in the LEAs throughout the State, and to annually report to the public on the performance of the State and each LEA. The Department's monitoring activities must primarily focus on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements of Part B, with a particular emphasis on the requirements most closely related to improving educational results for children with disabilities. The Department is responsible for monitoring LEAs using quantifiable indicators in certain priority areas, and for using qualitative indicators to allow an adequate measure of performance in each area. IDEA regulations outline the three priority areas as: (1) the provision of FAPE in the least restrictive environment; (2) the State's exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services; and (3) disproportionate representation of racial and ethnic groups in special education and related services, to the extent such representation is the result of inappropriate identification.

The State Performance Plan and Annual Performance Reports

The IDEA further requires the State to have a performance plan in place that evaluates the State's efforts to implement the requirements and purposes of Part B of the IDEA, and describes how the State will improve the implementation of Part B. As part of its State Performance Plan (SPP), the State must establish measurable and rigorous targets for various indicators under the three priority areas mentioned above. The SPP currently has seventeen indicators, and the State must report annually to the U.S. Department of Education on the performance of the State under the SPP.

In addition to its federal submission, the Department is responsible for reporting annually to the public on the performance of each LEA located in the State on the targets described in the SPP. On an annual basis, each LEA must use the targets established in the SPP, and the three priority areas mentioned above, to analyze and report on its local performance to the Department. In turn, the Department will review the LEA's performance and assign a determination level.

Based on the Department's analysis of data provided by each LEA, and information obtained through audits, monitoring visits, administrative complaints, due process proceedings, and any other publicly available information, the Department assigns one of the following determination levels: Meets the requirements and purposes of IDEA; Needs assistance in implementing the requirements of IDEA; Needs Intervention in implementing the requirements of IDEA; or Needs substantial intervention in implementing the requirements of IDEA.

Federal and state regulations addressing the SPP, APR, and the LEA's reporting obligations can be found at 34 C.F.R. §§ 300.600-602, 646 and 14 DE Admin Code §§ 927.1.0 through 8.0, and §§ 40.0 through 46.0.

FFY 2015 LEA Annual Determinations

FFY 2015 determinations were made based on a combination of the following compliance and results indicators:

- **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
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- **Results:**

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- Indicator 7 Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

Meets Requirements	=	≥ 80% (compliance and results combined)	and	LEA may be engaged in a Corrective Action Plan.	and/or	If monitored on-site, LEA is engaged in Prong 1 or Prong 2 corrective action.
Needs Assistance	=	60% to 79% (compliance and results combined)	and/or	LEA is engaged in an Intervention Plan.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 1 year)
Needs Intervention	=	≤ 59% (compliance and results combined)	and/or	LEA is engaged in a Compliance Agreement.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 2 years)

**Spring, 2017 LEA IDEA Annual Determination for FFY 2015
Delaware Design Lab**

Compliance Indicators	Data From: (Time Period)	SPP Target 2015-2016	State Data	LEA Data	LEA Score	Possible Points
Indicator 4B: Significant Discrepancy in the Rates of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices. Indicator 4B is based on school year 2014-2015 data with a Rate Ratio of 1.22.	2014-2015	Rate Ratio 1.22	Rate Ratio 1.22	NA	NA	NA
Indicator 9: Disproportionate Representation/All Disabilities	2015-2016	0.00%	0.00%	< 5%	1	1
Indicator 10: Disproportionate Representation/Specific Disabilities	2015-2016	0.00%	0.00%	< 5%	1	1
Indicator 11: Initial Evaluations Conducted Within Timeline	2015-2016	100.00%	97.01%	NA	NA	NA
Indicator 12: Early Childhood Transition from Part C to Part B	2015-2016	100.00%	98.86%	NA	NA	NA
Indicator 13: Secondary Transition	2015-2016	100.00%	99.23%	NA	NA	NA

Results Indicators	Data From: (Time Period)	SPP Target 2015 - 2016	State Data	LEA Data	LEA Score	Possible Points
Indicator 1: Graduation Rate	2014-2015	71.40%	65.61%	NA	NA	NA
Indicator 2: Drop Out Rate	2014-2015	4.90%	3.25%	NA	NA	NA
Indicator 3B: Participation Rate-Math						
Grade 3	2015-2016	95.00%	97.98%	NA	NA	NA
Grade 4		95.00%	97.75%	NA	NA	NA
Grade 5		95.00%	97.09%	NA	NA	NA
Grade 6		95.00%	95.64%	NA	NA	NA
Grade 7		95.00%	95.77%	NA	NA	NA
Grade 8		95.00%	95.70%	NA	NA	NA
Grade 11		95.00%	90.44%	NA	NA	NA
Indicator 3B: Participation Rate-ELA						
Grade 3	2015-2016	95.00%	97.96%	NA	NA	NA
Grade 4		95.00%	97.74%	NA	NA	NA
Grade 5		95.00%	97.42%	NA	NA	NA
Grade 6		95.00%	95.96%	NA	NA	NA
Grade 7		95.00%	95.64%	NA	NA	NA
Grade 8		95.00%	95.11%	NA	NA	NA
Grade 11		95.00%	90.36%	NA	NA	NA

Results Indicators	Data From: (Time Period)	SPP Target 2015 - 2016	State Data	LEA Data	LEA Score	Possible Points
Indicator 3C: Proficiency Rate-Math						
Grade 3	2015-2016	22.10%	26.69%	NA	NA	NA
Grade 4		22.10%	19.72%	NA	NA	NA
Grade 5		22.10%	14.89%	NA	NA	NA
Grade 6		22.10%	12.24%	NA	NA	NA
Grade 7		22.10%	12.81%	NA	NA	NA
Grade 8		22.10%	12.29%	NA	NA	NA
Grade 11		22.10%	12.23%	NA	NA	NA
Indicator 3C: Proficiency Rate-ELA						
Grade 3	2015-2016	26.00%	24.67%	NA	NA	NA
Grade 4		26.00%	21.66%	NA	NA	NA
Grade 5		26.00%	23.87%	NA	NA	NA
Grade 6		26.00%	15.88%	NA	NA	NA
Grade 7		26.00%	16.51%	NA	NA	NA
Grade 8		26.00%	17.29%	NA	NA	NA
Grade 11		26.00%	18.03%	NA	NA	NA
Indicator 4A: Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities. Indicator 4A is based on school year 2014-2015 data with a Rate Ratio of 1.22.	2014-2015	Rate Ratio 1.22	Rate Ratio 1.22	NA	NA	NA
7A. Early Childhood Outcomes- Positive Social/Emotional Skills						
Percent Increase Rate of Growth	2015-2016	87.40%	89.27%	NA	NA	NA
Percent Within Age Expectation		56.70%	51.47%	NA	NA	NA
7B. Early Childhood Outcomes-Acquisition and Use of Knowledge and Skills						
Percent Increase Rate of Growth	2015-2016	90.00%	85.60%	NA	NA	NA
Percent Within Age Expectation		51.80%	48.42%	NA	NA	NA
7C. Early Childhood Outcomes- Use of Appropriate Behaviors						
Percent Increase Rate of Growth	2015-2016	89.20%	86.91%	NA	NA	NA
Percent Within Age Expectation		65.20%	64.27%	NA	NA	NA

Determination Summary	
Compliance Indicators Score	2
Possible Points:	2
Results Indicators Score	0
Possible Points:	0
Score Total	2
Out of a Possible:	2
Percentage:	100.00%
Intervention Plan for On-Site Monitoring	
Annual Determination	
Needs Assistance	

Spring 2017 LEA IDEA Annual Determination for FFY 2015

Delaware Design Lab

Graduation Rate

<u>Indicator 1</u>	<u>School Year</u>	<u>Number Eligible</u>	<u>Number Graduated</u>	<u>LEA Data</u> <u>% SWD Who Graduated</u>	<u>State Target</u>	<u>Met Target?</u>
	2014-2015	NA	NA	NA	71.40%	NA

Note: LEA did not have any graduates.

Drop-Out Rate

<u>Indicator 2</u>	<u>School Year</u>	<u>Number Enrolled</u>	<u>Number of Drop-Outs</u>	<u>LEA Data</u> <u>% SWD Who Dropped Out</u>	<u>State Target</u>	<u>Met Target?</u>
	2014-2015	NA	NA	NA	4.90%	NA

Note: NA - LEA did not have students ages 14-21

Participation Rate in the State Assessment

<u>Indicator 3B</u>	<u>School Year</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Eligible</u>	<u>Number Tested</u>	<u>LEA Data</u> <u>% Tested</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	3	ELA	NA	NA	NA	95.00%	NA
	2015-2016	4	ELA	NA	NA	NA	95.00%	NA
	2015-2016	5	ELA	NA	NA	NA	95.00%	NA
	2015-2016	6	ELA	NA	NA	NA	95.00%	NA
	2015-2016	7	ELA	NA	NA	NA	95.00%	NA
	2015-2016	8	ELA	NA	NA	NA	95.00%	NA
	2015-2016	11	ELA	NA	NA	NA	95.00%	NA
	2015-2016	3	MATH	NA	NA	NA	95.00%	NA
	2015-2016	4	MATH	NA	NA	NA	95.00%	NA
	2015-2016	5	MATH	NA	NA	NA	95.00%	NA
	2015-2016	6	MATH	NA	NA	NA	95.00%	NA
	2015-2016	7	MATH	NA	NA	NA	95.00%	NA
	2015-2016	8	MATH	NA	NA	NA	95.00%	NA
	2015-2016	11	MATH	NA	NA	NA	95.00%	NA

Note: NA-LEA did not have students who tested in that grade.

Proficiency Rate on the State Assessment

<u>Indicator 3C</u>	<u>School Year</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	LEA Data	State	<u>Met Target?</u>
						<u>% of SWD Meeting Proficiency</u>	<u>Target</u>	
	2015-2016	3	ELA	NA	NA	NA	26.00%	NA
	2015-2016	4	ELA	NA	NA	NA	26.00%	NA
	2015-2016	5	ELA	NA	NA	NA	26.00%	NA
	2015-2016	6	ELA	NA	NA	NA	26.00%	NA
	2015-2016	7	ELA	NA	NA	NA	26.00%	NA
	2015-2016	8	ELA	NA	NA	NA	26.00%	NA
	2015-2016	11	ELA	NA	NA	NA	26.00%	NA
	2015-2016	3	MATH	NA	NA	NA	22.10%	NA
	2015-2016	4	MATH	NA	NA	NA	22.10%	NA
	2015-2016	5	MATH	NA	NA	NA	22.10%	NA
	2015-2016	6	MATH	NA	NA	NA	22.10%	NA
	2015-2016	7	MATH	NA	NA	NA	22.10%	NA
	2015-2016	8	MATH	NA	NA	NA	22.10%	NA
	2015-2016	11	MATH	NA	NA	NA	22.10%	NA

Note: NA-LEA did not have students who tested in that grade.

Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities. Indicator 4A is Based on School Year 2014-2015 Data with a Rate Ratio of 1.22.

<u>Indicator 4A</u>	<u>School Year</u>	<u>SWD Enrollment</u>	<u>Non-SWD</u>	<u>SWD Suspended</u>	<u>Non-SWD Suspended ></u>	LEA Data	State Target	<u>Met Target?</u>
			<u>Enrollment</u>	<u>> 10 Days</u>	<u>10 Days</u>	<u>Rate Ratio</u>	<u>Rate Ratio</u>	
	2014-2015	NA	NA	NA	NA	NA	1.22	NA

Note: NA for this school year.

Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices. Indicator 4B Data is based on School Year 2014-2015 Data with a Rate Ratio of 1.22.

<u>Indicator 4B</u>	<u>School Year</u>	<u>Race</u>	<u>SWD Enrolled</u>	<u>SWD Suspended ></u>	LEA Data	State Target	<u>Met Target?</u>
				<u>10 Days</u>	<u>Rate Ratio</u>	<u>Rate Ratio</u>	
	2014-2015	Hispanic	NA	NA	NA	1.22	NA
	2014-2015	American Indian	NA	NA	NA	1.22	NA
	2014-2015	African American	NA	NA	NA	1.22	NA
	2014-2015	White	NA	NA	NA	1.22	NA
	2014-2015	Asian	NA	NA	NA	1.22	NA
	2014-2015	Haw./P.I.	NA	NA	NA	1.22	NA
	2014-2015	Multiple	NA	NA	NA	1.22	NA

Note: NA for this school year.

Percent of Children Aged 6 to 21 Served Inside the Regular Class 80% or More of the Day

<u>Indicator 5A</u>	<u>School Year</u>	<u>Number of SWD</u>	<u>Number of SWD in LRE A</u>	<u>LEA Data % in LRE A</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	37	32	86.48%	69.00%	Yes

Note:

Percent of Children Aged 6 to 21 Served Inside the Regular Class Less Than 40% of the Day

<u>Indicator 5B</u>	<u>School Year</u>	<u>Number of SWD</u>	<u>Number of SWD in LRE B</u>	<u>LRE Data % in LRE B</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	37	-	10.81%	15.30%	Yes

Note:

Percent of Children Aged 6 to 21 Served In Separate Schools, Residential Facilities, and in Homebound/Hospital Placements

<u>Indicator 5C</u>	<u>School Year</u>	<u>Number of SWD</u>	<u>Number of SWD in LRE C</u>	<u>LRE Data % in LRE C</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	37	-	< 5%	4.80%	Yes

Note:

Percent of Children Aged 3 to 5 Attending a Regular Early Childhood Program and Receiving the Majority of Special Education and Related Services in the Regular Early Childhood Program

<u>Indicator 6A</u>	<u>School Year</u>	<u>Number of SWD</u>	<u>Number of SWD Receiving Services in the Regular EC Program</u>	<u>LEA Data Percent Receiving Services in the Regular EC program</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	NA	NA	47.00%	NA

Percent of Children Aged 3 to 5 Attending a Separate Special Education Class, Separate School, or Residential Facility

<u>Indicator 6B</u>	<u>School Year</u>	<u>Number of SWD</u>	<u>Number of SWD Receiving Services in Separate Setting</u>	<u>LEA Data Percent Receiving Services in Separate Setting</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	NA	NA	34.00%	NA

Note: NA - LEA did not have students ages 3-5

Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Positive Social/Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

<u>Indicator 7</u>	<u>School Year</u>	<u>LEA Data % Acquisition and Use of Knowledge and Skills Increased Rate of Growth</u>	<u>State Target</u>	<u>Met Target?</u>	<u>LEA Data % Acquisition and Use of Knowledge and Skills Within Age Expectations</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	90.00%	NA	NA	51.80%	NA
		<u>LEA Data % Improved Skills in Use of Appropriate Behavior Increased Rate of Growth</u>	<u>State Target</u>	<u>Met Target?</u>	<u>LEA Data % Improved Skills in Use of Appropriate Behavior Within Age Expectation</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	89.20%	NA	NA	65.20%	NA
		<u>LEA Data % Positive Social/Emotional Skills Increased Rate of Growth</u>	<u>State Target</u>	<u>Met Target?</u>	<u>LEA Data % Positive Social/Emotional Skills Within Age Expectation</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	87.40%	NA	NA	56.70%	NA

Note: NA - LEA did not have students ages 3-5 in a pre-school program

Percent of Parents with a Child Receiving Special Education Services Who Report That School Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities

<u>Indicator 8</u>	<u>School Year</u>	<u>Total Number of Respondents</u>	<u>Number Agree</u>	<u>Number Disagree</u>	<u>LEA Data % Agree</u>	<u>State Target</u>	<u>Met Target?</u>
	2015-2016	NA	NA	NA	NA	87.00%	NA

Note: Data was not reported for the LEA

Disproportionate Representation of Racial and Ethnic Groups in Special Education and Related Services That is a Result of Inappropriate Identification

<u>Indicator 9</u>	<u>School Year</u>	LEA Data		<u>State Target</u>	<u>Met Target?</u>
		<u>% Disproportionate Representation as a Result of Inappropriate Identification</u>			
	2015-2016		< 5%	0.00%	Yes

Note:

Disproportionate Representation of Racial and Ethnic Groups in Specific Disability Categories That is a Result of Inappropriate Identification

<u>Indicator 10</u>	<u>School Year</u>	LEA Data		<u>State Target</u>	<u>Met Target?</u>
		<u>% Disproportionate Representation as a Result of Inappropriate Identification</u>			
	2015-2016		< 5%	0.00%	Yes

Note:

Evaluations Conducted Within 45 School Days or 90 Calendar Days, Whichever is Shorter, of Receiving Parent Consent for Initial Evaluation

<u>Indicator 11</u>	<u>School Year</u>	<u>Total Number of</u>	<u>Number within</u>	<u>Number Not</u>	LEA Data	<u>State Target</u>	<u>Met Target?</u>
		<u>Initial Evaluations</u>	<u>Timeline</u>	<u>within Timeline</u>	<u>% within Timeline</u>		
	2015-2016	NA	NA	NA	NA	100.00%	NA

Note: NA- No initial evaluations were reported.

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 Birthday

<u>Indicator 12</u>	<u>School Year</u>	<u>Number of Students Referred</u>		LEA Data	<u>State Target</u>	<u>Met Target?</u>	
		<u>Total Number of</u>	<u>Minus Not Eligible</u>				<u>% Who Received Services</u>
		<u>SWD who Turned</u>	<u>and/or Parent</u>				
	2015-2016	<u>Age 3</u>	<u>Refusals</u>	<u>by Age 3</u>	100.00%	NA	
		NA	NA	NA			

Note: NA-LEA did not have students transitioning from Part C to Part B.

Percent of Youth Age 14 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

<u>Indicator 13</u>	<u>School Year</u>	<u>Total Number of</u>	<u>Number of IEPs</u>	LEA Data	<u>State Target</u>	<u>Met Target?</u>
		<u>IEPs Reviewed</u>	<u>Meeting Standard</u>	<u>% Meeting Standard</u>		
	2015-2016	NA	NA	NA	100.00%	NA

Note: NA- LEA did not have students of transition age in grade 8 or ages 14 and above.

Post-School Outcomes-Percent of Youth Who Are No Longer in Secondary School, Had IEPs in Effect at the Time They Left School, and Were: A. Enrolled in Higher Education Within One Year of Leaving High School, B. Enrolled in Higher Education or Competitively Employed Within One Year of Leaving High School, or C. Enrolled in Higher Education or in Some Other Post-Secondary Education or Training Program; or Competitively Employed or in Some Other Employment Within One Year of Leaving

<u>Indicator 14</u>	<u>School Year</u>	<u>Total Number of Exiters</u>	<u>Total Number of Respondents</u>	<u>Group A Respondents</u>	<u>LEA Data % Group A</u>	<u>State Target</u>	<u>Met Target?</u>
	2014-2015	NA	NA	NA	NA	29.00%	NA
				<u>Group B Respondents</u>	<u>LEA Data % Group B</u>	<u>State Target</u>	<u>Met Target?</u>
				NA	NA	60.00%	NA
				<u>Group C Respondents</u>	<u>LEA Data % Group C</u>	<u>State Target</u>	<u>Met Target?</u>
				NA	NA	100.00%	NA

Note: NA-This LEA did not have students with IEPs exiting secondary education.