Commonwealth of Virginia

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Virginia's Part B State Performance Plan for 2005-2010 (SPP) was originally submitted in December 2004. This document incorporates revisions to the SPP that have been made subsequent to the original submission. The original SPP is available at **http://www.doe.virginia.gov/VDOE/sess**.

OVERVIEW TO STATE PERFORMANCE PLAN DEVELOPMENT

The Virginia Department of Education (VDOE) has developed its State Performance Plan (SPP) with input from stakeholders and with the expectation that the SPP will be disseminated to the public. The SPP will be available on the VDOE web site, and will be disseminated to all school divisions in the state, to members of the State Special Education Advisory Committee (SSEAC), and to all local advisory committees (LACs). The SPP will also be made to available to various media, consistent with VDOE dissemination of other material.

The requirement to obtain broad stakeholder input was met through a meeting with stakeholders. The focus of the stakeholder meeting was to review the State Performance Plan requirements, discussion of each indicator with an emphasis on the overview of issues/description of systems or processes, discussion of baseline data and development of targets. Stakeholders included representatives of the State Special Education Advisory Committee (SSEAC), parents, school division superintendents, school division directors of special education, other state agencies, the Parent Educational Advocacy Training Center (PEATC), Training/Technical Assistance Centers (T/TACs), early childhood specialists, transition specialists and VDOE staff. It is expected that additional individuals will be added to the stakeholder committee, including elementary and secondary principals, assessment specialists, and other persons as the need is identified.

The Stakeholders will be organized into six work groups that will assist with the development of the Annual Performance Plans. VDOE staff will coordinate the activities for each workgroup. Workgroups will be responsible for analyzing data collected by VDOE and will determine whether progress or slippage can be measured for each indicator. Workgroups will also make suggestions for revisions to targets and improvement activities/timelines/resources as needed. The six workgroups are: (1) Free Appropriate Public Education in the Least Restrictive Environment (FAPE in the LRE) (indicators 4, 5, 9 and 10); (2) Early Childhood Education (indicators 6, 7 and 12); (3) Secondary Education and Transition (indicators 1, 2, 13 and 14); (4) General Supervision (indicators 11, 15 and 20); (5) Dispute Resolution (indicators 8, 16, 17, 18 and 19) and (6) Assessment (indicator 3).

Following the submission of the Annual Performance Report in February 2007, VDOE expects to report to the public on the progress or slippage in meeting the measurable and rigorous targets found in the SPP. Additionally, VDOE will report to the public on the performance of each local educational agency located in the state on the targets in the SPP.

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Free Appropriate Public Education in the Least Restrictive Environment
Indicator 1 Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))
Data Source: VDOE end of year report by school divisions.
Measurement: Measurement for youth with IEPs is the same measurement as for all youth.

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) School completion options available to students with disabilities in Virginia are specified in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131-10)* adopted by the Virginia Board of Education in July 2000. Program completion options available to students with disabilities are the Advanced Studies Diploma, Standard Diploma, Modified Standard Diploma, Special Diploma, Certificate of Program Completion, and the General Achievement Diploma.

The Advanced Studies, Standard, and Modified Standard Diplomas have specific course content requirements that align with the state's Standards of Learning (SOL). The Modified Standard Diploma program is intended for certain students with disabilities who are unlikely to meet all of the requirements for a Standard Diploma. Eligibility for and participation in the Modified Standard Diploma program is determined by the student's Individual Education Program (IEP) team and the student, where appropriate, at any point after the student's eighth grade year. The requirements for earning this diploma include 20 standard units of credit and passing numeracy and literacy assessments prescribed by the Board of Education.

The Special Diploma is awarded to certain students with disabilities who complete the requirements of their Individualized Education Program (IEP) and do not meet the requirements for other diplomas.

In accordance with this indicator, VDOE does not include students who earned a Modified Standard or a Special Diploma in calculating the graduation rate.

Information on the Standards of Accreditation and requirements for diploma types can be found at:

http://www.doe.virginia.gov/VDOE/Accountability/soa.html , in Superintendent's Informational Memorandum Number 123, August 1, 2003 available at http://www.doe.virginia.gov/VDOE/suptsmemos/2003/inf123.html and in

Virginia's Consolidated State Application and Accountability Workbook, Revised August 2005, available at http://www.doe.virginia.gov/VDOE/nclb/#csa .

Analysis of previous years' data shows the graduation rate for students with disabilities is less than the graduation rate for all students. The graduation rate for students with disabilities decreased slightly from 2003 to 2004 while the graduation rate for all students also decreased slightly from 2003 to 2004.

Baseline Data for FFY 2004 (2004-2005):

Using the NCLB graduation calculation for the 2005-2006 school year, Virginia's graduation rate for all students was 79% The graduation rate for students with disabilities was 42%.

Discussion of Baseline Data:

The NCLB calculation takes the number of graduates in a given year divided by the number of graduates in that year, plus other completers that year, plus the number of 12th grade dropouts that year, the number of 11th grade dropouts a year earlier, the number of 10th grade dropouts 2 years earlier, and the number of 9th grade dropouts 3 years earlier. The numerator includes only Standard diplomas and Advanced Studies diplomas. The calculation does not account for transfers in or out of a school division. It does not measure "on-time" graduation. It accounts for students that may take longer to graduate.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	55% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.
2006 (2006-2007)	43% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.
2007 (2007-2008)	45% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.
2008 (2008-2009)	47% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.
2009 (2009-2010)	50% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.

2010 (2010-2011)	53% of youth with IEPs graduating from high school will receive an advanced studies or standard diploma.

Improvement Activities/Timelines/Resources:

Provide online practice assessments and tutorials designed to help students prepare for SOL assessments.

Provide tutorials for students who need additional preparation for retakes of the SOL tests needed for high school verified course credits.

Provide credit calculator tool that allow the school personnel, students, and parents to determine the standard and verified credits needed to obtain a diploma.

Support local graduation academies to prepare rising seniors in need of verified units of credit.

Support and provide consultants with expertise in special education in the academic review process who visit and assist schools identified as needing improvement.

Provide reading training and technical assistance with a focus on needs of special education teachers, linking with Virginia's *Reading First* project by supporting staff development for special educators across all grade levels, including middle and high school.

Provide a Web-based application that assesses the mathematics competencies from fourth to ninth grades to assist with local remediation programs.

Provide SOL resources that assist elementary, middle, and high school teachers in the delivery of SOL content to students using differentiated instructional techniques and technology and make available at www.ttaconline.org

Maintain coordinated support for elementary and middle school sites for implementing the Instruction Support Team (IST) model in each of the 8 regions of the state, to enhance, improve, and increase instruction and learning.

Establish coordinated, statewide training to improving literacy for students with disabilities that will enable them to be successful in learning the SOL content. Target middle and high school teachers in high need schools to be trained in the University of Kansas Strategic Instruction Model (SIM). Provide support for pilot demonstration schools to implement the Content Literacy Continuum Strategic Instruction Model (SIM-CLC).

Provide staff development and support for service providers of students with disabilities who are incarcerated in adult local and regional jails.

Provide for training and technical assistance on the use of Effective School-wide Discipline based on positive behavior support research.

Coordinate information and training for personnel in schools serving children with autism spectrum disorders.

Provide support, coordination, and technical assistance for the following activities to improve secondary transition:

- Continue participation in Transition Outcomes Project which provides a system for school divisions to track IEPs and use data to improve transition services.
- Conduct annual statewide transition conference
- Support regional Transition Capacity Building Project that provides support and technical assistance for strategic planning, program evaluation, and sharing of resources on a regional basis.
- Continue to support the Postsecondary Education Rehabilitation Transition Program (PERT), a statewide collaborative between Virginia's education and rehabilitation agencies and local school divisions to support transition assessments for students.
- Provide scholarships for students with disabilities to participate in the Youth Leadership Forum sponsored by the Virginia Board for People with Disabilities.
- Continue to participate in the National Transition Community of Practice.

Through the Redesign the American High School initiative, expand school divisions' Algebra Readiness programs.

Help school divisions in developing and implementing transition plans aimed at reducing the number of 9th and 10th grade students retained in grade.

Provide technical assistance on the use of substitute tests available as End of Course tests to allow students to earn verified credits toward graduation.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, TTAC staff and others listed in the activity description.

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: FAPE in the LRE
Indicator 2 Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))
Data Source: VDOE's end-of-the year school division data collection is the source for these data.
Measurement: The measurement for the percent of youth with IEPs dropping out of high school is the same as that for all youth. The yearly dropout rate for all students and for students with disabilities is defined as: (i) the number of dropouts for a given school year; divided by (ii) the September 30th membership of that school year.

Overview of Issue/Description of System or Process:

The Virginia Department of Education (VDOE) defines dropout as an individual in grades 7-12 who was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year, or was not enrolled on October 1 of the previous school year although expected to be in the membership, has not graduated from high school or completed a state or district approved educational program and does not meet any of the exclusionary conditions: transfer to another public school district, private school or state or district approved education program, temporary school-recognized absence due to suspension, illness or death.

This definition is used for the calculation in determining the dropout rate for all students.
Previous years' data analyses have shown that students with disabilities drop out of school at a higher rate compared to the drop out rate for all students. Previous years' rates have been determined using different methods for calculation but all have shown the same general results. The method described above will be used by VDOE until a national calculation has been approved for all states to use.

Baseline Data for FFY 2004 (2004-2005):

For the 2004-2005 school year, school divisions reported 10,297 students dropping out, for grades 7-12. The total membership for all students for grades 7-12 was 557,795.

For the 2004-2005 school year, school divisions reported 1,501 students with disabilities dropping out, for grades 7-12. The total membership for students with disabilities for grades 7-12 was 76,475.

Discussion of Baseline Data:

For the 2004-2005 school year, the drop out rate for all students, grades 7-12, is calculated as the total number of students reported as dropped out for that year divided by the total number of students reported in grades 7-12. The rate for all students was 1.85 %.

For the 2004-2005 school year, the drop out rate for students with disabilities, grades 7-12, is calculated as the total number of students with disabilities reported as dropped out for that year divided by the total number of students with disabilities, grades 7-12. The rate for students with disabilities was 1.96 %.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The drop out rate for students with disabilities will decrease to 1.93 percent.
2006 (2006-2007)	The drop out rate for students with disabilities will decrease to 1.91 percent.
2007 (2007-2008)	The drop out rate for students with disabilities will decrease to 1.89 percent.
2008 (2008-2009)	The drop out rate for students with disabilities will decrease to 1.87 percent.
2009 (2009-2010)	The drop out rate for students with disabilities will decrease to 1.85 percent.
2010 (2010-2011)	The drop out rate for students with disabilities will decrease to 1.83 percent.

Improvement Activities/Timelines/Resources:

Provide training and technical assistance to school divisions on instructional based assessment and curriculum based measurement and develop an evaluation guide for assessment services.

Continue cultural competency training.

Continue implementation of transition outcome project and other transition projects.

Continue with Instructional Support Team initiative to develop school programs for improving and increasing student performance through early intervention with students experiencing problems.

Provide reading training and technical assistance with a focus on needs of special education teachers, linking with Virginia's *Reading First* project.

Provide leadership, coordination, and support to personnel who provide special education to students with disabilities who are incarcerated in local and regional jails, with an emphasis on effective literacy instruction and transition.

Participate in the Virginia Team for Youth which is a collaborative effort among VDOE, Virginia Department of Social Services, Virginia Department of Correctional Education, Virginia Department of Juvenile Justice, Virginia Department of Rehabilitative Services, Job Corps, and Workforce Investment-Youth Coordinators. The team initiates and facilitates networking at a local level for the purpose of providing transition services to all at risk youth.

Work with the National Dropout Prevention Center-Students with Disabilities to provide technical assistance on research based successful strategies for keeping students from leaving school without diplomas.

All activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, T/TAC staff and federal technical assistance offices.

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Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Free Appropriate Public Education in the Least Restrictive Environment

Indicator 3

Participation and performance of children with disabilities on statewide assessments:

A. Percent of districts meeting the State's AYP objectives for progress for disability subgroup.

B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

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

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

Data Source: Virginia Department of Education Information Management Office.

In 2004-05 no unique student test identifier (ID) was used, therefore the data set is the number of assessments (or tests) taken by students with disabilities.

Measurement:

A. Percent = # of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the State times 100.

B. Participation rate =

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

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

Overall Percent = b + c + d + e divided by a.

C. Proficiency rate =

a. # of children with IEPs in grades assessed

b.# of children with IEPs in grades assessed who are proficient or above as measured by the

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

Overall Percent = b + c + d + e divided by a.

Overview of Issue/Description of System or Process:

Measurement for youth with Individualized Education Programs (IEPs) on assessment performance is the same measurement as for all youth for determining Adequate Yearly Progress (AYP) for schools and school divisions under the *No Child Left Behind Act.* In 2004-2005 there were no unique student testing identifiers, therefore the data represent the number of individual assessments taken by students with disabilities rather than the number of students. Unique student testing identifiers are now being utilized, as of the 2005-2006 fall test administration of Standards of Learning (SOL) assessment. Also, AYP calculations include only first-time test takers and test answer sheets are coded to show if the test is "retest" or "recovery."

Virginia's annual measurable objectives for students with disabilities are consistent with those for all students as described in Virginia's Accountability Workbook. The Accountability Workbook may be accessed at http://www.doe.virginia.gov/VDOE/nclb/#csa).

In 2004-2005 Virginia administered English/reading and mathematics assessments to students in grades 3, 5, 8, and certain high school courses (End-of-Course tests). Beginning 2005-2006, Virginia will administer state assessments in grades 3, 4, 5, 6, 7, 8, and End-of-Course tests as required under the *No Child Left Behind Act*.

Baseline Data for FFY 2004 (2004-2005):

A. Percent of Districts Meeting AYP Objectives:

The addition of proxy percentages was used in calculating AYP. The percentages (14 percent for reading and 17 percent for mathematics) represent students with disabilities who demonstrate proficiency on modified achievement standards and were added to the subgroup's pass rates under interim flexibility for states announced in May 2005 by United States Secretary of Education.

62.8 percent (83 of 132) of Virginia's public school divisions met Adequate Yearly Progress (AYP) objectives for the students with disabilities subgroup.

B. State Assessment Participation:

Assessment Subject Area	Number of Tests Taken	Number of Tests Expected Tests to be Taken*	Percent

Reading	49,271	50,320	97.9
Mathematics	59,690	60,749	98.3

***** Students enrolled in grades and courses for which there are state assessments are documented by coding on the test answer sheets. These data represent the number of test answer sheets that are reported as the student did not attempt the test.

C. **State Assessment Proficiency:** The data set is the number of tests taken by students with disabilities.

Test Type	Number of Tests Passed (Advanced Proficient + Proficient)	Number of Tests Failed	Total Number of Tests	Percent Tests Passed
Regular Assessment No Accommodations	**63,960**	**26,858**	**90,818**	**70.4**
Regular Assessment With Accommodations	**276,102**	**283,510**	**559,612**	**49.3**
Alternative Assessment Against Grade-Level Standards No Accommodations (Virginia Grade Level Alternative + Virginia Substitute Evaluation Program*)	**1,502**	**517**	**2019**	**74.4**
Alternative Assessment Against Grade-Level Standards With Accommodations	*No data*	*No data*	*No data*	*No data*
Alternate Assessment Against Alternate Achievement Standards No Accommodations (Virginia Alternate Assessment Program)	**14,856**	**534**	**15,390**	**96.5**
Alternate Assessment Against Alternate	*No data*	*No data*	*No data*	*No data*

Achievement Standards With Accommodations				

*The total number of participants in the VSEP was below 10 and considered statistically insignificant for reporting purposes.

Discussion of Baseline Data:

The data from 2004-2005 provide the percentage of students who participated in Virginia's Standards of Learning (SOL) assessments for English/Reading and mathematics in grades 3, 5, 8 and high school courses. The overall percentage for state assessment participation is 97.9 for reading and 98.3 for mathematics.

The overall pass rate of students with disabilities on the regular assessment with no accommodations was 70.4 percent; with accommodations was 49.3 percent. The pass rate on alternative assessments against grade-level standards was 74.4 percent.

The pass rate on alternate assessments against alternate achievement standards was 96.5 percent. It is important to note that the 2004-2005 was the last year using the Virginia Alternate Assessment Program (VAAP) that has been in place. The VAAP was revised in 2005 to reflect student achievement on Aligned Standards of Learning and adjusted to the need for testing and scoring entries at more grade levels as required by the *No Child Left Behind Act*. Therefore, the 2004-2005 VAAP data will not be an accurate representation of baseline data against which future years will be compared.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	At least 64 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup. At least 95% of students with disabilities will participate in state assessements. At least 69% of students with disabilities will pass state english/reading assessments. At least 67% of students with disabilities will pass state mathematics assessments.
2006 (2006-2007)	At least 65 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup. At least 95% of students with disabilities will participate in state assessements. At least 73% of students with disabilities will pass state english/reading assessments. At least 71% of students with disabilities will pass state mathematics assessments.
2007 (2007-2008)	At least 66 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup. At least 95% of students with disabilities will participate in state assessements. At least 77% of students with disabilities will pass state english/reading assessments. At least 75% of students with disabilities will pass state mathematics assessments.
2008 (2008-2009)	At least 67 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup. At least 95% of students with disabilities will participate in state assessements. At least 81% of students with disabilities will pass state english/reading assessments. At least 79% of students with disabilities will pass state mathematics assessments.
2009	At least 68 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup.

(2009-2010)	At least 95% of students with disabilities will participate in state assessements. At least 85% of students with disabilities will pass state english/reading assessments. At least 83% of students with disabilities will pass state mathematics assessments.
2010 (2010-2011)	At least 69 percent of Virginia's school divisions will meet AYP objectives for the students with disabilities subgroup. At least 95% of students with disabilities will participate in state assessements. At least 89% of students with disabilities will pass state english/reading assessments. At least 87% of students with disabilities will pass state mathematics assessments.

Improvement Activities/Timelines/Resources:

Support and provide academic reviewers with expertise in special education in the Academic Review Process to assist schools in most need of improving results

Provide reading training and technical assistance with a focus on needs of special education teachers, linking with Virginia's *Reading First* project

Provide instructional resources that will assist elementary, middle, and high school teachers in the delivery of SOL content to students using differentiated instructional techniques and technology and make available at www.ttaconline.org

Maintain coordinated support and establish middle school sites for implementing the Instruction Support Team (IST) model in each of the 8 regions, to enhance, improve, and increase instruction and learning

Support the use of Recordings for the Blind & Dyslexic as assistive technology for students in localities with high need

Provide coordinated training and technical assistance on the need for and use of assistive technology (AT) with a focus on access to the general curriculum and support for including students with disabilities in general classrooms and community settings and make available at www.ttaconline.org

Establish coordinated, statewide training to improve literacy for students with disabilities that will enable them to be successful in learning the SOL content. Target middle and high school teachers in high need schools to be trained in the University of Kansas Strategic Instruction Model (SIM) and provide state support for pilot demonstration schools to implement the Strategic Instruction Model -Content Literacy Continuum (SIM-CLC)

Provide coordinated information and training for personnel in schools to build their capacity to improve services and outcomes for children with autism through regional training of trainers program

Provide training and technical assistance for personnel working with preschool age children in addressing inclusive preschool placements, communication, behavior and pre literacy and numeracy skills at regional workshops and statewide conferences

Provide searchable database of local school division and state operated program improvement activities reported on their local improvement plans and make available at www.ttaconline.org

Develop and/or revise guidance material for effective practices, including: services for students with speech-language disabilities and hearing impairments; use of standards-driven process for the Individualized Education Program, use of restraint and seclusion in public schools, and special education referral for students with limited English proficiency

Provide leadership, coordination, and support for personnel who provide special education to students with disabilities who are incarcerated in local and regional jails, with an emphasis on effective literacy instruction and transition.

Continue providing leadership and support for the special education Training/Technical Assistance Center system (T/TAC), the Hearing Impairment Center, and the Virginia Department for Blind and Vision Impaired to provide techncial assistance and research-based effective practices dissemination on behalf of infants, toddlers, and youth with disbilities

Examine special education service delivery and caseload standards for revision.

Provide on-line practice assessments and tutorials designed to help students prepare for SOL assessments, provide tutorials for students who need additional preparation for retakes of the SOL tests needed for high school verified course credits and provide a Web-based application that assesses mathematics competencies from fourth to ninth grades to assist with local remediation programs.

Provide technical assistance on the use of substitute tests available as End of Course tests to allow students to earn verified credits toward graduation.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, T/TAC staff and others listed in the activity description.

Part B State Performance Plan for 2005-2010

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Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 4

Rates of suspension and expulsion:

A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; ~~and~~

B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

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

Data Source:

Table 5, Section A, *Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days* of the Annual Report of Children Served.

Discrepancy can be computed by either comparing rates for children with disabilities to rates for nondisabled within a district or by comparing among LEAs for children with disabilities in the State.

Measurement:

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

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

Include State's definition of "significant discrepancy."

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) analysis of the data over a three year period beginning in 2001-2002 reveals students with disabilities receive long-term suspensions and expulsions at a rate higher than that for students without disabilities. Analysis of the suspension and expulsion rates for students with disabilities and students without disabilities since 2001-2002 reveals that the disparity between the rates has remained over the three-year period. Expulsion rates for students with disabilities and without disabilities increased in 2003-04 but the disparity between the two rates remained virtually

the same. A more detailed analysis of previous year' data reveals there are relatively few school divisions that have greater than 3 long-term out of school suspensions or greater than 3 expulsions.

In any case, VDOE ensures school divisions comply with the continued service provisions of the IDEA.

Baseline Data for FFY 2004 (2004-2005): (see discussion of baseline data)

Discussion of Baseline Data:

Using 2004-2005 data, a preliminary analysis of special education and general education long-term suspensions and expulsions has been completed. When the numbers of special education student long term suspensions per 1,000 students were compared to the long-term suspension rates per 1,000 students for regular education for each division, 50 of 132 school divisions had rates for special education students that exceeded those for regular education students. However, when only those school divisions with four or more long-term suspensions for students with disabilities were included, the number dropped to 30. Comparison of regular education and general education rates of long-term suspensions within a school division with a low number of suspensions can skew the data and has the potential to misrepresent the identification of schools with "significant discrepancies." To further refine the analysis, a comparison of rates of suspensions of the 30 school divisions having four or more suspensions with the state average rate of suspensions per 1,000 students of 6.16 was made. Of the 30, only 18 school divisions had rates of suspensions for children with disabilities that exceeded those for the state as a whole, for a percentage of 13.6 percent. Using this analysis, Virginia will identify school divisions with "significant discrepancy" as those divisions whose rate of long-term suspension exceeds that for students without disabilities, and is greater than the state average and has a number of long-term suspensions greater than three.

A similar analysis was completed for expulsion data. Forty-one school divisions had expulsion rates per 1,000 students for special education students that exceeded rates for general education students. However, when only those school divisions with four or more expulsions were counted, only 13 school divisions were identified. When comparison with the state rate of 1.24 per 1,000 students was made, 12 of the 13 school divisions were identified as exceeding the state rate, for a percentage of 9 percent. Using this analysis, Virginia will identify school divisions with "significant discrepancy" as those divisions whose rate of expulsion exceeds that for students without disabilities, and is greater than the state average and has a number of expulsions greater than three.

By using this type of procedure to examine the data, a definition of "significant discrepancy" can be developed. Expulsion and suspension data will be analyzed in aggregate and also disaggregated by race and ethnicity to compare rates between the population of students without disabilities and those with disabilities. Based on the analysis of the data, "ranges of acceptance" will be developed that address the minimum number of actual suspensions or expulsions that would serve as a cut off point for school division inclusion in the analysis and the variance from the state average that would indicate identification. School divisions that have actual numbers of suspensions and expulsions that exceed a minimum and expulsion and suspension rates for disabled students beyond the ranges of acceptance for both the state comparison and the comparison within school divisions will be identified. Once an analysis of data using a significant discrepancy has been completed, it is likely that new targets will be developed. Identification will be made on both an aggregate basis (Part A) and by race/ethnicity (Part B).

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.
2006 (2006-2007)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.
2007 (2007-2008)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.
2008 (2008-2009)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.
2009 (2009-2010)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.
2010 (2010-2011)	Reduce the percentage of LEAs with significant discrepancy for long-term suspensions to 10 percent and for expulsions to 7 percent.

Improvement Activities/Timelines/Resources:

Identify LEAs with significant discrepancy for long-term suspension or expulsion. Focus on these divisions and follow-up through with notification and require explanation of local efforts to deal with suspension/expulsion. This follow-up will include review of local policies and procedures and revision of these policies and procedures where needed.

Continue to provide training to school divisions on manifestation review procedures.

Continue to provide training in effective school-wide discipline using positive behavior interventions, including dissemination of Functional Behavioral Assessment and Behavioral Intervention Plan multimedia materials.

Analyze state and division level data to identify areas with the largest difference in suspension and expulsion rates for children with disabilities and children without disabilities. Provide technical follow-up.

Continue to provide training to reduce disproportionate representation, to include cultural competency training.

Establish a statewide committee to work with VDOE staff on the development of technical assistance for addressing disproportionate representation.

Continue to provide training to school divisions on the analysis of violence, crime and discipline data through the “Prevention through Information” project.

Develop guidelines for parents for understanding the student discipline section of the Code of Virginia.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, T/TAC staff and others listed in the activity description.

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: FAPE in the LRE
Indicator 5 – Percent of children with IEPs aged 6 through 21: A. Inside the regular class 80 percent or more of the day; B. Inside the regular class less than 40 percent of the day; and C. In separate schools, residential facilities, or homebound/hospital placements. (20 U.S.C. 1416(a)(3)(A))
Data Source: Data collected for reporting under section 618 (Annual Report of Children Served).
Measurement: A. Percent = [(# of children with IEPs served inside the regular class 80 percent or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100. B. Percent = [(# of children with IEPs served inside the regular class less than 40 percent of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100. C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education (VDOE) collected data on the amount of time students receive special education outside the regular class on the December 1, 2004 Child Count. Previous years' data reflected the amount of time students received special education services but did not specify where the services were provided, so no year to year comparison is possible. Data were reported that way because percent of time receiving special education data are used to generate state funding to school divisions in Virginia.

Data reported in the public residential facilities category are for students placed in public educational programs in facilities operated by the Department of Mental Health, Mental Retardation, and Substance Abuse Services and Virginia's two state schools for the Deaf and Blind and Multi-disabled.

Baseline Data for FFY 2004 (2004-2005):

Placements for Students with Disabilities, Ages 6-21		
Placement Settings	**2004-05**	
Amount Spec Ed Outside Reg Class 0-20 %	88,120	56 %
Amount Spec Ed Outside Reg Class 21-60 %	40,654	26 %
Amount Spec Ed Outside Reg Class 61-100 %	22,761	15 %
Public Separate Facility	2,230	1 %
Private Day Program	1,734	1 %
Public Residential	249	< 1 %
Private Residential	714	< 1 %
Home-Based	946	< 1 %
Hospital	13	< 1 %
TOTAL	157,421	

Discussion of Baseline Data:

Data for students with disabilities reflecting the amount of special education received outside the regular class (the amount of special education received in a special education class) were collected with the December 1, 2004 child count. Collections for future years will allow for a comparison to previous years data and will allow for measurement of progress or slippage on the targets listed below.

As indicated in the chart above, data reported in the December 1, 2004 child count show 56 percent of students with disabilities received less than 21 percent of their special education outside the regular classroom; 26 percent received between 21 and 60 percent of their special education outside the regular classroom; and 15 percent received between 21 and 60 percent of their special education outside the regular classroom. All other placement categories reflect either 1 percent of less than 1 percent.

In addition to determining percentages for aggregated state data, for future years VDOE will include an analysis of data to determine which school divisions fail to meet the state average for percentage of students, ages 6-21, receiving less than 21 percent of their special education services outside the regular class. Information obtained from this analysis will be used for follow-up activities and will be used as part of VDOE's on-site monitoring process.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Increase the percentage of students, ages 6-21, receiving less than 21 percent of their special education services outside the regular class to 58%. Decrease the percentage of students, ages 6-21, receiving more than 60 percent of their special education services outside the regular class to 14% Decrease the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to 3 percent.

2006 (2006-2007)	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 60 percent. Decrease the percentage of students, ages 6-21,spending at least 40 percent of their day in the regular class to 12 percent. Decrease the percentage of students, ages 6-21, receiving their special education services in public or private schools, residential placements or homebound or hospital placements to 2 percent.
2007 (2007-2008)	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 62 percent. Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 11 percent. Decrease the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to 1 percent.
2008 (2008-2009)	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 64 percent Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 10 percent. Decrease the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to less than 1 percent.
2009 (2009-2010)	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 66 percent. Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 9 percent. Maintain the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to less than 1 percent. Identify school divisions where students placed by those divisions in public or private separate schools, residential placements or homebound or hospital placements could be reduced.
2010 (2010-2011)	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 60 percent. Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 12%. Maintain the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to less than 1 percent. Identify school divisions where students placed by those divisions in public or private separate schools, residential placements or homebound or hospital placements could be reduced.

Improvement Activities/Timelines/Resources:

Support and provide academic reviewers with expertise in special education in the academic review Process.

Provide information to assist elementary, middle, and high school teachers in the delivery of Standards Of Learning (SOL) content to students using differentiated instructional techniques and technology and make available at www.ttaconline.org.

Establish coordinated, statewide training to improving literacy for students with disabilities that will enable them to be successful in learning the SOL content. Target middle and high school teachers in high need schools to be trained in the University of Kansas Strategic Instruction Model (SIM).

Provide state support for pilot demonstration schools to implement the Content Literacy Continuum Strategic Instruction Model.

Provide coordinated training and technical assistance on the need for and use of assistive technology (AT) with a focus on access to the general curriculum and support for including students with disabilities in general classrooms and community settings.

Maintain coordinated support and establish middle school sites for implementing the Instruction Support Team (IST) model in each of the 8 regions, to enhance, improve, and increase instruction and learning.

Begin a staffing/caseload study to review service delivery models with a goal of identifying models which support the provision of services to students with disabilities in the regular classroom.

Maintain Web site that provides searchable differentiated lesson plans in the content areas of English, Mathematics, Science and History to assist general and special education teachers in instruction of all students, especially students with disabilities.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, TTAC staff and others listed in the activity description.

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: FAPE in the LRE
Indicator 6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings). (20 U.S.C. 1416(a)(3)(A))
Measurement: Percent = # of preschool children with IEPs who received all special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education collects data for this indicator through the December 1 special education child count.

Data are for students ages 2 – 5 because Virginia serves students ages 2 – 22+ under Part B. Previous years' data show changes in the number of students served in early childhood settings, early childhood special education settings and Itinerant services. For students ages 2 – 5, the majority are served in these three categories. School divisions are directed to use the Itinerant Services category for students ages 2 – 5 who only receive speech/language services.

Baseline Data for FFY 2004 (2004-2005):

Placement data from December 1, 2004 child count for students ages 2-5.

Discussion of Baseline Data:

Data reported for the 2004-2005 school year shows a slight decrease (2 percent) in the percentage of students served in early childhood, non-special education settings. There was also a slight increase (2 percent) in the percentage of students served in early childhood, special education settings. There was also as slight decrease (1 percent) in the percentage of students receiving only speech/language services in itinerant settings.

Placement Settings	2002-03		2003-04		2004-05	
Early Childhood Setting (Not Special Education)	2809	17%	2935	17%	2757	15%
Early Childhood Setting (Special Education)	7838	47%	7843	45%	8461	47%
Home	1049	6%	5	5%	1070	5%
Part Early Childhood Setting (Not Special Education) and Part Early Childhood Setting (Special Education)	923	5%	911	5%	1069	6%
Residential Facility (Public or Private)	17	<1%	4	<1%	19	<1%
Separate School (Public or Private)	65	<1%	99	<1%	135	<1%
Itinerant Service	3914	23%	4169	26%	4532	25%
Reverse Mainstream	60	<1%	36	<1%	29	<1%
TOTAL	16675		17429		18072	

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.
2006 (2006-2007)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.
2007 (2007-2008)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.
2008 (2008-2009)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.

2009 (2009-2010)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.
2010 (2010-2011)	Increase the percentage of students ages 2-5 served in early childhood, non-special education settings by 1% a year.

Improvement Activities/Timelines/Resources:

Conduct sessions at statewide conferences and meetings on how to set up collaborative classrooms, and other topics concerning inclusive settings as requested by LEAs.

Review, update, and dissemminate Integrated Placement Options for Preschoolers (IPOP) materials to all school divisions and T/TAC libraries (by spring 2006).

In cooperation with Part C and Training/Technical Assistant Centers (T/TACs), continue state level initiative on supporting integrated placements for preschoolers with special needs.

Activities will be implemented for the duration of the SPP, through 2010.

VDOE staff, Part C staff and T/TAC staff are all resources for the above activities.

Overview of the State Performance Plan Development: See description in Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 7:

Percent of preschool children with IEPs who demonstrate improved:

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

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

C. Use of appropriate behaviors to meet their needs.

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

Measurement:

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

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

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):
   a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
   b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved

functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

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

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

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

C. Use of appropriate behaviors to meet their needs:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.

b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

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

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

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

Overview of Issue/Description of System or Process:

VDOE provided training to school divisions for this indicator in 2005-2006 and 2006-2007. Training sessions provided information on appropriate assessment instruments, maintaining data on students, and reporting data.

VDOE used the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form to define "comparable to same-aged peers." Instruments and procedures used to gather information for this indicator, in addition to the ECO Child Outcomes Summary Form, included the following:

Battelle Developmental Inventory
Learning Accomplishment Profile 3
HELP for Preschoolers
PALS – PK
TOLD – P:3
Vineland

Work Sampling System
Developmental Assessment of Young Children

Baseline Data for FFY 2006 (2006-2007)

Baseline data are not required to be reported.

Discussion of Baseline Data

Baseline data are not required to be reported.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	N/A
2009 (2009-2010)	N/A
2010 (2010-2011)	N/A

Interim Progress Data from 2006-2007

	N	Total Number	Percent
A. Positive social-emotional skills (including social relationships):			
a. Percent of preschool children who did not improve functioning	88	3,054	3
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	440	3,054	14
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	875	3,054	29
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	679	3,054	22
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	972	3,054	32
Total # for A = (a + b + c + d + e)	**3,054**	**3,054**	**100**
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):			
a. Percent of preschool children who did not improve functioning	90	3,054	3
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	554	3,054	18

c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,354	3,054	44
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	720	3,054	24
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	336	3,054	11
Total # B = (a + b + c + d + e)	**3,054**	**3,054**	**100**
C. Use of appropriate behaviors to meet their needs.			
a. Percent of preschool children who did not improve functioning	79	3,054	3
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	402	3,054	13
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	668	3,054	22
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	709	3,054	23
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	1,196	3,054	39
Total # for C = (a + b + c + d + e)	**3,054**	**3,054**	**100**

Improvement Activities/Timelines/Resources:

VDOE will conduct training and provide technical assistance on appropriate assessment instruments, maintaining data on students, and reporting data.

VDOE will conduct training and provide technical assistance on functional IEP goal development.

VDOE will conduct training and provide technical assistance on Social/Emotional Competency Curriculum for preschool.

VDOE will continue to work with the National Early Childhood Technical Assistance Center and Early Childhood Outcomes Center on issues related to this indicator.

Resources to support these activities include the following:

- Center for Social and Emotional Foundations for Early Learning: *Promoting the Social Emotional Competence of Youth Children* curriculum
- Early Childhood Special Education stakeholders group
- VDOE Early Childhood Project group
- Early Childhood outcomes Center materials, website, and training materials.
- Training/Technical Assistance Centers (T/TAC)

Activities will be ongoing for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2008

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: FAPE in the LRE
Indicator 8 Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. (20 U.S.C. 1416(a)(3)(A))
Data Source: State selected data source.
Measurement: Percent = # of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total # of respondent parents of children with disabilities times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education (VDOE) developed a survey instrument to allow parents to report on whether schools facilitated parent involvement as a means of improving services and results for children with disabilities. This instrument was developed in consultation with the National Center for Special Education Accountability Monitoring (NCSEAM) and the evaluation staff at the Partnership for People with Disabilities at Virginia Commonwealth University (VCU).
The questions were selected from the bank of standardized survey questions established and field tested by NCSEAM. The survey is considered to be a reliable instrument from which to collect data.

Virginia elected to use a census approach to conducting this survey. The survey was mailed directly to parents of all preschool and school-age students with IEPs, across all levels (high school, middle school, elementary and preschool) and all disability categories. A postage-free return envelope was provided. The total number of surveys sent out was150,891. The total number of surveys completed and returned was 27,971, a return rate of 18.54%. A toll-free number was provided for questions about the survey process. The survey instrument provided a message in Spanish and a toll-free number to the Parent Educational Advocacy Training Center (PEATC), Virginia's federally funded Parent Training Information Center, so that Spanish-speaking parents could request a Spanish version of the survey.

The response data have been analyzed and reviewed by our partners at the Avatar Institute of Measurement and Virginia Commonwealth University. Avatar is the company that has been integrally involved in the development and analysis of parent surveys during the research and piloting of the NCSEAM survey instrument. This company used Rasch measurement technology and related data analysis methods to give us the most stable assessments of the data we collected through the survey.

Baseline Data for FFY 2005 – 2006

The NCSEAM survey threshold item is "The school explains what options parents have if they disagree with a decision of the school", which comes from the *Efforts Schools Make to Partner with Parents* scale. Virginia's baseline data, based on the raw percentage of responses of Agree, Strongly Agree, or Very Strongly Agree on this NCSEAM survey threshold item is 64.3%.

Discussion of Baseline Data

Virginia's percentage of 64.3% on Indicator 8 represents the proportion of the "agree, strongly agree, very strongly agree" responses to the threshold item. This percentage was based on 16,223 out of the 25,211 valid responses to this item.

VDOE will continue to work with Avatar and NCSEAM to ensure valid and reliable comparisons across years and across respondent pools.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	N/A
2006 (2006-2007)	65 percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2007 (2007-2008)	65 percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2008 (2008-2009)	65 percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2009 (2009-2010)	66 percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2010 (2010-2011)	67 percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Improvement Activities/Timelines/Resources

Specific activities to address the survey items will be developed by a subgroup of Virginia's stakeholder group. This group, the Parent Involvement Priority Project, has served as the stakeholder group for this indicator and represents parents from the State Special Education Advisory Committee (SSEAC), local parent resource centers, local special education advisory committees, local special education administrators, university-based training and technical assistance centers (T/TACs), the Partnership for People with Disabilities at Virginia Commonwealth University at VCU (Virginia's university center for excellence), and staff from VDOE.

Offer "Creating Collaborative IEPs", a training curriculum being revised and produced by the Partnership for People with Disabilities, in collaboration with VDOE and its T/TACs.

Offer "Effectiveness Training for Local Special Education Advisory Committees (SEACs)", a collaborative project with the Partnership funded by VDOE and the Virginia Board for People with Disabilities. VDOE and the Partnership will offer technical assistance and information.

Expansion and improvement of VDOE Web page for parent involvement.

Ongoing training for existing Parent Resource Centers; continued development and support of new parent centers.

Continued inclusion of parent-specific activities in the State Improvement Grant (SIG).

Utilize the parent specialist and parent ombudsman to address parent concerns. The staff of VDOE and the Partnership for People with Disabilities will continue to review the results of the survey in more detail, using the information to inform the development of future improvement activities.

Activities will be implemented for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Disproportionality
Indicator 9 Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. (20 U.S.C. 1416(a)(3)(C))
Data Source: Data collected for reporting under section 618 (Annual Report of Children Served).
Measurement: Percent = # of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100. Include State's definition of "disproportionate representation." Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Overview of Issue/Description of System or Process:

VDOE has been involved with school divisions for several years in efforts to address any disproportionate representation of minority students (with a particular emphasis on black students) identified as students with disabilities and by individual disability categories.

VDOE's definition for disproportionate representation refers to the overrepresentation of minorities in special education programs. Disproportionate representation in special education occurs when the number of students in a particular racial/ethnic group identified for special education is disproportionate to the number of that group in the school population. This definition now also includes whether the disproportionate representation is the result of inappropriate identification.

In order to establish baseline data to meet the requirement to report on the percent of districts with disproportionate representation of race in specific disability categories that is the result of inappropriate identification, VDOE utilized the following process.

An analysis of school division data was conducted at the state level. Data collected on the annual fall membership submission was used for totals for the general student population. Data collected in the annual special education December 1st child count was used for the totals for students with disabilities. Divisions with black students of a race category comprising fewer than five percent of the general student population were not included in the state level analysis. VDOE used a comparison model for the state level data analysis. The percentage of students in the special education population in each race category is compared to the percentage of students in the general population

of that race category and an expected number of students identified as students with disabilities for each race category are determined.

Consistent with previous years' analysis and submission of data, a twenty percent adjustment is made to the expected number students identified as students with disabilities of each race category. If the number of expected students of a category is still higher than the expected number of students identified as students with disabilities for that race category, a preliminary determination of possible disproportionality is made.

School divisions received written notification of this preliminary determination of possible disproportionate representation relative to the identification of black students as students with disabilities. These school divisions were further notified that they were required to review the records of all black students aged 6-21 referred for an initial eligibility meeting during the 2005 - 2006 school year.

VDOE developed a record review checklist using the criteria below to allow school divisions to document that eligibility decisions were appropriately made. VDOE established a process for local school divisions to conduct a review of individual student records. Information was also provided to school divisions to assist with the examination of policies, practices and procedures related to providing assistance, support and appropriate instructional intervention to all students experiencing academic/behavioral learning difficulties.

In reviewing individual student records, school divisions were required to determine whether each of the following criteria had been addressed in making eligibility decisions:

1. The pre-referral/child study team reviewed the student's records, achievement scores and other performance evidence.

2. Information in the student's records, achievement scores and/or group standardized data indicated academic or behavior problems that interfered with the student's performance.

3. A review of the student's records indicated a concern.

4. The student's current grades indicated below average performance for grade and instructional level.

5. Teacher concerns were consistent with problem(s) identified in the student's records and/or reports.

6. Information about the student's environmental, cultural, ESL skills, and economic backgrounds were considered as factors in the learning difficulties.

7. Intervention strategies were identified and implemented that matched the student's instructional/behavioral problems.

8. The intervention strategies were monitored, modified (as appropriate), and attempted over a specific period of time (i.e. 4-6 weeks).

9. Accommodations/modifications were made in the general curriculum to facilitate the student's participation.

10. The student's academic/behavioral problem, as documented, was consistent and resulted in a lack of progress and responsiveness to instruction that supported the decision for special education evaluation.

These criteria will be reviewed and revised as needed.

School divisions were required to submit the written summary of their record review process to VDOE. VDOE analyzed the individual school divisions' data and made a determination as to which divisions had disproportionate representation that was a result of inappropriate identification. Those school divisions that are found to be disproportionately represented due to inappropriate identification will be expected to develop an action plan to address/reduce disproportionality. This plan will include a review of local policies, practices and procedures to determine whether any revisions need to be made to address any issue related to possible disproportionate representation.

Baseline Data for FFY 2005 - 2006:

Based on the preliminary state level analysis, twenty-seven school divisions met the criteria for possible disproportionate representation relative to race and were required to conduct a record review of the records of all black students aged 6-21 referred for an initial eligibility meeting during the 2005 - 2006 school year.

Based on the state level review of school division's individual student record review, nine school divisions of all school divisions (132) or six percent, were identified as having disproportionate representation that was the result of inappropriate identification.

Discussion of Baseline Data:

VDOE recognizes this was the first year school divisions were required to use the process described above. VDOE recognizes the identification of certain school divisions having disproportionate representation that is the result of inappropriate identification could be based on their inability to document appropriate activities that the school division engages in rather than having eligibility decisions that truly were the result of inappropriate identification. This lack of documentation should not be construed as a determination that the policies, procedures and practices of these divisions are in need of revision.

Since this is the first year VDOE has worked with school divisions to use the above described process to determine whether there is disproportionate representation that is the result of inappropriate identification, it is not possible to compare data across previous years.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	N/A
2006 (2006-2007)	0 percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.

2007 (2007-2008)	0 percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2008 (2008-2009)	0 percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2009 (2009-2010)	0 percent of the school divisions in the state will have disproportionate that is the result of inappropriate identification representation identified.
2010 (2010-2011)	0 percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.

Improvement Activities/Timelines/Resources:

Provide technical assistance related to disproportionate representation that is the result of inappropriate identification to all school divisions in Virginia, regardless of whether a determination of disproportionate representation has been made for a division. This technical assistance will include a focus on state level and school division level policies, procedures and practices related to pre-referral instructional interventions, appropriateness of eligibility decisions and IEP development.

Provide follow-up monitoring of student record reviews, changes and revisions to local school division policies, practices and procedures specific to this indicator will be an ongoing component of VDOE's focused monitoring.

Participate in conferences and meetings where issues related to disproportionality are addressed, especially with the U.S. Department of Education's Office Special Education Programs (OSEP), National Center for Culturally Responsive Educational Systems (NCCRESt) and the Mid-South Regional Resource Center (MSRRC).

Work with the state level Disproportionality Assessment Task Force to assist local school divisions in examining and reviewing the policies, practices and procedures that could impact possible disproportionate representation.

Work with school divisions to develop Disproportionality Action Plans which will provide the framework for school divisions with disproportionality to outline their improvement strategies, detail the tasks and/or action steps, identify the responsible staff involved, note the area of emphasis in policies, practices and/or procedures and give the timeline for completion of the tasks.

Activities will be implemented for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: **See overview description in Introduction.**

Monitoring Priority: Disproportionality
Indicator 10 Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. (20 U.S.C. 1416(a)(3)(C))
Data Source: Data collected for reporting under section 618 (Annual Report of Children Served).
Measurement: Percent = # of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of districts in the State times 100. Include State's definition of "disproportionate representation." Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Overview of Issue/Description of System or Process:

VDOE has been involved with school divisions for several years in efforts to address any disproportionate representation of minority students (with a particular emphasis on black students) identified as students with disabilities and by individual disability categories.

VDOE's definition for disproportionate representation refers to the overrepresentation of minorities in special education programs. Disproportionate representation in special education occurs when the number of students in a particular racial/ethnic group identified for special education is disproportionate to the number of that group in the school population. This definition now also includes whether the disproportionate representation is the result of inappropriate identification. The determination of inappropriate identification is addressed in the following.

In meeting the requirements to report on the percent of districts with disproportionate representation of race in specific disability categories that is the result of inappropriate identification, VDOE utilized the following process.

An analysis of school division data was conducted at the state level. Data collected on the annual fall membership submission was used for totals for the general student population. Data collected in the annual special education December 1st child count was used for the totals for students with

disabilities. Divisions with a race category comprising fewer than five percent of the general student population were not included in the state level analysis. VDOE used a comparison model for the state level data analysis. The percentage of students of each race category in the special education population is compared to the percentage of students of each race category in the general population and an expected number of students with disabilities for that race category is determined for each of the six designated disability categories: mental retardation, specific learning disabilities, emotional disturbance, other health impairments, autism and speech/language impairments.

Consistent with previous years' analysis and submission of data, a twenty percent adjustment is made to the expected number of students in each race category in each of the six designated disability categories. If the number of expected students in that race category is still higher than the expected number in any of the six designated disability categories, a preliminary determination of possible disproportionality is made.

School divisions received written notification of this preliminary determination of possible disproportionate representation relative to one or more of the six designated disability categories. These school divisions were further notified that they were required to review the records of all black students aged 6-21 referred for an initial eligibility meeting during the 2005 - 2006 school year.

VDOE developed a record review checklist using the following criteria for the six designated disability categories to allow school divisions to document that eligibility decisions were appropriately made.

School divisions were required to determine whether each of the following criteria had been addressed in making eligibility decisions for the six designated disability categories:

1. The eligibility decision was based upon information from a variety of sources.

2. The determinate factors in the eligibility decision were:

    - Significant academic deficits
    - Significant behavioral difficulties
    - Persistent performance difficulties in multiple areas and/or
    - Significant lack of progress and/or unresponsiveness to intervention

3. Did the documented evidence support appropriate instruction in reading?

4. Did the documented evidence support appropriate instruction in math?

5. The final criterion was for school divisions to document the eligibility decision was consistent with the definition in state regulations for the six designated disability categories (disability category definitions in Virginia's Regulations Governing Special Education Programs for Children With Disabilities in Virginia are consistent with federal definitions).

School divisions were required to submit the written summary of their record review process to VDOE. VDOE analyzed the individual school divisions' data and made a determination as to which divisions had disproportionate representation that was a result of inappropriate identification for one or more of the designated disability categories. Those school divisions that are found to have disproportionate representation due to inappropriate identification in any of the designated disability categories will be expected to develop an action plan to address/reduce disproportionality. This plan will include a review of local policies, practices and procedures to determine whether any revisions need to be made to address any issue related to possible disproportionate representation.

Baseline Data for FFY 2005 - 2006:

VDOE's review of information submitted by school divisions' based on local review of eligibility decisions showed twelve (12) out of 132 school divisions in the state, or nine (9) percent in Virginia indicated some level of inappropriate identification relative to at least one of the six designated disability categories.

Discussion of Baseline Data:

VDOE recognizes this was the first year school divisions were required to use the process described above. VDOE recognizes the identification of certain school divisions having disproportionate representation that is the result of inappropriate identification could be based on their inability to document appropriate activities that the school division engages in rather than having eligibility decisions that truly were the result of inappropriate identification. This lack of documentation should not be construed as a determination that the policies, procedures and practices of these divisions are in need of revision.

Since this is the first year VDOE has worked with school divisions to use the above described criteria to determine whether there is disproportionate representation that is the result of inappropriate identification, specific to the six designated disability categories of mental retardation, specific learning disabilities, emotional disturbance, other health impairments, autism and speech/language impairments, it is not possible to compare data across previous years.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	N/A
2006 (2006-2007)	O percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2007 (2007-2008)	O percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2008 (2008-2009)	O percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2009 (2009-2010)	O percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.
2010 (2010-2011)	O percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.

Improvement Activities/Timelines/Resources:

Provide technical assistance related to disproportionate representation that is the result of inappropriate identification to all school divisions in Virginia, regardless of whether a determination of disproportionate representation has been made for a division. This technical assistance will include a focus on state level and school division level policies, procedures and practices related to pre-referral instructional interventions, appropriateness of eligibility decisions and IEP development.

Provide follow-up monitoring of student record reviews, changes and revisions to local school division policies, practices and procedures specific to this indicator will be an ongoing component of VDOE's focused monitoring.

Participate in conferences and meetings where issues related to disproportionate representation are addressed, especially with U.S. Department of Education's Office Special Education Programs (OSEP), National Center for Culturally Responsive Educational Systems (NCCRESt) and the Mid-South Regional Resource Center (MSRRC).

Work with the state level Disproportionality Assessment Task Force to assist local school divisions in examining and reviewing the policies, practices and procedures that could impact possible disproportionate representation.

Provide information related to possible significant disproportionate representation on the VDOE website.

Work with school divisions to develop Disproportionality Action Plans which will provide the framework for school divisions with disproportionate representation to outline their improvement strategies, detail the tasks and/or action steps, identify the responsible staff involved, note the area of emphasis in policies, practices and/or procedures and give the timeline for completion of the tasks. The Disproportionality Action Plan also provides for Continuous Improvement plans for review and updates as appropriate.

Activities will be implemented for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B/Child Find
Indicator 11 Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline). (20 U.S.C. 1416(a)(3)(B))
Measurement: a. # of children for whom parental consent to evaluate was received. b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline). c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline). Account for children included in a but not included in b or c. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays. Percent = b + c divided by a times 100.

Data Source: Data reported for Indicator 11 are described below**.**

Overview of Issue/Description of System or Process:

The *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* establish the timeline for completing evaluations and determining eligibility for special education services for children with parental consent to evaluate. By Virginia regulation, evaluations shall be completed and eligibility determined within 65 business days of the receipt of the referral by the special education administrator or designee. For purposes of meeting the reporting requirements for Indicator 11, Virginia defines evaluation as including the eligibility meeting. Including the eligibility meeting in the timeline holds the state and school divisions to a more stringent requirement, which provides a greater protection to students. Meeting this requirement should also help ensure the timely delivery of services to students. Evaluation and eligibility determination within 65 business days have been a long-standing timeline requirement in Virginia.

Data were submitted by school divisions to VDOE using a spreadsheet developed by VDOE. This spreadsheet allowed divisions to maintain data on individual students and to submit division totals to VDOE. All required components to be measured for Indicator 11 were included in the spreadsheet, including edit checks to ensure consistency and accuracy in reporting.

VDOE staff provided information related to data required for Indicator 11 and on procedures for submitting data to VDOE through statewide training sessions.

Data submitted by school divisions were reviewed for accuracy, and school divisions were notified when there appeared to be inaccurate reporting. Reliability was further verified by comparing previous monitoring reports with the 2005 - 2006 data collection. In addition, several on-site visits were made to provide additional technical assistance, particularly with newly hired administrators, and to review school divisions' evaluation/eligibility tracking logs to ensure accurate reporting.

Baseline Data for FFY 2005 – 2006:

School divisions reported 32,508 children were evaluated and had eligibility determined within 65 business days out of 35,048 children for whom consent was received for evaluation, for a percentage of 92.7%**.**

Discussion of Baseline Data:

Because these data were collected for the first time in 2005 – 2006, comparisons cannot be made to previous years.

School divisions reported the number of business days beyond the 65-day timeline as follows:

Range of business days beyond 65-day timeline	Number of children for each range grouping
1-5	834
6-15	673
16-25	347
26-35	193
36-45	140
46 and beyond	353
Total	2540

Reported reasons for exceeding the 65-day timeline were: staffing issues; parent request to reschedule meetings; inclement weather; paperwork errors; inconclusive testing; and child refused testing.

FFY	Measurable and Rigorous Target
2006 - 2007	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.
2007 - 2008	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.
2008 - 2009	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.
2009 - 2010	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.
2010 - 2011	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.

Improvement Activities/Timelines/Resources:

VDOE will continue with established technical assistance efforts and monitoring activities to ensure that all directors of special education are well informed of the timeline reporting requirements.

VDOE will work with school divisions through it's focused monitoring system to ensure compliance with this indicator.

The activities will be implemented for the duration of the SPP through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective Supervision Part B/ Transition
Indicator 12 Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. (20 U.S.C. 1416(a)(3)(B))
Measurement: a. # of children who have been served in Part C and referred to Part B for eligibility determination. b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to the beginning of the school year if they turn age two by Sept. 30 of that school year or prior to their third birthday. c. # of those found eligible who have an IEP developed and implemented by the beginning of the school year if they turn age two by Sept. 30 of that school year or by their third birthday. Account for children included in a but not included in b or c. Indicate the range of days beyond the third birthday when eligibility was determined and reasons for the delays. Percent = c divided by a – b times 100.

Data Source: Data reported for Indicator 12 are described below.

Overview of Issue/Description of System or Process:

School divisions collected data on children served in Part C and referred to Part B for eligibility determination. All divisions reviewed individual student records for those children whose initial eligibility meetings were held during the 2004 – 2005 school year.

Data were submitted by school divisions to VDOE using a spreadsheet developed by VDOE. This spreadsheet allowed divisions to maintain data on individual students and to submit division totals to VDOE. All required components to be measured for Indicator 12 were included in the spreadsheet.

Baseline Data for FFY 2004 - 2005:

Analysis of data submitted by school divisions for the 2004 – 2005 school year showed 1356 number of children out of 1486 children referred by Part C prior to age 3, were found eligible for Part B, and had an IEP developed and implemented by the beginning of the school year in which they turned age 2 by Sept. 30 or by their third birthday, for a percentage of 91.2 percent.

Discussion of Baseline Data:

Because data on children referred by Part C to Part B were collected for the first time for the 2004 – 2005 school year, there are no previous years' data to compare to. Comparisons with subsequent years' data can begin with the 2005 – 2006 school year.

In addition, the following data were reported by school divisions for students who were not evaluated and had an IEP developed within the required timeline:

2004 – 2005 school year

Range of business days beyond the 3rd birthday, or beginning of school year if child turns two by Sept. 30 when eligibility determined	Number of children for each range grouping
1-5	14
6-15	17
16-25	14
26-35	15
36-45	10
46 and beyond	60
Total	**130 children evaluated and eligibility determined beyond the 3rd birthday or beginning of the school year.**

Reported reasons for exceeding the required timeline were: late receipt of parental permission to evaluate; staffing issues; parent request to reschedule meetings; inclement weather; paperwork errors; inconclusive testing.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.
2006 (2006-2007)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.

2007 (2007-2008)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.
2008 (2008-2009)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.
2009 (2009-2010)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.
2010 (2010-2011)	100 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 the beginning of that school year if they turn age 2 by Sept. 30 or by their third birthday.

Improvement Activities/Timelines/Resources:

VDOE staff and the ECSE stakeholder group will continue to conduct training sessions for all school divisions at which information on the State Performance Plan/Annual Performance Report will be presented.

In cooperation with Part C personnel, VDOE will conduct meetings in all Superintendents' Planning Districts to discuss the transition process from Part C to Part B/619. The focus of these meetings will be to emphasize the importance of ensuring the smooth transition to Part B services for students formally served under Part C.

VDOE conducted training sessions during the 2004 – 2005 and 2005 – 2006 school years to provide Part C to Part B transition information to all school divisions. This information was also presented at the state Early Intervention Conference.

Resources include VDOE staff, TTAC staff and others listed in the activity description.
In addition to the meetings referenced above, VDOE will disseminate information and guidance on the importance of transitioning Part C students to Part B programs at VDOE's local special education directors' Council meetings.

VDOE provided guidance documents/flow charts to all school divisions, concerning transition from Part C. Documents were shared with the state Part C office for them to share with their local system managers. Numerous e-mails and phone conversations have been held with special education directors, preschool coordinators, and Part C state staff and local system managers about the transition process – timelines, differences and requirements of Part B and C, suggestions for dialogues the localities could have to help make the process smoother and seamless.

VDOE will continue to cooperate with Part C personnel, in updating and disseminating the *Early Childhood Transition from Part C Early Intervention to Part B Special Education and Other Services for Young Children with Disabilities* document to reflect changes created by the 2004 amendments to the Individuals with Disabilities Education Act.

VDOE will work with school divisions through its focused monitoring system to ensure compliance with this indicator.

Resources include VDOE staff, TTAC staff, Part C staff, and others listed in the activity description.

Activities will be implemented for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B – Effective Transition
Indicator 13 Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals. (20 U.S.C. 1416(a)(3)(B))
Measurement: Percent = # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals divided by # of youth with an IEP age 16 and above times 100.

Data Source: Data reported for Indicator 13 are described below.

Overview of Issue/Description of System or Process:

In establishing baseline data, VDOE collected data from school divisions participating in the Virginia Transition Outcomes Project (VTOP). School divisions included in the base line completed two file reviews on students' transition IEPs. Data results from the second file review are used to meet the reporting requirements for the State Performance Plan/Annual Performance Report and Indicator 13. Training sessions were held to provide information to school divisions concerning the completion of the online checklist for their IEP transition reviews.

Information specific to developing a checklist for Indicator 13 has been provided to states through The National Secondary Transition Technical Assistance Center (NSTTAC). The checklist was approved by OSEP for the primary questions and sources of information that states could use when collecting data for Indicator #13. The questions from the national checklist were cross referenced with the questions on the VTOP checklist. A primary determination of what questions could potentially be used from the VTOP checklist was based on the information provided by NSTTAC.

After the review and comparison of the NSTTAC questions with the VTOP checklist, final questions and the source of evidence for those questions, were developed with input from various stakeholder groups.

Baseline Data for FFY 2005 - 2006:

Data collected in response to the following three statements were used to obtain baseline data to determine the 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.

1. **Measurable postsecondary goals** were identified for employment, education, or training, and as needed, independent living.

   Sources of Evidence:
   - IEP describes strengths and needs of the student in the context of the student's desired post-school outcomes.
   - Evidence of consideration of the student's strengths preferences and needs relative to postsecondary education, vocational training, employment, independent living, continuing adult education, adult services, or community participation.

2. **Annual IEP goals** were developed to reasonably enable the child to meet postsecondary goals.

   Sources of Evidence:
   - Goals and objectives are listed in the plan.

3. The IEP included a coordinated set of transition services.

   Sources of Evidence:
   - IEP includes activities that reflect coordination of all activities between school, the student, the family, other agencies and post school programs and supports.
   - Activities are based on the individual student's needs, preferences, and interests and lead toward the student's desired post-school goals.

Data collected from school divisions participating in VTOP using the checklist provide Yes, No or Not Applicable responses. For purposes of calculating these percents required for this indicator, Yes and Not Applicable responses were combined. The category for "N/A" did not seem to provide meaningful information as a separate category for this analysis. But, if the response to the question is "it does not apply," it can hardly be considered the same as "no." It was determined that it was more appropriate to include this response with the "yes" responses.

Data were collected from 22 school divisions, all VTOP sites. School divisions from all Superintendents' Planning Districts submitted baseline data.

713 of 928 individual file reviewed indicate the 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.

Discussion of Baseline Data:

VDOE's review of the data collected indicate the 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 is 76.83%.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals
2006 (2006-2007)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals
2007 (2007-2008)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals
2008 (2008-2009)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals
2009 (2009-2010)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals
2010 (2010-2011)	100 % percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals

Improvement Activities/Timelines/Resources:

VDOE participates in the Virginia Team for Youth which is a collaborative effort among VDOE, Virginia Department of Social Services, Virginia Department of Correctional Education, Virginia Department of Juvenile Justice, Virginia Department of Rehabilitative Services, Job Corps, and Workforce Investment-Youth Coordinators. The team initiates and facilitates networking at a local level for the purpose of providing transition services to all at risk youth.

VDOE offers all school divisions an opportunity to participate in the Virginia Transition Outcomes Projects.

The VDOE provides a variety of resources, accessible on the web, that assist in effective transition planning.

VDOE participates in local, regional, state, and national Transition Communities of Practice.

VDOE sponsors a state Transition Conference for the purpose of staff development, training across agencies, and disseminating information to practitioners, parents, and youth.

VDOE sponsors events for adolescents that take place on college campuses and focus on life after secondary education. These events help youth, family, and teachers understand transition issues. In 2005 there were 7 events.

There are 16 Transition Specialists who provide regional support to activities.
VDOE will work with school divisions through its focused monitoring system to ensure compliance with this indicator.

VDOE will support the Woodrow Wilson Rehabilitation Center and the Training/Technical Assistance Centers (T/TAC) in providing training to local divisions, parents, and students on the transition planning process to include assessment, coordinated services, and setting post-secondary goals.

VDOE will support the Department of Rehabilitative Services in maintaining and updating WorkWorld software which assists in employment planning for parents and students.

VDOE will support the Virginia Board for People with Disabilities “Youth Leadership Forum” and “Youth Summit” to encourage youth participation in transition planning.

VDOE will continue to provide assistance to localities on building their capacity around transition services as part of the grant received from the U.S. Department of Education’s Office of Special Education and Rehabilitative Services (OSERS).

Activities will be implemented for the duration of the SPP, through 2010.

Resources include VDOE staff, T/TAC staff, and others listed in the activity description.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B/Effective Transition
Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school. (20 U.S.C. 1416(a)(3)(B))
Measurement: Percent = [(# of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

Overview of Issue/Description of System or Process

A survey was developed by the VDOE, with stakeholder input, for the purpose of collecting post-secondary outcome (PSO) data, i.e., youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school. VDOE chose to conduct a census of all school leavers to obtain outcome data. All youth who had IEPs and were no longer in secondary school were included in the census. Interviews were conducted by school division staff through telephone contact from April through September of 2007.

Training specific to Indicator 14 was provided to all school divisions during 2006 and 2007 through regional sessions across the state. Training was also provided at the Virginia Transition Forums in 2006 and 2007. Two question and answer Web cast sessions were held and materials, including a CD of a Web cast session, were sent to all school divisions. Trainings included information on the protocol for conducting the interview including a script for interviewers, key definitions, and a Tip Sheet.

Technical assistance was provided to school divisions throughout 2006 and 2007 to support their data collection and reporting.

Definitions

Competitive Employment: For the purposes of this survey, the Rehabilitation Act's definition of competitive employment was used. It is, "work in the (i) competitive labor market that is performed on a **full-time** (35 hours or more per week) or **part-time** (less than 35 hours per week) basis in an integrated setting; and (ii) for which an individual is compensated at or above minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled."

Post-secondary school: any education, schooling and or training that takes place after leaving secondary education. Examples of post-secondary schooling/training include adult and continuing education, employer sponsored training, short-term education or employment training (WIA, Job Corps), vocational technical school, community or technical college, 4-year college or university, and day support/pre vocational programs. The list is not all inclusive. **Full-time enrollment** means a student is enrolled in 12 or more credit hours in a semester. **Part-time enrollment** is anything less than 12 credit hours in a semester.

School Leaver: VDOE has defined, for the purposes of this data collection, a school leaver to mean a student who has left high school with an Advanced Studies Diploma, Standard Diploma, Modified Standard Diploma, Special Diploma, completed a General Education Diploma (GED) certificate, received a Certificate of Program Completion, exceeded the age of eligibility, or dropped out.

Dropout: Consistent with state definition, a dropout is an individual who was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year, or was not enrolled on October 1 of the previous school year although expected to be in membership; and has not graduated from high school or completed a state- or district-approved educational program; and does not meet any of the following exclusionary conditions: transfer to another public school district, private school, or state- or district-approved education program; temporary school-recognized absence due to suspension or illness or death.

Baseline Data for FFY 2006-2007

Youth who had IEPs, are no longer in secondary school, and who have been:

	N	# Students Contacted	Percent
Competitively employed within one year of leaving high school	2,278	5,782	39
In post-secondary education within one year of leaving high school	493	5,782	8.5
Both competitively employed and in post-secondary education within one year of leaving high school	2,087	5,782	36
Total	**4,858**	**5,782**	**84**

Discussion of Baseline Data

The calculations for the above totals were obtained by dividing the survey responses obtained for the number of students who were competitively employed, enrolled in some type of post-secondary school, or both, divided by the number of students contacted. Number of students contacted is defined the number of students contacted by the school division who either completed the interview or declined to be interviewed.

The percentage of respondents who were competitively employed within one year of leaving high school was 39 percent. The percentage of respondents who were enrolled in post-secondary education was 8.5 percent. The percentage of respondents who were both competitively employed and in post-secondary education within one year of leaving high school was 36 percent. The percentage of youth who had IEPs, were no longer in secondary school and who had been competitively employed, enrolled in some type of post-secondary school, or both within one year of leaving high school was 4,858 out of 5,782 or 84 percent.

Nine percent of survey respondents reported being engaged in their communities in activities that did not meet the federal definitions of this indicator for competitive employment, enrolled in some type of

post-secondary school, or both. These activities, including engagement in sheltered employment, working below minimum wage, or working as homemakers, are activities which VDOE contends are positive and appropriate post school outcomes for some youth. Including the above provides a more accurate picture of post school status for students with disabilities in the state.

Readers should exercise caution in interpreting data presented for this indicator because of the following concerns. Baseline data and targets established for Indicator 14 reflect the measurement requirements specified by the U.S. Department of Education's Office of Special Education Programs (OSEP). VDOE is concerned that setting targets based on a state average has several problems. There are many variables, such as local economy/local employment rates, proximity to or availability of institutions of higher education, and public transportation that have an impact on employment and participation in post-secondary education. In addition, these variables vary in impact among regions across the state. These concerns were also shared by the stakeholders who worked with VDOE in developing the 2006-2007 APR.

VDOE is committed to increasing the number of students with disabilities who participate in interviews. VDOE believes increased participation will ensure collection of post-secondary employment and education data that are meaningful and useful to school divisions and the state. VDOE recognizes the possibility that the percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both may decrease as the response rate increases. Targets for FFY 2007, 2008, and 2009 reflect this potential decrease.

FFY	Measurable and Rigorous Target
2007 (2007-2008)	The percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school will be 60 percent.
2008 (2008-2009)	The percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school will be 65 percent.
2009 (2009-2010)	The percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school will be 70 percent.
2010 (2010-2011)	The percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school will be 85 percent.

Improvement Activities/Timelines/Resources

VDOE will work with National Post-secondary Outcomes Center through the U.S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS) Capacity Building Grant Award.

VDOE and its Training/Technical Assistance Centers (T/TAC) will provide technical assistance to school divisions for the purpose of increasing the percent of youth who are contacted and agree to complete surveys.

Resources to support accomplishment of the activities will include VDOE staff, T/TAC staff, and Research Rehabilitation and Training Center at Virginia Commonwealth University staff.

Activities will be implemented for the duration of the SPP through 2010.

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B
Indicator 15 General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. (20 U.S.C. 1416 (a)(3)(B))
Data Source: Self-assessment reports submitted to VDOE May 15, 2004 - July 1, 2004, and on-site reviews in FY 2004-2005 involving 22 school divisions.
Measurement: Percent of noncompliance corrected within one year of identification: a. # of findings of noncompliance. b. # of corrections completed as soon as possible but in no case later than one year from identification. Percent = [(b) divided by (a)] times 100. For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

Overview of Issue/Description of System or Process – general monitoring:

The Virginia Department of Education's (VDOE) general supervision system consists of multi-faceted monitoring processes to identify noncompliance in special education programs. Components of the state's system includes stakeholder involvement; application for funding; review of policies and procedures; data collection, reporting and verification; self-assessments and on-site monitoring with parent involvement; and dispute resolution. On-site monitoring includes visits to 132 school divisions, including regional special education programs, local and regional jails, and nursing homes; state-operated programs including hospital programs, schools for the deaf and blind, a rehabilitation center, and juvenile detention and adult correctional facilities; and private day and residential schools.

Beginning in the fall of 1996, VDOE has monitored school divisions on a six-year cycle. Twenty-two (22) of the state's 132 school divisions begin a three-phase monitoring process by submitting a self-assessment each May (extensions may be granted through June). VDOE staff work with each school division throughout the review process. Each review cycle includes school divisions of different sizes (small, medium, large), and in each of the State's eight Superintendent's Regional Study Groups.

In late July or early August of each year, a Summer Monitoring Institute is offered for all school divisions that will be submitting a self-assessment in the following year. At the institute "compliance and continuous program improvement" are emphasized. The assigned staff person makes at least three contacts (through a combination of meetings, phone contacts and other methods) with each school division while it is developing its self-assessment in order to provide any needed technical assistance and other support. While some school divisions are more thorough than others, the majority produce candid and largely accurate self-assessments. School divisions' self-assessments have improved overall from the first cycle, which began in 1996, to the second cycle, which began in 2002.

School divisions use a variety of terms (including "noncompliance" and "concerns") to label practices that are inconsistent with the law; however, VDOE requires all school divisions to correct any violations of the law regardless of what they are called. School divisions are directed to correct any noncompliance as quickly as possible. The message to school divisions is "find it, fix it" and develop a plan, including timelines, for correcting any noncompliance findings, as part of their self-assessment. School divisions are also encouraged to address issues of identified concerns. The self-assessments are reviewed by VDOE staff to ensure that each is complete and includes an appropriate corrective action plan for any noncompliance findings. If it is determined that there are gaps in the self-assessment, staff work with the school division to complete the self-assessment and to ensure the appropriateness of the Corrective Action Plan (CAP) and CAP timelines. Generally, school divisions have corrected each of the areas of noncompliance that the division identified through its self-assessment by the time of VDOE's on-site visit.

During the school year, after a school division submits its self-assessment, VDOE develops a profile of the school division, integrating data across systems. Data are collected from due process hearings, complaints, mediation, state assessments of Virginia's Standards of Learning, teacher licensure, previous monitoring results, child count, school accreditation, and academic review reports.

VDOE conducts on-site visits to: (1) validate the accuracy of the school division's self-assessment; (2) determine the extent to which the school division has corrected any noncompliance that has been identified; and (3) identify any additional areas of noncompliance. The on-site review team focuses on areas most closely linked to student academic achievement, including: (1) child find, evaluations and eligibility determination; (2) access and supports in the general education curriculum; (3) participation in the statewide assessment program: (4) development and implementation of individualized education programs (IEPs); (5) discipline; (6) secondary transition; (7) parent involvement; and (8) out-of-district placements. During the review, a public meeting is offered to provide parents, students and other parties the opportunity to meet with the monitoring team and make comments about the school division's special education program. The comments are used to further identify areas to focus on during the review. Following the review, the team leader follows up with the school division's director of special education on actions taken to address parents' issues/concerns.

The on-site visit is also used to follow up on the implementation of improvement strategies for areas identified in the self-assessment as needing improvement. VDOE tailors the scope and intensity of each on-site visit to the school division. Within six weeks after an on-site monitoring visit, the director of Federal Program Monitoring and the coordinator of the review issue a monitoring report to the school division's superintendent.

VDOE sets timelines for correction, ranging from immediately to up to one year. For situations in which students are waiting for services, VDOE requires the school division to provide evidence that it has initiated correction prior to the end of the VDOE visit. If VDOE finds during the on-site visit that a school division has not completed correction of previously identified noncompliance, it will conduct one or more follow-up visits. If it is determined that noncompliance continues at the time of the follow-up visit, VDOE then requires 30-day, 60-day, or quarterly progress reports, and may also

follow-up through frequent visits and /or telephone contacts. To verify correction of noncompliance, school divisions submit documentation of correction. In some cases, VDOE continues to work with a school division after the division has corrected the noncompliance in order to ensure that the school division maintains compliance and/or to focus on continuous improvement.

To ensure that all school divisions correct any identified deficiencies within a reasonable period of time, not to exceed one year from identification, VDOE has implemented a tracking system to monitor the correction of the noncompliance findings that were identified through local division self-assessments and the State's on-site reviews. Tracking of noncompliant findings in the self-assessment begins following receipt of the self-assessment reports and program improvement plans. Tracking of noncompliant findings resulting from VDOE's on-site reviews begins from the date of the review.

Out-of-District Placements. VDOE monitors compliance for children with disabilities who have been publicly-placed in private residential and private day schools in three ways: (1) each school division must review compliance for such children as part of its self-assessment; (2) VDOE reviews the files for these children when it conducts its on-site visit to the school division that placed them in a private setting; and (3) VDOE monitors to ensure the provision of a free appropriate public education (FAPE) to these children by visiting the private schools during a three-year licensure cycle. State-operated programs and private residential facilities are monitored through the State's Interdepartmental Regulation Program, a joint effort of the Departments of Education, Juvenile Justice, Mental Health, Mental Retardation and Substance Abuse Services, and Social Services.

Services provided to youth with disabilities in nursing facilities and local and regional jails are likewise monitored in three ways: (1) each school division must review compliance for such children and youth as part of its self-assessment; (2) VDOE reviews the files for these children and youth when it conducts its on-site visit to the school division; and (3) VDOE monitors to ensure the provision of FAPE to these students by making on-site visits.

VDOE monitors to ensure the provision of FAPE to students in state juvenile correctional facilities and students in the state schools for the deaf and blind by conducting on-site compliance reviews during a three-year licensure cycle. VDOE also makes visits to adult correctional facilities.

Academic Review Process. VDOE's academic review process is a focused monitoring approach coordinated in VDOE's Office of School Improvement. It is used in school divisions and schools having difficulty reaching targeted levels of academic performance and specific Standards of Learning (SOL) goals. The on-site reviews are designed to help schools identify and analyze instructional and organizational factors affecting student achievement. The focus of the review process is on the systems, processes, and practices that are being implemented at the school and division levels. Specifically, information is gathered that relates to the alignment of the local curriculum with state learning standards, use of time and school scheduling practices, use of data to make instructional and planning decisions, school-based programs of professional development, implementation of school improvement plans, implementation of an instructional intervention program for schools warned in English or Mathematics, allocation of resources aligned to areas of need and use of learning environments focused on shared ownership of staff, parents and community. Each review team includes at least one specialist from the State's Special Education Training/Technical Assistance Centers or some other person knowledgeable about special education (usually former directors of special education) that reviews services to students with disabilities. When there is concern that a school is in noncompliance with IDEA, the matter is reported to the special education monitoring unit for follow up. A district's special education monitoring may be coordinated with its academic review. Data collected through the Academic review process are a valuable data source that helps to guide special education compliance monitoring.

Enforcement Actions. VDOE has utilized various enforcement actions with school divisions that demonstrate noncompliance, including: (1) conducting more frequent on-site visits, making telephone contacts; (2) requiring continued progress reports; (3) calling or meeting with the local superintendent; (4) returning for another full on-site visit; and (5) requiring the school division superintendent to meet with the state superintendent. VDOE withheld one school division's Part B funds regarding an implementation issue following approval of the school division's local application for Part B funds; however, VDOE typically uses this sanction for issues that arise in connection with its disapproval of local applications for Part B funds.

Overview of Issue/Description of System or Process - complaints and due process hearings:

VDOE's Office of Dispute Resolution and Administrative Services (ODR/AS) is responsible for managing the system of complaints, mediations, and due process hearings. ODR/AS uses multiple levels of tracking logs to identify compliance with timelines, to effectively manage the systems, to respond to requests for data, and to identify systemic issues. An annual report is provided to parents, school administrators, and other consumers, as well as posting it on the agency's Web site.

Review of the implementation of all corrective action plans (CAPs) is systematically completed within a year of VDOE's approval of the CAP for the previous school year. This means that the CAPs required, reviewed and approved for 2004-2005 will be reviewed during the 2005-2006 school year to ensure full implementation. VDOE consistently maintains the tracking log and system described in the CIMP Report and Annual Performance Plan of 2004 for continued accountability in this area.

ODR/AS continues to utilize its tracking systems and annual report to identify trends, follow-up activities to ensure full implementation of complaint corrective action plans and due process implementation plans for hearing officers' decisions. These systems, including tracking logs and template communications to parents and school administrators, were first described in VDOE's Continuous Improvement Monitoring Plan (CIMP) and updated through VDOE's Annual Performance Report. ODR/AS continues to maintain supervision instruments, procedures, and electronic tracking logs for dispute resolution systems to ensure that all mandates are met.

Baseline Data for FFY 2004 (2004-2005):

100% of the requirements related to monitoring priority areas and indicators found in noncompliance that were identified by school divisions in the self-assessments and by VDOE during its on-site reviews were corrected within one year of identification.

100% of the requirements related to areas not included in the monitoring priority areas and indicators found in noncompliance that were identified by school divisions in the self-assessments and by VDOE during its on-site reviews was corrected within one year of identification.

VDOE identified 58 non-compliance findings in complaints received. 53 of those non-compliance findings were corrected within one year of identification (91.4%).

VDOE identified 6 non-compliance findings in due process hearings. All 6 of those non-compliance findings were corrected within one year of identification (100%).

Discussion of Baseline Data:

The baseline represents data resulting from a three-phase monitoring process involving 22 of Virginia's 132 school divisions. In May/June 2004, twenty-two (22) school divisions submitted self-assessments to VDOE and received on-site visits by VDOE's monitoring specialists. By the close of

the 2003-2004 school year, VDOE determined that all noncompliance findings in the self-assessments had been corrected. In 2004-2005, VDOE followed up with each school division that received additional noncompliance citations, requested documentation, and revisited districts when necessary. Extensive desk audits and consistent follow up resulted in verification that 100% of the noncompliance findings resulting from on-site reviews were corrected within one year. All self-assessment and all on-site findings of none-compliance were corrected within one year.

VDOE has implemented a tracking system that helps to assess school divisions' progress in implementing corrective action. Tracking notations alert the monitoring specialists so that timely contacts are made with school officials to ensure corrections as soon as possible but within one year of identification.

91.4% of the noncompliance findings identified through complaints were corrected within one year of identification.

100% of the noncompliance findings identified through due process were corrected within one year of identification

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.
2006 (2006-2007)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.
2007 (2007-2008)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.
2008 (2008-2009)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.
2009 (2009-2010)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.
2010 (2010-2011)	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
Continue to restructure the state's monitoring system to implement effective focused monitoring. Utilize conference calls, teleconferences, print materials, etc. on focused monitoring	August 2005 – ongoing	Mid-South Regional Resource Center, National Center for Special Education Accountability Monitoring (NCSEAM) to enhance focus monitoring
Convene monitoring stakeholder group to identify key performance indicators for focused monitoring	January 2005	Stakeholder group –representatives of parents, school division superintendents, directors of special education, State Special Education Advisory Committee
Conduct a session on focused monitoring at the Virginia Council of Administrators of Special Education, Spring Conference, 2006	Spring 2006	VDOE staff, NCSEAM
Continue to coordinate with the Office of School Improvement; follow up on noncompliance findings identified through academic reviews; maintain personnel with expertise in special education on academic reviews;	Ongoing	VDOE's Office of School Improvement; special education technical assistance designee working with Academic reviews, Office of Special Education Instructional Services
Continue to stress the requirement that all noncompliance shall be corrected in a timely manner, not to exceed one year of identification	Ongoing	Monitoring reports, publications, Special Education Directors' Council and directors regional meetings
Continue to impose specific timelines and require progress reports when school divisions are found in noncompliance; impose sanctions when school divisions fail to show evidence of corrections of noncompliance within one year of identification	Ongoing	Monitoring staff; special education technical assistance staff
Maintain an on-going presence with school officials and other special interest groups by attending meetings and presenting monitoring data	Ongoing	Directors' Council Meetings, Regional Meetings, Virginia's Council of Administrators for Special Education, New Administrators Academy, State Special Education Advisory Committee, etc.; VDOE's Office of Financial and Data Services and the Office of School Improvement
Continue to have local school officials to take an active role in VDOE's on-site monitoring of school divisions, participating in record reviews; direct more involvement/participation of placing districts with services to out-of-district placements	Ongoing	Monitoring staff including specialists for private schools

Continue to make on-site visits to private schools and state-operated programs; hold private schools responsible for making contacts to the placing school division; coordinate with the monitoring specialist assigned to lead the monitoring in the school division where the private school is located	Ongoing	Monitoring staff, Special Education Directors' Council
Maintain electronic tracking logs for all dispute resolution systems to ensure compliance within mandated timelines.	Ongoing	Office of Dispute Resolution and Administrative Services Staff and MSRRC
Monitor correction of noncompliance findings.	Ongoing	Office of Dispute Resolution and Administrative Services Staff and MSRRC
Address trends of IDEA noncompliance.	Ongoing	Office of Dispute Resolution and Administrative Services Staff and MSRRC

Activities will be implemented for the duration of the SPP, through 2010.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision
Indicator 16 Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. (20 U.S.C. 1416(a)(3)(B))
Data Source: Data collected on Attachment 1
Measurement: Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) Office of Dispute Resolution and Administrative Services (ODR/AS) is responsible for managing the complaints system. In order to achieve 100% compliance with regulatory timelines, ODR/AS uses multiple levels of tracking logs to identify compliance with timelines, to effectively manage the system, to respond to requests for data, and to identify systemic issues. This system, in addition to template communications to parents and school administrators, was first described in VDOE's Continuous Improvement Monitoring Plan (CIMP) and updated through VDOE's Annual Performance Report (APR). Also, an ODR/AS Annual Report is provided to parents, school administrators, other consumers, and posted on the ODR/AS website.

Baseline Data for FFY 2004 (2004-2005):

116 total reports were issued by VDOE's ODR/AS. Seventy-seven reports were issued within the 60-day timeline. Thirty-eight reports were issued within an extended timeline. One report of the 116 total reports was issued without a documented extension for exceptional circumstances.

Discussion of Baseline Data:

In the 2004-2005 reporting period, ODR/AS issued 77 reports within the 60-day timeline and 38 reports within extended timelines for a total of 115 reports, divided by 116, the total number of reports issued by ODR/AS, multiplied by 100, totaling a percentage of 99.14 signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.
2006 (2006-2007)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.
2007 (2007-2008)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.
2008 (2008-2009)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.
2009 (2009-2010)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.
2010 (2010-2011)	VDOE will resolve 100 % of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.

Improvement Activities/Timelines/Resources:

Maintain electronic tracking logs for dispute resolution systems to include a monthly review of tracking logs for each program to ensure timely corrections of noncompliance findings and to ensure that all mandates are met.

Complete the Alternative Dispute Resolution Guide by June 30, 2006.

Continue to provide information on dispute resolution to parents and other consumers.

Develop work plan through service agreement with the Alliance for Systems Change/Mid-South Regional Resource Center (MSRRC) to address noncompliance issues related to IEP implementation.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include Office of Dispute Resolution and Administrative Services Staff and MSRRC**.**

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision
Indicator 17 Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. (20 U.S.C. 1416(a)(3)(B))
Data Source: Data collected on Attachment 1.
Measurement: Percent = (3.2(a) + 3.2(b)) divided by (3.2) times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) Office of Dispute Resolution and Administrative Services (ODR/AS) is responsible for managing the due process system. ODR/AS uses multiple levels of tracking logs to identify compliance with timelines, to effectively manage the system, to respond to requests for data, and to identify systemic issues. This system, in addition to template communications to parents and school administrators, was first described in VDOE's Continuous Improvement Monitoring Plan (CIMP) and updated through VDOE's Annual Performance Report (APR). Also, an ODR/AS Annual Report is provided to parents, school administrators, other consumers, and posted on the ODR/AS website.

Baseline Data for FFY 2004 (2004-2005):

Twenty-eight total reports were issued by hearing officers. Eight decisions were issued within the required 45 day timeline and 20 decisions were issued within extended timelines.

Discussion of Baseline Data:

In the 2004-2005 reporting period, hearing officers issued 8 decisions within the 45-day timeline and 21 decisions within properly extended timelines for a total of 29 decisions. 100% of hearing officers' decisions were fully adjudicated within the required 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2006 (2006-2007)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2007 (2007-2008)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2008 (2008-2009)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2009 (2009-2010)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2010 (2010-2011)	Hearing officers will issue 100% of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Improvement Activities/Timelines/Resources:

Maintain electronic tracking logs for dispute resolution systems to include the tracking log to monitor 45-day hearing timelines; monitoring hearing officer's management of timelines; and reviewing weekly active files to ensure extensions are documented.

Utilize ODR/AS' tracking systems and Annual Report to identify trends and follow-up activities to ensure full implementation of due process implementation plans of hearing officer's decisions.

Provide annual training for hearing officers, with emphasis on timelines, including assignment of mentors and completion of performance measures to ensure compliance.

Complete development of a guidance document for hearing officers on management of timelines for conducting due process hearings by July 2006.

Complete the Alternative Dispute Resolution Guide by June 30, 2006.

Continue to provide information on dispute resolution to parents and other consumers.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include Office of Dispute Resolution and Administrative Services Staff and MSRRC.

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision
Indicator 18 Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 U.S.C. 1416(a)(3(B))
Data Source: Data collected on Attachment 1.
Measurement: Percent = 3.1(a) divided by (3.1) times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) Office of Dispute Resolution and Administrative Services is responsible for managing the due process system. ODR/AS has developed additional sections in it tracking logs to identify the use of the Resolution Session for resolving due process issues. ODR/AS already initiated technical assistance activities, which includes providing guidance on the early resolution process to hearing officers, school divisions, and parents.

VDOE's Office of Dispute Resolution & Administrative Services developed additional sections in its tracking logs to identify use of the Resolution Session for resolving due process issues. ODR/AS also initiated technical assistance activities in the form of resource documents and trainings to hearing officers, school personnel, and parents on Resolution Session requirements. ODR/AS also contacted every school division and hearing officer upon receipt of the request for due process to ensure that both the LEA and hearing officer correctly managed the timelines and process for the Resolution Sessions.

Baseline Data for FFY 2005-2006:

59 of the 98 hearing requests involved Resolution Sessions. 16 of the 59 Resolution Sessions resulted in settlement agreements. 27% of the Resolution Sessions resulted in settlement agreements.

Discussion of Baseline Data:

VDOE does not consider 27% a deficient rate. It takes time for school divisions and parents to understand the new requirements and the benefits of the resolution sessions. However, and most importantly, VDOE cannot control the outcome of these sessions. The more valued indicator should be how many of the hearing requests involved resolution sessions. Like mediation, resolution sessions cannot be based on setting unreasonable agreement rates like 100%. Even 75% is unrealistic. If required to have an unrealistic target rate, the use of resolution sessions could be jeopardized.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	Maintain a 30% range rate of resolution agreements.
2007 (2007-2008)	Maintain a 30% range rate of resolution agreements.
2008 (2008-2009)	Maintain a 35% range rate of resolution agreements.
2009 (2009-2010)	Maintain a 35% range rate of resolution agreements.
2010 (2010-2011)	Maintain a 40% range rate of resolution agreements.

Improvement Activities/Timelines/Resources:

Maintain and monitor tracking logs. Identify trends in Office of Dispute Resolution & Administrative Services' Annual Report.

Utilize Work Group established in November 2006 to review data, analyze trends, and develop guidance, technical assistance, and trainings for LEAs and parents on the resolution process.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include ODR/AS and MSRRC.

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision
Indicator 19 Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B))
Data Source: Data collected on Attachment 1.
Measurement: Percent = (2.1(a)(i) + 2.1(b)(i)) divided by (2.1) times 100.

Overview of Issue/Description of System or Process:

The Virginia Department of Education's (VDOE) Office of Dispute Resolution and Administrative Services is responsible for managing the mediation system. ODR/AS uses multiple levels of tracking logs to effectively manage the system, to respond to requests for data, and to identify systemic issues. This system was first described in VDOE's CIMP and updated through VDOE's Annual Performance Report. An Annual Report is provided to parents, school administrators, and other consumers, as well as posting it on the division's website.

Baseline Data for FFY 2004 (2004-2005):

Seventeen mediation agreements related to due process and 67 mediation agreements not related to due process were reached for a total of 84 agreements, divided by 111, the total number of mediations, totaling 75.68% performance.

Discussion of Baseline Data:

In the 2004-2005 reporting period, 17 mediation agreements related to due process, and 67 mediation agreements not related to due process, were reached for a total of 84 mediation agreements. This total, divided by 111 (the total number of mediations), then multiplied by 100, results in a total percentage of 75.68 mediations held that resulted in mediation agreements.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.
2006 (2006-2007)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.
2007 (2007-2008)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.
2008 (2008-2009)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.
2009 (2009-2010)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.
2010 (2010-2011)	Maintain a 76-80+% range rate of mediations that result in mediation agreements, acknowledging that the goal is to provide quality in the mediation services by on-going training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations.*** 100% of mediations will not delay or deny the parent's right to a due process hearing.

The fundamental principles of mediation are that participation is voluntary and the outcome is <u>self-directed</u> by participants. If SEAs are required to have a 100% target rate, we cease performing mediation and are engaging in a form of arm-twisting usually reserved for judicial chambers. The objective should be supporting and developing mediators who are aware of their options, reflecting about their choices of intervention or silence and respectful of the parties' issues and choices. The

concept of setting ever-higher agreement rates as a goal creates a mediator-centered, authority-based process rather than a client-centered process because it brings to the table a pressure and agenda separate from what the parties bring.

Improvement Activities/Timelines/Resources:

Utilize ODR/AS tracking systems and Annual Report to identify trends.

Maintain electronic tracking logs for dispute resolution systems to include a monthly review of tracking logs for each program to ensure that mediations are scheduled and completed in a timely manner.

Complete the Alternative Dispute Resolution Guide June 30, 2006.

Continue to provide information on dispute resolution to parents and other consumers.

Activities will be implemented for the duration of the SPP, through 2010.

Resources include Office of Dispute Resolution and Administrative Services Staff and MSRRC.

Part B State Performance Plan for 2005-2010

Revised February 1, 2007

Overview of the State Performance Plan Development: See overview description in Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision
Indicator 20 State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.
Data Source: State selected data sources, including data from State data system, assessment system, as well as technical assistance and monitoring systems.
Measurement: State reported data, including 618 data and annual performance reports, are: a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and Accurate (describe mechanisms for ensuring accuracy).

Overview of Issue/Description of System or Process:

The Virginia Department of Education (VDOE) engages in several activities to ensure required reporting timelines are met and that data reported are accurate.

Data collected through the December 1 child count (indicators 5, 6, 9 and 10) receive extensive editing, including edit checks in school divisions prior to submitting data; edit checks at VDOE at the data upload stage; electronic editing at VDOE to identify and correct duplicate records reported and additional edits conducted by VDOE staff. All child count data, including placement data, are verified through local superintendents' signature.

Data collected through VDOE's annual end of year reports (Indicators 1 and 2) are edited by VDOE staff and verified by local division superintendents.

Data collected for Virginia's state assessment programs (Indicator 3) meet all NCLB reporting requirements.

Data collected on dispute resolution activities (Indicators 16, 17, 18 and 19) are maintained and verified by VDOE's Office of Special Education and Students Services Dispute Resolution staff.

Data on suspension and expulsion for students with disabilities (Indicator 4) are collected through VDOE's annual discipline/crime and violence report. Data are edited by VDOE staff and have local division superintendent verification.

All of the above information on data collection procedures, data editing and data verification was provided to OSEP staff during Virginia's verification visit in March 2005.

Baseline Data for FFY 2004 (2004-2005):

All data submitted to meet 618 and State Performance Plan/Annual Performance Report requirements were accurate and submitted in a timely manner.

Discussion of Baseline Data:

FFY	Measurable and Rigorous Target
2005 (2005-2006)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.
2006 (2006-2007)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.
2007 (2007-2008)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.
2008 (2008-2009)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.
2009 (2009-2010)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.
2010 (2010-2011)	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.

Improvement Activities/Timelines/Resources:

VDOE staff responsible for data collection and reporting will annually review all collection and verification procedures to determine whether any changes are needed to ensure the timely and accurate reporting of data.

Activities will be implemented for the duration of the SPP, through 2010.

Part B – SPP Attachment 1 (Form)

Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearing

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	167
(1.1) Complaints with reports issued	116
(a) Reports with findings	61
(b) Reports within timeline	77
(c) Reports within extended timelines	38
(1.2) Complaints withdrawn or dismissed	48
(1.3) Complaints pending	3
(a) Complaint pending a due process hearing	0
SECTION B: Mediation requests	
(2) Mediation requests total	133
(2.1) Mediations	111
(a) Mediations related to due process	29
(i) Mediation agreements	17
(b) Mediations not related to due process	82
(i) Mediation agreements	67
(2.2) Mediations not held (including pending)	22
SECTION C: Hearing requests	
(3) Hearing requests total	107
(3.1) Resolution sessions	N/A
(a) Settlement agreements	N/A
(3.2) Hearings (fully adjudicated)	28
(a) Decisions within timeline	8
(b) Decisions within extended timeline	20
(3.3) Resolved without a hearing	68
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	11
(4.1) Resolution sessions	N/A
(a) Settlement agreements	N/A
(4.2) Expedited hearings (fully adjudicated)	4
(a) Change of placement ordered	4