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## **USED Rates Virginia on Implementation of Individuals with Disabilities Education Act**

The U.S. Department of Education (USED) in June rated Virginia and other states on their implementation of Part B of the Individuals with Disabilities Education Act. The reviews were based on annual special education performance reports for 2009, state performance plans and other publicly reported information and data.

USED praised Virginia for its efforts on 12 of 20 indicators related to the state's success in improving the educational outcomes of students with disabilities. Virginia, however, received an overall determination of "needs assistance" based on an indicator related to the review of local policies, procedures and practices in school divisions with significant discrepancies in the discipline on disabled and non-disabled students.

Specifically, USED cited the commonwealth for not reviewing the policies, procedures and practices of all divisions with significant discrepancies in the long-term suspension and expulsion rates of disabled and non-disabled students, and therefore, not reporting on the number of divisions with policies, procedures and practices that contributed to a discrepancy.

The June determination letter from USED's Office of Special Education Programs, however, noted that the Virginia Department of Education has submitted a plan to address the deficiency and that the commonwealth reported "valid and reliable" data for all other indicators.

The letter further praised Virginia for its efforts toward meeting goals in its State Performance Plan in the following areas:

- Disproportionate representation of racial and ethnic groups in special education as a result of inappropriate identification;
- Timeliness of initial evaluation of children for special education services;
- Transitioning of toddlers in need of special education services into the public school system;
- Providing supervision and correcting problems in school division special education programs;
- Resolving complaints in a timely manner;
- Adjudicating due-process complaints in a timely manner; and
- Collecting and reporting valid and reliable data about the education and performance of students with disabilities.

IDEA, which was reauthorized by Congress in 2004, requires states and school divisions to ensure that children with disabilities receive educational services that meet their educational needs and prepare them for further education, employment and productive lives. IDEA also requires states to establish targets in their annual State Performance plans for achieving the objectives of the law.