

Part B Annual Performance Report for 2007-2008

Overview

The attached document is the Virginia Department of Education (VDOE) *Part B Annual Performance Report for 2007-2008* (APR). The APR provides information specific to measuring the state's progress on indicators defined by the Office of Special Education Programs of the United States Department of Education.

VDOE has developed its *Part B Annual Performance Report for 2007-2008* with input from stakeholders. Stakeholders included representatives of the State Special Education Advisory Committee (SSEAC), parents, school division administrators, other state agencies, Training/Technical Assistance Centers (T/TAC), early childhood specialists, transition specialists, and VDOE staff. Individual indicator stakeholder workgroup meetings included review of data, discussion of progress/slippage relative to targets, and improvement activities.

Documents included with the submission of the 2007-2008 APR include the following:

- Indicator 7, State Performance Plan template
- Table 6, *Report of the Participation and Performance of Students with Disabilities on State Assessments* (Indicator 3)
- Parent Survey (Indicator 8)
- Table 7, *Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act* (Indicators 16-19)

Information specific to measuring progress or slippage against state targets is included for Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. States are not required to submit information on Indicators 4B and 6 in this year's report.

Information specific to required progress data and improvement activities is being submitted for Indicator 7 through submission of the "SPP Template." This information has also been incorporated into Virginia's *State Performance Plan 2005-2010, Revised February 2, 2009*.

Virginia's *State Performance Plan 2005-2010, Revised February 2, 2009* reflects all revisions to the original SPP submitted December 2, 2005. This document is available at <http://www.doe.virginia.gov/VDOE/sess>.

Virginia's *2005-2010 State Performance Plan, Revised February 2, 2009* and the *Part B Annual Performance Report for 2007-2008* will be disseminated to the public. The reports are available on the Virginia Department of Education website, <http://www.doe.virginia.gov/VDOE/sess>, 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). Reports will also be made available to various media, consistent with VDOE dissemination of other material.

Please contact Mr. Paul J. Raskopf at 804-225-2080 or at paul.raskopf@doe.virginia.gov for information related to the 2007-2008 *Annual Performance Report* or the *2005-2010 State Performance Plan, Revised February 2, 2009*.

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Overview of the Annual Performance Report Development: See description in Overview section.

Monitoring Priority: FAPE in the LRE	
Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))	
Measurement: The measurement for youth with IEPs graduating from high school should be the same measurement used for all youth. Explain calculation.	
FFY	Measurable and Rigorous Target
2007-2008	45 percent of youth with IEPs graduating from high school will receive an Advanced Studies or Standard Diploma.

Data Source:

Data for Indicator 1 are taken from the VDOE end of year school division report.

Actual Target Data for 2007-2008:

Virginia did not meet the target that 45 percent of youth with IEPs graduating from high school will receive an Advanced Studies or Standard Diploma. For 2007-2008, 44 percent of youth with IEPs graduated from high school with an Advanced Studies or Standard Diploma.

Students with Disabilities who Received Standard and Advanced Study Diplomas:

Year	N	Total	Percent
2006-2007	4,931	11,565	43
2007-2008	5,315	12,173	44

For purposes of determining a graduation rate for students with disabilities, VDOE uses the No Child Left Behind (NCLB) calculation, the same calculation used for all youth. 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 and Advanced Studies diplomas. The calculation

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does not account for transfers in or out of a school division. It does not measure “on-time” graduation. It accounts for students who may take longer to graduate.

The graduation rate for students with disabilities was calculated according to VDOE’s “No Child Left Behind Accountability Workbook” assurances. The targets are consistent with Virginia’s State Board of Education initiatives and Annual Measurable Objectives (AMO) related to graduation rates.

The term “regular diploma” as used in this indicator includes Virginia’s Advanced Studies Diploma and Standard Diploma. Virginia offers several additional graduation options to students with disabilities. These include the Modified Standard Diploma, the Special Diploma and the Certificate of Completion. Standards which must be met to receive the Modified Standard Diploma and the Special Diploma are more rigorous than those which must be met for the Certificate of Completion. Virginia believes that the inclusion of students who earn these additional diplomas into the graduation rate would provide a more accurate picture of the graduation status for students with disabilities in the state.

The US Department of Education recognizes alternate calculations of graduation rate. One such alternate is the “on-time graduation rate.” The Virginia On-Time Graduation Rate is based on four years of longitudinal student-level data in the commonwealth’s Educational Information Management System. Unlike estimates used in the past, the Virginia On-Time Graduation Rate takes into consideration student mobility, changes in student enrollment, policy, and instructional practices such as 9th-grade retention. This formula also recognizes that some students with disabilities and limited English proficient (LEP) students are allowed more than the standard four years to earn a diploma and are still counted as “on-time” graduates. Simply put, the graduation rate, as defined by the Board of Education equals [on-time graduates in year x] divided by [(first-time entering 9th graders in year x minus 4) plus (transfers in) minus (transfers out)]

OR, for 2007-2008,

On-time Graduates in Year 2008

$$\frac{[(\# \text{ of } 1^{\text{st}} \text{ time entering } 9^{\text{th}} \text{ graders in year } 2004) + (\text{Transfers In}) - (\text{Transfers out \& deceased})]}{\text{Total}} \times 100$$

Graduates are defined as students who earn one of the following Board approved diplomas:

- Advanced Studies Diploma
- Standard Diploma
- Modified Standard Diploma
- Special Diploma
- General Achievement Diploma

On-time graduates are graduates who earn diplomas within four years of the first time they entered the 9th grade. Special education students and limited English students who have plans in place that allow them more time to graduate will be counted as graduates or non-graduates when they earn a diploma or otherwise exit high school. Deceased students will be counted as transfers out and incarcerated students will be counted as transfers as they leave and re-enter the system.

For students with disabilities, the On-time Graduation Rate for 2007-2008 was 81%.

Information on Virginia’s Standards of Accreditation and requirements for diploma types can be found at: <http://www.doe.Virginia.gov/VDOE/Accountability/soa.html>.

Additional information can be found in Virginia’s *Consolidated State Application and Accountability Workbook*, (Revised: Based on VBOE Actions through January 10, 2008, and USED Responses through June 24, 2008). The *Accountability Workbook* can be found at <http://www.doe.Virginia.gov/VDOE/nclb/>.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008:

Progress/slippage

Virginia demonstrated progress toward the target in the rate of students with disabilities graduating with an Advanced Studies or Standard diploma, increasing the rate from 43 percent in 2006-2007 to 44 percent in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 1 in Virginia's State Performance Plan were implemented.

The Transition Outcomes Project has been expanded from a separate project into a state-wide model for services. VDOE will continue to support implementation of this model.

The emphasis placed on helping school divisions in developing and implementing transition plans aimed at reducing the number of 9th and 10th grade students retained in grade has centered on the development of transition IEPs. VDOE has developed a transition IEP template to guide practice.

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

VDOE will continue to expand school divisions' Algebra Readiness programs and will continue to help school divisions in developing and implementing transition plans aimed at reducing the number of 9th and 10th grade students retained in grade.

VDOE will continue to support local graduation academies to prepare students in need of verified units of credit.

VDOE will continue to provide online tools and tutorials designed to assist students and teachers with preparing for and taking SOL assessments needed for graduation.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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Overview of the Annual Performance Report Development: See description in Overview section.

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))	
Measurement: Measurement for the percent of youth with IEPs dropping out of high school is the same as that for all youth. Explain calculation.	
FFY	Measurable and Rigorous Target
2007-2008	The drop out rate for students with disabilities will decrease to 1.89 percent.

Data Source:

Data for Indicator 2 are taken from VDOE's end of year school division report.

Actual Target Data for 2007-2008:

Virginia did not meet the target for 2007-2008 to decrease the dropout rate for students with disabilities to 1.89 percent. For 2007-2008 the drop out rate for students with disabilities was 2.4 percent.

Drop out rate for students with disabilities:

Year	Dropouts	Membership	Percent
2006-2007	1,808	77,492	2.3
2007-2008	1,844	76,593	2.4

VDOE defines a 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. The drop-out rate calculation for students with disabilities is the same as for all students.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated slippage from the target in the drop out rate for students with disabilities for the 2007-2008 school year with a rate of 2.4 percent compared to a rate of 2.3 percent for the 2006-2007 school year.

Discussion of activities

During 2007-2008, activities listed for Indicator 2 in Virginia's State Performance Plan were implemented.

VDOE will continue to 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.

The Transition Outcomes Project has been expanded from a separate project into a state-wide model for services. VDOE will continue to support implementation of this model.

VDOE will continue to 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.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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Overview of the Annual Performance Report Development: See description in Overview section.

<p>Monitoring Priority: FAPE in the LRE</p>
<p>Indicator 3:</p> <p>Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>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.</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>
<p>Measurement:</p> <p>A. Percent = $[(\# \text{ of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}) \div (\text{total } \# \text{ of districts that have a disability subgroup that meets the State's minimum "n" size in the State})] \times 100$.</p> <p>B. Participation rate =</p> <ul style="list-style-type: none">a. # of children with IEPs in assessed grades;b. # of children with IEPs in regular assessment with no accommodations (percent = $[(b) \div (a)] \times 100$);c. # of children with IEPs in regular assessment with accommodations (percent = $[(c) \div (a)] \times 100$);d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = $[(d) \div (a)] \times 100$); ande. # of children with IEPs in alternate assessment against alternate achievement standards (percent = $[(e) \div (a)] \times 100$) <p>Account for any children included in a but not included in b, c, d, or e above.</p> <p>Overall Percent = $[(b + c + d + e) \div (a)]$.</p> <p>C. Proficiency rate =</p> <ul style="list-style-type: none">a. # of children with IEPs in assessed grades;b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = $[(b) \div (a)] \times 100$);

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<p>c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = [(c) divided by (a)] times 100);</p> <p>d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100);</p> <p>e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(e) divided by (a)] times 100)</p> <p>Account for any children included in a but not included in b, c, d, or e above.</p> <p>Overall Percent = [(b + c + d + e) divided by (a)].</p>	
FFY	Measurable and Rigorous Target
2007-2008	<p>A. At least 66 percent of Virginia’s school divisions will meet AYP objectives for students with disabilities subgroup.</p> <p>B. At least 95 percent of students with disabilities will participate in state assessments.</p> <p>C. At least 77 percent of students with disabilities will pass state English/Reading assessments. At least 75 percent of students with disabilities will pass state mathematics assessments.</p>

Data Source:

Data for Indicator 3 are taken from VDOE state assessment data.

Actual Target Data for 2007-2008

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*. 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/>.

Virginia’s performance relative to targets for the 2007-2008 school year for the three components of Indicator 3 is as follows:

Indicator 3A

Virginia did not meet the target for the 2007-2008 school year that at least 66 percent of school divisions will meet AYP objectives for the students with disabilities subgroup. For 2007-2008, 59.8 percent of Virginia’s school divisions met AYP objectives for students with disabilities subgroup.

Part B Annual Performance Report for 2007-2008**School divisions meeting AYP for students with disabilities:**

Year	N	Total	Percent
2006-2007	87	132	65.9
2007-2008	79	132	59.8

Indicator 3B

Virginia met the target for the 2007-2008 school year that at least 95 percent of students with disabilities will participate in state assessments. For 2007-2008, 99 percent of students with IEPs participated in the state assessments.

Students with IEPs participating in English/Reading assessments:

Year	N	Total	Percent
2006-2007	87,665	88,696	99
2007-2008	85,554	86,207	99

Students with IEPs participating in Math assessments:

Year	N	Total	Percent
2006-2007	98,810	99,869	99
2007-2008	96,526	97,397	99

Indicator 3C

Virginia did not meet the target for the 2007-2008 school year that at least 77 percent of students with disabilities will pass state English/Reading assessments. For 2007-2008, 67 percent of students with disabilities passed state English/Reading assessments.

Students with disabilities passing state English/Reading assessments:

Year	N	Total	Percent
2006-2007	53,835	86,947	62
2007-2008	57,236	84,891	67

Virginia did not meet the target for the 2007-2008 school year that at least 75 percent of students with disabilities will pass state mathematics assessments. For 2007-2008, 65 percent of students with disabilities passed Math assessments.

Students with disabilities passing state Math assessments:

Year	N	Total	Percent
2006-2007	56,839	97,984	58
2007-2008	61,853	95,713	65

Additional information not addressed in Indicators 3A, 3B and 3C is included in Table 6, *Report of the Participation and Performance of Students with Disabilities on State Assessments By Content Area, Grade, and Type of Assessment*. This additional information includes the number of students with disabilities who participated in the state assessment program with accommodations and the number of students exempted from the state assessment program.

Table 6 is attached.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Progress/slippage for each of the components of this indicator is discussed below:

Indicator 3A

Virginia demonstrated slippage from the target in the percent of school divisions meeting AYP objectives for students with disabilities with a percentage of 59.8 for 2007-2008 compared to a percentage of 65.9 for 2006-2007.

Indicator 3B

There was no change in Virginia's performance relative to the target in the percentage of participation of students with disabilities in English/Reading assessments with a participation rate of 99 percent in both 2006-2007 and 2007-2008.

There was no change in Virginia's performance relative to the target in the percentage of participation of students with disabilities in math assessments with a participate rate of 99 percent in both 2006-2007 and 2007-2008.

Indicator 3C

Virginia demonstrated progress toward the target in the percent of students with disabilities who passed the English/Reading assessments, with 62 percent passing in 2006-2007 and 67 passing in 2007-2008.

Virginia demonstrated progress toward the target in the percent of students with disabilities who passed the Math assessments, with 58 percent passing in 2006-2007 and 65 percent passing in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 3 in Virginia's State Performance Plan were implemented.

VDOE will continue to provide training and technical assistance related to reading skills, with a focus on needs of special education teachers, through Virginia's Reading First project.

VDOE will continue to provide training on on-line tools and tutorials designed to assist students and teachers with preparing for SOL assessments. This will include providing tutorials for students who need additional preparation for retakes of the SOL tests needed for high school verified course credits.

VDOE will continue to 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 will continue to make these available at www.ttaonline.org.

VDOE will continue to provide training and technical assistance on the need for and use of assistive technology with a focus on access to the general curriculum and support for including students with disabilities in general classrooms and community settings and will continue to make resources available at www.ttaonline.org.

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VDOE will continue to provide support for pilot demonstration schools to implement the University of Kansas Strategic Instruction Model-Content Literacy Continuum (SIM-CLC).

VDOE will continue to participate with the National Center for Educational Outcomes "Community of Practice."

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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Overview of the Annual Performance Report Development: See description in Overview section.

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 expulsion of children with disabilities for greater than 10 days in a school year. (20 U.S.C. 1416(a)(3)(A)); 1412(a)(22))	
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 the (# of districts in the State)] times 100. Include State's definition of "significant discrepancy."	
FFY	Measurable and Rigorous Target
2007-2008	Reduce the percentage of school divisions with significant discrepancy for long-term suspensions to 12 percent and for expulsions to 8 percent.

Data Source

Data for Indicator 4A are taken from VDOE's annual discipline/crime and violence report.

Actual Target Data for 2007-2008

Virginia did not meet the target for 2007-2008 to reduce the percentage of school divisions with significant discrepancy for long-term suspensions of students with disabilities to 12 percent. For 2007-2008, 24 school divisions out of 132 school divisions in the state were determined to have significant discrepancy in the rate of long-term suspension of children with disabilities, for a percentage of 18 percent.

Divisions with Significant Discrepancy in Rates for Long-Term Suspension

Year	Number	Total	Percent
2006-2007	21	132	16
2007-2008	24	132	18

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Virginia met the target to reduce the percent of school divisions with significant discrepancy for expulsions of students with disabilities to 8 percent. For 2007-2008, 10 school divisions out of 132 school divisions in the state were determined to have significant discrepancy in the rate of expulsion of children with disabilities, for a percentage of 7.6 percent.

Divisions with Significant Discrepancy in Rates of Expulsion

Year	Number	Total	Percent
2006-2007	16	132	12
2007-2008	10	132	7.6

VDOE's definition of significant discrepancy is a rate of long-term suspension or expulsion of students with disabilities which exceeds the rate for students without disabilities and is greater than the state average.

VDOE identifies school divisions with significant discrepancy as those divisions whose rate of long-term suspension or expulsion of students with disabilities exceeds the rate for students without disabilities, is greater than the state average. Divisions must have an "n" size greater than three for the number of long-term suspensions or expulsions to be included in the analysis.

For the 2006-2007 school year, there were 21 divisions determined to have significant discrepancy in the rate of long-term suspension of children with disabilities. VDOE required these 21 school divisions to complete a checklist to ensure review, and, if appropriate, revision, of policies, procedures, and practices related to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

There were no findings of non-compliance with regard to policies, procedures, and practices related to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards for the 21 school divisions determined to have significant discrepancy in the rate of suspension of students with disabilities in 2006-2007.

For the 2006-2007 school year, there were 16 school divisions determined to have significant discrepancy in the rate of expulsion of children with disabilities. VDOE required these 16 school divisions to complete a checklist to ensure review, and, if appropriate, revision, of policies, procedures, and practices related to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

There were no findings of non-compliance with regard to policies, procedures, and practices related to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards for the 16 school divisions determined to have significant discrepancy in the rate of expulsion of students with disabilities in 2006-2007.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Progress/slippage for each of the components of this indicator is discussed below:

Virginia demonstrated slippage from the target for long-term suspensions; the percentage of school divisions determined to have a significant discrepancy comparing the rate of long term suspension for all

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students to those for students with disabilities increased from 16 percent in 2006-2007 to 18 percent in 2007-2008.

Virginia demonstrated progress toward the target for expulsions; the percentage of school divisions determined to have a significant discrepancy comparing the rate of expulsion for all students to those for students with disabilities decreased from 12 percent in 2006-2007 to 7.6 percent in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 4A in Virginia's State Performance Plan were implemented.

VDOE will continue to provide training and technical assistance related to conducting functional behavior assessments and developing behavior intervention plans.

VDOE will continue to provide technical assistance to the schools who are implementing the effective school wide discipline initiative.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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Overview of the Annual Performance Report Development: See description in Overview section.

Monitoring Priority: FAPE in the LRE	
Indicator 5: Percent of children with IEPs aged 6 through 21 served: 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))	
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 separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	<p>Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 62 percent.</p> <p>Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 11 percent.</p> <p>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 1 percent.</p>

Data Source

Data for Indicator 5 are taken from VDOE December 1 Special Education Child Count.

Part B Annual Performance Report for 2007-2008**Actual Target Data for 2007-2008**Indicator 5A

Virginia did not meet the target for the 2007-2008 school year that 62 percent of students with disabilities ages 6-21 would spend at least 80 percent of the day in the regular class. For 2007-2008, 57 percent of students ages 6-21 spent at least 80 percent of their day in the regular classroom.

Children inside the regular class 80% or more

Year	Number	Total	Percent
2006-2007	82,973	152,562	54
2007-2008	85,866	150,688	57

Indicator 5B

Virginia did not meet the target for 2007-2008 that 11 percent of students with disabilities ages 6-21 would spend less than 40% of the day in the regular classroom. For 2007-2008, 16 percent of students ages 6-21 spent less than 40 percent of their day in the regular classroom.

Children inside the regular class less than 40%

Year	Number	Total	Percent
2006-2007	27,297	152,562	18
2007-2008	24,224	150,688	16

Indicator 5C

Virginia did not meet the target for 2007-2008 that 1 percent of students with disabilities ages 6-21 would receive their special education services in separate public or private schools, residential placements or homebound or hospital placements. For 2007-2008, 3.5 percent of students ages 6-21 received their special education services in separate public or private schools, residential placements, or homebound or hospital placements.

Children in separate schools, residential facilities, or homebound/hospital placements:

Year	Number	Total	Percent
2006-2007	5,452	152,562	3.6
2007-2008	5,302	150,688	3.5

The number of children in private day schools and residential facilities reflects all children who receive their education in these settings. The number includes not only children placed into these settings by school divisions based upon the IEP, but also children placed into these settings for non-educational reasons by Virginia human service agencies other than the schools; these departments include the Department of Social Services, the Department of Mental Health/Mental Retardation and Substance Abuse Services, and the Department of Juvenile Justice. The placements by non-educational agencies adversely affect the percentage of children in separate schools, residential facilities, or homebound/hospital placements.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Progress/slippage for each of the components of this indicator is discussed below:

Indicator 5A

Virginia demonstrated progress toward the target in the number of students with disabilities ages 6-21 who were served in the regular classroom for 80% or more of the day with 57% in 2007-2008 compared with 54% in 2006-2007.

Indicator 5B

Virginia demonstrated progress toward the target in the number of students with disabilities ages 6-21 who were served in the regular classroom for less than 40% of the day with 18% in 2006-2007 compared to 16% in 2007-2008.

Indicator 5C

Virginia demonstrated progress toward the target in the number of students with disabilities ages 6-21 who received their special education in separate public or private schools, residential placements, or homebound or hospital placements with 3.5% in 2007-2008 compared to 3.6% in 2006-2007.

Discussion of activities

During 2007-2008, activities listed for Indicator 5 in Virginia's State Performance Plan were implemented.

VDOE and its Training/Technical Assistance Centers (T/TAC) will continue to disseminate information and implement professional development on effective inclusive practices, including differentiating instruction and collaboration.

VDOE will continue to provide training and technical assistance on the need for and use of assistive technology with a focus on access to the general curriculum and support for including students with disabilities in general classrooms and community settings and will continue to make resources available at www.ttaconline.org.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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States are not required to report any information related to Indicator 6.

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See *Virginia's State Performance Plan, Revised February 2, 2009* for progress data and improvement activities for Indicator 7

The *State Performance Plan* is available at the following address:

<http://www.doe.virginia.gov/VDOE/sess/>

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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))	
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.	
FFY	Measurable and Rigorous Target
2007-2008	65 percent of parents with a child receiving special education services will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Data Source

In collecting data for Indicator 8 for the 2007-2008 APR, VDOE used the same survey instrument used for the 2006-2007 APR 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 survey was distributed through a statewide mailing to parents of all preschool and school-age students with IEPs, across all school divisions, all levels (high school, middle school, elementary, and preschool) and all disability categories. Parent names and addresses were submitted to the VDOE by each local school division. A postage-free return envelope was included with the survey and a toll-free number was provided for questions about the survey process. Directions in Spanish were prominently displayed on the survey instrument directing parents to a toll-free telephone number at the Parent Educational Advocacy and Training Center (PEATC, Virginia's PTI) where Spanish speakers were available to communicate with parents wishing to receive a Spanish version of the survey. Follow-up postcards were mailed to all recipients of the survey as reminders to complete and return the survey.

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The survey instrument and the process for distributing and collecting the survey and analyzing the results were developed through a collaborative effort between the VDOE, The Partnership for People with Disabilities at Virginia Commonwealth University (Virginia’s university center for excellence in developmental disabilities) and a group of stakeholders from across the state. Information announcing the distribution of the survey was posted on the VDOE Web page. Additional information was sent to special education administrators, members of the State Special Education Advisory Committee and others in positions to encourage parents to complete and return the survey.

The total number of surveys sent out was 170,490. The total number of surveys completed and returned was 33,633, for a return rate of 20 percent. Demographic information collected from returned surveys was analyzed by race, ethnicity and disability. From this analysis, VDOE has learned that all school divisions in Virginia are represented in the survey data and that the response rate was representative of the population in race, ethnicity, and disability.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that 65 percent of parents with a child receiving special education services will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. For 2007-2008, 68.4 percent of parents reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Parents reporting that schools facilitated parent involvement as a means of improving services and results for children with disabilities

Year	N	Total	Percent
2006-2007	22,484	33,806	66.5
2007-2008	22,999	33,633	68.4

Data for this indicator reflect responses to the survey question “The school explains what options parents have if they disagree with a decision of the school.” Virginia’s 2007-2008 percentage of 68.4 represents the proportion of the “Agree, Strongly Agree, or Very Strongly Agree” responses to this survey question.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated progress toward the target in the percentage of parents who reported that that schools facilitated parent involvement as a means of improving services and results for children with disabilities from 66.5% in 2006-2007 to 68.4% in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 8 in Virginia’s State Performance Plan were implemented.

VDOE will continue to offer “Creating Collaborative IEPs,” a training curriculum produced by the Partnership for People with Disabilities, in collaboration with VDOE and the T/TACs.

VDOE will continue to 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 continue to offer technical assistance and information.

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VDOE will continue expansion and improvement of the VDOE Web page promoting parent involvement.

VDOE will continue to provide ongoing training for existing Parent Resource Centers as well as to support development of new parent centers.

VDOE will continue to include parent-specific activities in the State Improvement Grant (SIG).

VDOE will continue to utilize the parent specialist and parent ombudsman to address parent concerns.

VDOE and the Partnership for People with Disabilities will continue to review the parent surveys, using the information to inform the development of future improvement activities.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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))	
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 the (# 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.	
FFY	Measurable and Rigorous Target
2007-2008	0 percent of the school divisions in the State will have disproportionate representation identified.

Data Source:

Annual fall membership report, VDOE December 1 Special Education Child Count, school division summary of individual student record reviews.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that 0 percent of the school divisions in the State will have disproportionate representation identified. For 2007-2008, there were no school divisions with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification, for a percentage of 0.

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Year	N	Total	Percent
2006-2007	0	132	0
2007-2008	0	132	0

VDOE's definition of "disproportionate representation" for Indicator 9 is as follows: Disproportionate representation of racial and ethnic groups in special education and related services occurs when the percent of a particular racial/ethnic group identified in the special education population is disproportionate to the percent of that racial/ethnic group in the general school population and violations of regulatory or procedural requirements related to the identification of students as students with disabilities in that racial/ethnic group have been documented.

VDOE determined disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification through a two-level process.

Level One: Data Analysis

VDOE used a comparison model as the basis for the level one data analysis. Racial/ethnic groups with an "n" size of fifty or fewer students in the students with disabilities population were excluded from the level one data analysis. The percentage of students of each racial/ethnic group in the students with disabilities population was compared to the percentage of students in the same racial/ethnic group in the general population. The analysis generated an expected number of students identified as students with disabilities in each racial/ethnic group.

Continuing the analysis, a five percent adjustment was made to the expected number of students with disabilities in each racial/ethnic group. If the number of students with disabilities in any racial/ethnic group was higher than the adjusted number, the division was included in the level two analysis.

The level one analysis identified 78 school divisions with possible disproportionate representation that required them to be involved in the level two analysis.

Level Two: Review of Policy, Procedure and Practice

If a school division was identified in the level one analysis, the division was required to review individual student records for the racial/ethnic groups identified in the level one analysis. This record review required use of a checklist that allowed the school division to identify any violations of procedural or regulatory requirements related to the identification of students as a student with a disability.

School divisions submitted a written summary of their student record review to VDOE and a final determination was made as to which divisions had disproportionate representation of racial/ethnic groups in special education and related services that was the result of inappropriate identification.

Corrected noncompliance from 2006-2007

There were no school divisions in 2006-2007 identified as having disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification; there were no noncompliance findings to be corrected.

Part B Annual Performance Report for 2007-2008

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

There was no change in Virginia's performance relative to the target with 0 school divisions identified as having disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification for both 2006-2007 and 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 9 in Virginia's State Performance Plan were implemented.

Virginia will continue to 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 and appropriateness of eligibility decisions.

Virginia will engage in follow-up monitoring of student record reviews to ensure procedural and regulatory violations are being correctly reported.

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

Virginia will continue to utilize 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.

VDOE will continue to work with school divisions to develop action plans, as needed, to allow school divisions to outline improvement strategies in areas related to disproportionate representation that is the result of inappropriate identification, including review and revision, if needed, of policies, practices and/or procedures.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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))	
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 the (# 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.	
FFY	Measurable and Rigorous Target
2007-2008	0 percent of the school divisions in the State will have disproportionate representation identified.

Data Source

Annual fall membership report, VDOE December 1 Special Education Child Count, school division summary of individual student record reviews.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that 0 percent of the school divisions in the State will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. For 2007-2008, there were no school divisions with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.

Part B Annual Performance Report for 2007-2008**Districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification:**

Year	# Divisions Identified	Total # Divisions	Percent
2006-2007	0	132	0
2007-2008	0	132	0

VDOE's definition of "disproportionate representation" for Indicator 10 is as follows: Disproportionate representation of racial and ethnic groups in specific disability categories occurs when the percent of a particular racial/ethnic group in the disability categories of mental retardation, specific learning disabilities, emotional disturbance, other health impairment, autism, or speech/language impairment, is disproportionate to the percent of that racial/ethnic group in the general school population and violations of regulatory requirements related to the identification of students in the disability categories of mental retardation, specific learning disabilities, emotional disturbance, other health impairment, autism, or speech/language impairment, have been documented.

VDOE determined disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification through a two-level process.

Level One: Data Analysis

VDOE used a comparison model as the basis for the level one data analysis for the following disability categories: mental retardation, specific learning disabilities, emotional disturbance, other health impairment, autism, and speech/language impairment. Racial/ethnic groups with an "n" size of fifty or fewer students in the students with disabilities population were excluded from the level one analysis. The percentage of students of each racial/ethnic group in each of the six disability categories was compared to the percentage of students in the same racial/ethnic group in the general population. The analysis generated an expected number of students in that racial/ethnic group for each of the six designated disability categories.

Continuing the analysis, a five percent adjustment was made to the expected number of students in each of the six designated disability categories for each racial/ethnic group. If the number of students in any of the six designated disability categories for any racial/ethnic group was higher than the adjusted number, the school division was included in the level two analysis.

The level one analysis identified 101 school divisions with possible disproportionate representation that required them to be involved in the level two analysis.

Level Two: Review of Policy, Procedure and Practice

If a school division was identified in the level one analysis, the division was required to review individual student records for the racial/ethnic group(s) identified in the level one analysis. This record review required use of a checklist that allowed the school division to identify violations of procedural or regulatory requirements related to the identification of students for any of the six designated disability categories.

School divisions submitted a written summary of their student record review to VDOE and a final determination was made as to which divisions had disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.

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Corrected noncompliance from 2006-2007

There were no school divisions in 2006-2007 identified as having disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification; there were no noncompliance findings to be corrected.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

There was no change in Virginia's performance relative to the target from 2006-2007 to 2007-2008 with 0 school divisions determined to have disproportionate representation that was the result of inappropriate identification of racial and ethnic groups in specific disability categories for both years.

Discussion of activities

During 2007-2008, activities listed for Indicator 10 in Virginia's State Performance Plan were implemented.

Virginia will continue to 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 and appropriateness of eligibility decisions.

Virginia will engage in follow-up monitoring of student record reviews to ensure procedural and regulatory violations are being correctly reported.

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

Virginia will continue to utilize 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.

VDOE will continue to work with school divisions to develop action plans, as needed, to allow school divisions to outline improvement strategies in areas related to disproportionate representation that is the result of inappropriate identification, including review and revision, if needed, of policies, practices and/or procedures.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

Monitoring Priority: Effective General Supervision Part B/Child Find	
Indicator 11: Percent of children with parental consent to evaluate, who were evaluated 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 were completed within 65 days (or State established timeline). c. # determined eligible whose evaluations were completed within 65 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 the evaluation was completed and any reasons for the delays. Percent = [(b + c) divided by (a)] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	100 percent of children with parental consent to evaluate, will be evaluated and have eligibility determined within 65 business days.

Data Source

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

Actual Target Data for 2007-2008

Virginia did not meet the target for 2007-2008 that 100 percent of children with parental consent to evaluate will be evaluated and have eligibility determined within 65 business days. For the 2007-2008 school year, school divisions reported 29,714 children were evaluated and had eligibility determined within 65 business days out of 30,704 children for whom consent was received for evaluation, for a percentage of 96.8 percent.

Part B Annual Performance Report for 2007-2008**Children evaluated and had eligibility determined within 65 business days:**

Year	Numerator	Denominator	Percent
2006-2007	29,721	30,890	96.2
2007-2008	29,714	30,704	96.8

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

Range of business days beyond 65-day timeline	Number of children
1-5	336
6-15	271
16-25	87
26-35	84
36-45	76
46 and beyond	136
Total	990

Reported reasons for exceeding the 65-day timeline included: staffing issues, parent request to reschedule meetings, and paperwork errors. Parent request to reschedule meetings was the most frequently reported.

Corrected noncompliance from 2006-2007

For the 1,169 cases of noncompliance found in 2006-2007 for Indicator 11, all 1,169 noncompliance findings were corrected within one year of identification. Evaluations and eligibility determinations were completed for all findings of non-compliance.

To facilitate timely corrections, school divisions with noncompliance findings were required to submit corrective action plans (CAPs). The notification of noncompliance to school divisions regarding noncompliance findings for Indicator 11 required divisions to specify in their CAPs the specific reasons for not meeting the required timeline. School divisions were requested to consider several factors in developing their CAPs, including change to policy/procedures to allow for a shorter evaluation timeline for emergency situations; examination of routine evaluation procedures to determine if barriers exist; implementation of a computerized tracking system; designation of staff with responsibility for tracking timelines; arranging to hold eligibility meetings at times convenient for parents; and provision of staff training.

Where appropriate, VDOE required school divisions to issue instructional memoranda to staff and/or to conduct formal training sessions to prevent future procedural violations. In addition to the above activities, school divisions reviewed data concerning the number of days that exceeded required timelines and the reasons the timelines were exceeded.

For Indicator 11, VDOE was able to verify that school divisions that received notification of noncompliance were now ensuring compliance with evaluations and eligibility determination within 65-business days by (1) obtaining division superintendent's signature of assurance that CAPs would be promptly implemented; (2) by reviewing school division's tracking systems and IEPs for newly referred children with consent to evaluate during on-site monitoring activities and follow up with local directors via telephone, conference calls and e-mails. School divisions that failed to meet at least 97% compliance received more intense follow-up. In addition, VDOE will meet with school divisions that continue to show non-compliance and VDOE will require these divisions to develop new CAPs that contain activities

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directed by VDOE, specific to the individual division. VDOE is reasonably assured that each school division is conducting timely initial evaluations for all children.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated progress toward the target in the percent of children with parental consent to evaluate who were evaluated and had eligibility determined within 65 business days, increasing compliance from 96.2 percent in 2006-2007 to 96.8 percent in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 11 in Virginia's State Performance Plan were implemented.

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

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

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Overview of the Annual Performance Report Development: See description in Overview section.

Monitoring Priority: Effective General Supervision Part B/Effective 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 their third birthdays. c. # of those found eligible who have an IEP developed and implemented by their third birthdays. d. # of children for who parent refusal to provide consent caused delays in evaluation or initial services. Account for children included in a but not included in b, c, or d. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays. Percent = [(c) divided by (a – b – d)] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	100 percent of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by the beginning of that school year if they turn age 2 by September 30 or by their third birthday.

Data Source

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

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Actual Target Data for 2007-2008

Virginia did not meet the target for 2007-2008 that 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 September 30 or by their third birthday. For the 2007-2008 school year, 97 percent of the 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.

Year	N	Total	Percent
2006-2007	1650	1699	97
2007-2008	1735	1788	97

School divisions reported the number of business days beyond timeline requirements:

Range of business days beyond required timeline	Number of children
1-5	10
6-15	7
16-25	9
26-35	11
36-45	4
46 and beyond	12
Total	53

Reported reasons for failure to determine eligibility prior to a child's 3rd birthday included the following: late receipt of parental permission to evaluate, staffing issues, parent request to reschedule meetings, inclement weather, and paperwork errors.

Corrected noncompliance from 2006-2007

Of the 49 cases of noncompliance found for Indicator 12, all 49 of the findings of noncompliance were corrected within one year of identification. Evaluations and eligibility determinations were completed for all findings of non-compliance.

To facilitate timely corrections, school divisions with noncompliance findings were required to submit corrective action plans (CAPs). The notification of noncompliance to school divisions regarding noncompliance findings for Indicator 12 required divisions to specify in their CAPs the specific reasons for not meeting the required timeline. School divisions were requested to consider several factors in developing their CAPs, including change to policy/procedures to allow for a shorter evaluation timeline for emergency situations; examination of routine evaluation procedures to determine if barriers exist; implementation of a computerized tracking system; designation of staff with responsibility for tracking timelines; arranging to hold eligibility meetings at times convenient for parents; and provision of staff training.

Where appropriate, VDOE required school divisions to issue instructional memoranda to staff and/or to conduct formal training sessions to prevent future procedural violations. In addition to the above activities, school divisions reviewed data concerning the number of days that exceeded required timelines and the reasons the timelines were exceeded.

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For Indicator 12, VDOE was able to verify that school divisions that received notification of noncompliance were now ensuring the timely development and implementation of IEPs for children transitioning from Part C by (1) obtaining division superintendent's signature of assurance that CAPs would be promptly implemented; (2) by reviewing school division's tracking systems and IEPs for newly referred Part C children who were found eligible for Part B during on-site monitoring activities and follow up with local directors via telephone, conference calls and e-mails. School divisions that failed to meet at least 97% compliance received more intense follow-up. In addition, VDOE will meet with school divisions that continue to show non-compliance and VDOE will require these divisions to develop new CAPs that contain activities directed by VDOE, specific to the individual division. VDOE is reasonably assured that each school division is ensuring the timely development and implementation of IEPs for children transitioning from Part C.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008:

Progress/slippage

There was no change in Virginia's performance relative to the target from 2006-2007 to 2007-2008, with 97% compliance for both years in the 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 September 30 or by their third birthday.

Discussion of activities

All activities listed for Indicator 12 in Virginia's State Performance Plan were implemented.

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 continue to 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 will continue to conduct training sessions to provide Part C to Part B transition information to all school divisions. 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 will continue to provide guidance documents/flow charts to all school divisions, concerning transition from Part C. Documents will be shared with the state Part C office for them to share with their local system managers.

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

Part B Annual Performance Report for 2007-2008

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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 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 the (# of youth with an IEP age 16 and above)] times 100.	
FFY	Measurable and Rigorous Target
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.

Data Source

Data were submitted by school divisions using a spreadsheet developed by VDOE. This spreadsheet allowed divisions to maintain data on individual students and to submit division totals to the State. All required components to be measured for Indicator 13 were included in the spreadsheet.

Actual Target Data for 2007-2008

Virginia did not meet the target for the 2007-2008 school year that 100% 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. For the 2007-2008 school year, 83 percent of youth aged 16 and above had IEPs that included coordinated, annual goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Youth with IEPs including coordinated, measurable, annual goals and transition services:

Year	N	Total	Percent
2006-2007	4,629	6,646	70
2007-2008	5,709	6,870	83

Part B Annual Performance Report for 2007-2008

Corrected noncompliance from 2006-2007

In 2006-2007 there were 2,017 cases of noncompliance found in which youth aged 16 and above did not have an IEP that included coordinated, measurable, annual IEP goals and transition services that would reasonably enable the student to meet post-secondary goals. All 2,017 findings of noncompliance were corrected within one year.

To facilitate timely corrections, school divisions with noncompliance findings were required to submit corrective action plans (CAPs). School divisions were encouraged to consider several factors in developing their CAPs, including change to policy/procedures to ensure inclusion of coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals; development of transition IEP templates; and provision of staff training.

Where appropriate, VDOE required school divisions to issue instructional memoranda to staff and/or to conduct formal training sessions to prevent future procedural violations.

For Indicator 13, VDOE was able to verify that school divisions that received notification of noncompliance were now ensuring compliance with developing IEPs that include the required transition content by obtaining division superintendent's signature of assurance that CAPs would be promptly implemented. VDOE reviews issues related to IEPs and transition content during on-site monitoring activities and follow up with local directors via telephone, conference calls and e-mails. In addition, VDOE will meet with school divisions that continue to show non-compliance and VDOE will require these divisions to develop new CAPs that contain activities directed by VDOE, specific to the individual division. VDOE is reasonably assured that each school division is developing IEPs that include the required transition content.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated progress toward the target with 83 percent of youth ages 16 and above having IEPs that include coordinated, measurable, annual IEP goals and transition services that would reasonably enable the student to meet post-secondary goals in 2007-2008 compared with 70 percent in 2006-2007.

Discussion of activities

All activities identified in Virginia's State Performance Plan were implemented.

VDOE will continue to 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.

The Transition Outcomes Project has been expanded from a separate project into a state-wide model for services. VDOE will continue to support implementation of this model.

VDOE will continue to participate in and sponsor local, regional, state, and national Transition Communities of Practice.

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

VDOE will continue to sponsor events for adolescents that take place on college campuses and focus on life after secondary education.

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

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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.	
FFY	Measurable and Rigorous Target
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.

Data Source

Data were collected by school divisions through telephone surveys and submitted to VDOE through a web-based application.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that 60% of youth who had IEPs and are no longer in secondary school would be competitively employed, enrolled in some type of post-secondary school, or both, within one year. For 2007-2008, 75.5 percent of youth who had IEPs and were no longer in secondary school were competitively employed, enrolled in some type of post-secondary school, or both, within one year.

VDOE has analyzed the data collected from the 2007-2008 survey and has determined the response rate was representative of the population in race, ethnicity, and disability.

Part B Annual Performance Report for 2007-2008**Youth who had IEPs, are no longer in secondary school, and who have been:**

	2006-2007			2007-2008		
	N	# sts contacted	Percent	N	# sts contacted	Percent
Competitively employed within one year of leaving high school	2,278	5,782	39	2,387	7,155	33.4
In post-secondary education within one year of leaving high school	493	5,782	8.5	546	7,155	7.6
Both competitively employed and in post-secondary education within one year of leaving high school	2,087	5,782	36	2,472	7,155	34.6
TOTAL	4,858	5,782	84	5,405	7,155	75.5

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008Progress/slippage

Virginia demonstrated slippage from the target, with 75.5 percent of youth who had IEPs and are no longer in secondary school having been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school in 2007-2008 compared with 84 percent in 2006-2007. In the *Part B State Performance Plan for 2005-2010*, in which baseline data were presented and targets developed, Virginia noted the potential for decline in this indicator based upon the anticipated success of efforts to increase the response rate.

Discussion of activities

All activities identified in Virginia's State Performance Plan were implemented.

VDOE will continue to work with the 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.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview.

Monitoring Priority: Effective General Supervision Part B/General Supervision	
<p>Indicator 15:</p> <p>General supervision system (including monitoring, complaints, hearing, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	
<p>Measurement:</p> <p>Percent of noncompliance corrected within one year of identification:</p> <ul style="list-style-type: none"> a. # of findings of noncompliance b. # of corrections completed as soon as possible but in no case later than one year from identification. <p>Percent = [(b) divided by (a)] times 100.</p> <p>For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.</p>	
FFY	Measurable and Rigorous Target
2007-2008	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected as soon as possible but in no case later than one year from identification.

Data Source

Data reported for Indicator 15 are obtained through the components of VDOE's general supervision system including on-site monitoring activities, complaints, due process hearings, and other data collected.

Actual Target Data for 2007-2008

Virginia met the target for 2007-2008 that 100 percent of the non-compliance findings identified in 2006-2007 through general supervision (including monitoring, complaints, hearings, data collection) will be corrected as soon as possible but in no case later than one year from identification. For 2007-2008, 100% percent of noncompliance findings identified in 2006-2007 through general supervision were corrected as soon as possible but in no case later than one year from identification.

Part B Annual Performance Report for 2007-2008**Data Specific to Non-compliance Findings from 2006-2007 and Number Corrected Within One Year of Identification:**

Topical Area/ Indicator	Number of LEAS With Findings Issued			Monitoring Noncompliance Findings and Number Corrected Within One Year		Complaints Noncompliance Findings And Number Corrected Within One Year		Due Process Noncompliance Findings And Number Corrected Within One Year	
	M	C	D						
Child Find	4	1	-	4	4	1	1	-	-
Discipline	3	1	1	3	3	1	1	1	1
Eligibility Procedures	2	1	-	2	2	2	2	-	-
Evaluation Procedures	4	4	-	4	4	5	5	-	-
FAPE	-	1	1	-	-	1	1	1	1
IEP Development , Content, & Implementation	11	17	2	63	63	36	36	2	2
Least Restrictive Environment	2	-	1	2	2	-	-	1	1
Participation in State Assessment	2	-	-	2	2	-	-	-	-
Placement	1	5	1	1	1	5	5	1	1
Procedural Safeguards	3	3	-	3	3	3	3	-	-
Records	4	-	-	4	4	-	-	-	-
Staffing	3	-	-	3	3	-	-	-	-
Transfer Students	2	1	-	2	2	1	1	-	-
Transition	6	2	-	6	6	3	3	-	-
Indicator 1	-	-	-	-	-	-	-	-	-
Indicator 2	-	-	-	-	-	-	-	-	-
Indicator 3	-	-	-	-	-	-	-	-	-
Indicator 4A	-	-	-	-	-	-	-	-	-
Indicator 5	-	-	-	-	-	-	-	-	-
Indicator 7	-	-	-	-	-	-	-	-	-
Indicator 8	-	-	-	-	-	-	-	-	-
Indicator 9	-	-	-	-	-	-	-	-	-
Indicator 10	-	-	-	-	-	-	-	-	-
Indicator 11	80	-	-	1,169	1,169	-	-	-	-
Indicator 12	25	-	-	49	49	-	-	-	-
Indicator 13	101	-	-	2,017	2,017	-	-	-	-
Indicator 14	-	-	-	-	-	-	-	-	-
TOTAL	253	36	6	3,334	3,334	58	58	6	6

Documentation of corrected noncompliance

VDOE's selection of school divisions for on-site monitoring was determined by a review and analysis of APR data for each school division. School divisions were also randomly selected for on-site monitoring. The selection process included school divisions from all regions of the state.

Monitoring in 2007-2008 involved extensive follow-up with school divisions with findings of noncompliance in 2006-2007. VDOE's follow-up also involved revisiting school divisions that had previous findings of noncompliance.

Part B Annual Performance Report for 2007-2008

To facilitate timely corrections, school divisions were required to submit corrective action plans (CAPs). Follow-up activities included on-site visits, review of records, interviews with staff, telephone conference calls, and other communications. School divisions were required to submit monthly progress reports to VDOE. VDOE used tracking charts in the Office of Federal Program Monitoring and the Office of Dispute Resolution and Administrative Services to document follow-up corrective action for school divisions as a means to ensure corrections in one year. VDOE provided technical assistance and follow-up to ensure implementation of activities and to receive documentation of corrections. Where appropriate, VDOE required school divisions to issue instructional memoranda to staff and/or to conduct formal training sessions to prevent future procedural violations.

For Indicators 11 and 12 school divisions reviewed data concerning the number of days that exceeded required timelines and the reasons the timelines were exceeded.

For Indicator 9, there were no school divisions in 2006-2007 identified as having disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification; there were no noncompliance findings to be corrected.

For Indicator 10, there were no school divisions in 2006-2007 identified as having disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification; there were no noncompliance findings to be corrected.

For Indicator 11, there were 1,169 findings of noncompliance in 2006-2007. All 1,169 findings of noncompliance were corrected within one year of identification.

For Indicator 12, there were 49 findings of noncompliance in 2006-2007. All 49 findings of noncompliance were corrected within one year of identification.

For Indicator 13, there were 2,017 findings of noncompliance in 2006-2007. All 2,017 findings of noncompliance were corrected within one year of identification.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007

Progress/slippage

Virginia demonstrated progress toward the target with 100% of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) corrected as soon as possible but in no case later than one year in 2007-2008 compared to 97% in 2006-2007.

Discussion of activities

All activities listed for Indicator 15 in the State Performance Plan were implemented during 2007-2008.

VDOE will continue to work with school divisions through its focused monitoring system to ensure compliance with all requirements under Part B and to ensure all noncompliance findings are corrected as soon as possible but in no case later than one year from identification.

VDOE will continue to monitor tracking logs and case files monthly.

Part B Annual Performance Report for 2007-2008

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview.

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))	
Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	Virginia will resolve 100 percent of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances.

Data Source

Data on complaints are maintained by VDOE's Office of Dispute Resolution & Administrative Services.

Actual Target Data for 2007-2008:

Virginia met the target for the 2007-2008 school year to resolve 100 percent of all signed written complaints within the 60-day timeline or a timeline extended for exceptional circumstances. For 2007-2008 100 percent of written complaints were resolved within the 60-day timeline or a timeline extended for exceptional circumstances.

Resolution of signed written complaints:

Year	# Reports Issued within 60-day timeline	# Reports Issued with Extended Timeline	# of Reports Issued	Percent
2006-2007	59	25	84	100
2007-2008	84	19	103	100

Part B Annual Performance Report for 2007-2008

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

There was no change in Virginia's performance toward the target of resolving complaints within the required timeline with 100 percent in both 2006-2007 and 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 16 in Virginia's State Performance Plan were implemented.

ODR/AS completed and distributed the "Parents' Guide to Special Education Dispute Resolution."

ODR/AS will continue to provide training to parent groups on dispute resolution options, including information on the complaint resolution system.

ODR/AS will continue to utilize its tracking logs to include identifying/tracking dates associated with extending the 60-day timeline when it is at the request of the parties in accordance with 34 CFR §300.152 (b)(1)(ii).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview.

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))	
Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	Hearing officers will issue 100 percent 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.

Data Source

Data on due process hearings are maintained by VDOE’s Office of Dispute Resolution and Administrative Services.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that hearing officers will issue 100 percent 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. For 2007-2008 hearing officers issued 100 percent of fully adjudicated due process hearing decisions within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Resolution of Fully Adjudicated Due Process Hearing Requests:

Year	# Reports Issued within 45-day Timeline	# Reports Issued within Properly Extended Timeline	# Reports Issued by Hearing Officers	Percent
2006-2007	8	0	8	100
2007-2008	14	2	16	100

Part B Annual Performance Report for 2007-2008

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

There was no change in Virginia's performance toward the target of having due process hearing decisions issued within the required timeline with 100 percent for both 2006-2007 and 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 17 in Virginia's State Performance Plan were implemented.

ODR/AS completed and disseminated the "Parents' Guide to Special Education Dispute Resolution."

ODR/AS will continue to provide parent trainings on dispute resolution options, including information on the due process hearing system.

ODR/AS will continue to maintain its tracking log to monitor the mandated timelines.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview.

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))	
Measurement: Percent = (3.1(a) divided by 3.1) times 100.	
FFY	Measurable and Rigorous Target
2007-2008	Maintain a 30 percent range rate of resolution agreements.

Data Source

Data on resolution sessions are maintained by VDOE's Office of Dispute Resolution & Administrative Services.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year to maintain a 30 percent range rate of resolution agreements. For 2007-2008, 30 percent of hearing requests that went to resolutions sessions were resolved through settlement agreements.

Year	# Resolutions Sessions Resolved Through Settlement Agreements	# Resolution Sessions	Percent
2006-2007	17	39	44
2007-2008	16	53	30

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated slippage from the target with a 30 percent rate of resolution agreements for 2007-2008 compared to a 44 percent rate for 2006-2007.

Part B Annual Performance Report for 2007-2008

Discussion of activities

During 2007-2008, activities listed for Indicator 18 in Virginia's State Performance Plan were implemented.

ODR/AS will continue to maintain it's tracking logs to identify use of the Resolution Session for resolving due process issues.

ODR/AS will continue to provide technical assistance activities in the form of resource documents and trainings to hearing officers, school personnel, and parents on Resolution Session requirements.

ODR/AS will continue to contact every school division and hearing officer upon receipt of the request for due process to ensure that both the LEA and hearing officer correctly manage the timelines and process for the Resolution Sessions.

ODR/AS will continue to provide guidance to school divisions and parents on the benefits of the Resolution Session, and how to conduct such sessions. ODR/AS completed its technical assistance guidance on Resolution Sessions, expecting final printing and distribution in 2008-2009.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview.

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))	
Measurement: Percent = [(2.1(a) (i) + 2.1(b) (i) divided by 2.1] times 100.	
FFY	Measurable and Rigorous Target
2007-2008	Maintain a 76-80+ percent 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 percent of mediations will not delay or deny the parent's right to a due process hearing.

Data Source

Data on mediations are maintained by VDOE's Office of Dispute Resolution & Administrative Services.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year to maintain 76-80+ percent range rate of mediations that result in mediation agreements and 100 percent of mediations that did not delay or deny the parent's right to a due process hearing. For 2007-2008, 80 percent of mediations held resulted in mediation agreements and 100% of mediations did not delay or deny the parent's right to a due process hearing.

Percent of mediations held that resulted in mediation agreements:

Year	# Mediations Resulting in Mediation Agreements	# Mediations	Percent
2006-2007	83	101	82
2007-2008	89	111	80

Part B Annual Performance Report for 2007-2008

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008

Progress/slippage

Virginia demonstrated slippage from the target with 82% of mediations that result in mediation agreements for 2006-2007 compared with 80% in 2007-2008.

Discussion of activities

During 2007-2008, activities listed for Indicator 19 in Virginia's State Performance Plan were implemented.

ODR/AS completed and disseminated the "Parents' Guide to Special Education Dispute Resolution."

DOR/AS will continue to maintain its tracking logs and continuous communications with mediators, school division administrators and parents to ensure expeditious mediation activities and reports to Virginia.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-2007

N/A

Part B Annual Performance Report for 2007-2008

Overview of the Annual Performance Report Development: See description in Overview section.

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. (20 U.S.C. 1416(a)(3)(B))	
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 b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).	
FFY	Measurable and Rigorous Target
2007-2008	All State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.

Data Source

Data for Indicator 20 were determined through use of the Part B Indicator 20 Data Rubric.

Actual Target Data for 2007-2008

Virginia met the target for the 2007-2008 school year that all State reported data will be timely and accurate. Based on the use of the Part B Indicator 20 Data Rubric, VDOE earned 43 out of 43 points for valid and reliable data and correct calculations on SPP/APR data and 43 out of 43 points for timely and complete data, passed edit check, and responded to data note requests on 618 data resulting in 100 percent for this indicator.

Timely Submission Points – APR 2/2/2009	Points	Total	Percent
SPP/APR Data	43	43	100
618 Data	43	43	100

The submission of data through the EDEN process continues to present challenges to states, but VDOE will continue to work with OSEP staff and with EdFacts staff to ensure timely and accurate submission of data.

Part B Annual Performance Report for 2007-2008

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007

Progress/Slippage

Virginia demonstrated progress toward the target in reporting all required data in a timely and accurate manner by increasing from an OSEP determined rate of 89.9 percent in 2006-2007 to 100 percent in 2007-2008.

Discussion of activities

All improvement activities listed in Virginia's State Performance Plan were implemented.

VDOE will continue to engage in the following 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) will receive extensive editing, including edit checks in school divisions prior to submitting data; edit checks at the State level at the data upload stage; electronic editing at the State level to identify and correct duplicate records reported and additional edits conducted by VDOE staff. All child count data, including educational environment data, will be verified through local superintendents' signature.

Data collected through VDOE annual end of year reports (Indicators 1 and 2) will be edited by State staff and verified by local division superintendents.

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

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

Data collected on suspension and expulsion for students with disabilities (Indicator 4) will be edited by VDOE staff and have local division superintendent verification.

VDOE will ensure there are edit checks for accuracy for data collections implemented for indicators 7, 8, 11, 12 and 13.

VDOE staff will continue to provide extensive technical assistance to all school divisions on all required data. This assistance will be provided at regularly scheduled meetings with local special education directors and data entry staff. Other school division staff will also attend as appropriate. Technical assistance will be provided as needed, either at the request of school divisions or when issues related to data reporting are identified by VDOE staff.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

N/A