

Part B Annual Performance Report (APR) for 2012-2013

Overview

The attached document is the Virginia Department of Education (VDOE) *Part B Annual Performance Report (APR) for FFY2012-2013*. The APR provides information specific to measuring the state's progress on indicators defined by the United States Department of Education Office of Special Education Programs.

The VDOE developed its *Part B Annual Performance Report for FFY2012-2013* 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/TACs), early childhood specialists, transition specialists, and VDOE staff members. Individual indicator stakeholder workgroup meetings included review of data, discussion of slippage relative to targets, and improvement activities. The improvement activities are identified by number/letter within the indicator and listed in the appendix of this document (Pages 61-67).

Documents included with the submission of the FFY2012-2013 APR include the following:

- Indicator 15 Worksheet (Embedded into Indicator 15)

Virginia's 2005-2012 State Performance Plan (SPP), Revised February 3, 2014, and the Part B Annual Performance Report for 2012-2013 will be posted to the Virginia Department of Education's Web site by June 1, 2014, at http://www.doe.virginia.gov/special_ed/reports_plans_stats/index.shtml. The posting will include the State's progress and/or slippage in meeting the measurable and rigorous targets found in the SPP and the performance of each school division located in the State on targets in the SPP.

Written notification bringing attention to the revised SPP and APR will be disseminated to the public, 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. Jeff Phenicie at 804-786-0308 or at jeff.phenicie@doe.virginia.gov for information related to the 2012-2013 Annual Performance Report or the 2005-2012 State Performance Plan, Revised February 3, 2014.

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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 Individualized Education Programs (IEPs) graduating from high school with a regular diploma.

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

Measurement: States must report using the adjusted cohort graduation rate required under the ESEA.

	Measurable and Rigorous Target
FFY 2012-2013 (using 2011-2012 data)	10 percent reduction in the percent of nongraduating students with disabilities from the previous year applied only to the adjusted four-year federal graduation rate. This will result in a target for a graduation rate of 53.57 percent using 2011-2012 data.

Data Source:

Data for Indicator 1 are taken from the VDOE end of year school division report. The data source and measurement are aligned with the Elementary and Secondary Education Act (ESEA). Data reported for this Indicator are consistent with the data reported by VDOE in its Consolidated State Performance Report (CSPR).

The term “regular diploma” as used in this Indicator includes Virginia’s Standard or Advanced Studies or International Baccalaureate diploma. Virginia offers several additional graduation options to students with disabilities; including, the Modified Standard Diploma, the Special Diploma and the Certificate of Completion.

Actual Target Data for 2012-2013:

Progress toward the 2012-2013 target has been made, although the target of 53.57 percent was not met. In 2012-2013, the total number of students with disabilities receiving a Standard or Advanced Studies or International Baccalaureate diploma was 5,783 and the cohort of all graduates was 11,774 resulting in a graduation rate for children with disabilities of $(5,783/11,774)*100=49.12$ percent.

Using 49.12 percent as the rate of graduating students with disabilities, the percent of non-graduating students is 50.88 percent. A ten percent reduction to this rate is 5.09 percent for a new nongraduating rate of 45.79. The target for 2013-2014 for Indicator 1 then becomes 54.21 percent, as the intended result of a reduction to the percent of nongraduating students would be an improved graduation rate.

Students with Disabilities who Received Standard, Advanced, or IB Diplomas:

Year	N	Total	Percent
2010-2011	5,761	11,901	48.41
2011-2012	5,783	11,774	49.12

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Data reported for this Indicator are consistent with the data reported by the VDOE in its Consolidated State Performance Report (CSPR) and with the most recently approved version of the Virginia Board Of Education's (VBOE) Consolidated State Application Amended Accountability Workbook.

Virginia reports and uses for federal reporting and accountability a federal graduation indicator using the prescribed calculation for the adjusted cohort rate, which does not permit cohorts to be adjusted to account for students' English language learner or disability status, and only includes Virginia's standard and advanced studies diplomas in the numerator. Virginia calculates reports and uses for federal accountability the four-year, five-year, and six-year federal graduation indicator.

Consistent with federal regulations, Virginia's federal graduation indicator is an adjusted cohort graduation rate based on cohorts of students who enter ninth grade for the first time; it is adjusted for students who transfer in, transfer out, or are deceased. Because the complete data on student graduation and completion, including summer graduates, are not available until after determinations are made each year, Virginia calculates Annual Measurable Objectives (AMOs) determinations based on the previous year's graduation data. Virginia reports four-, five-, and six-year federal graduation indicators by subgroup for the state, and division and schools.

The following goal and targets are used for making Federal AMO determinations:

- Statewide goal: 80 percent of students graduate with a regular diploma in four, or five, or six years.
- Targets for continuous and substantial improvement: 10 percent reduction in the percent of nongraduating students from the previous year applied only to the adjusted four-year federal graduation rate.

Information on Virginia's Standards of Accreditation and requirements for diploma types can be found at: <http://www.doe.virginia.gov/boe/accreditation/index.shtml>

Additional information can be found in Virginia's *Consolidated State Application and Accountability Workbook, (Revised: Based on VBOE Actions through January 13, 2011)*. The *Accountability Workbook* can be found at:

http://www.doe.virginia.gov/federal_programs/esea/applications/consolidated/consolidated_app_account_wbk/accountability_workbook.pdf

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Progress toward target

Improvement Activities (See Appendix - Pages 61-67)

- New: 17, 29, 37, 38, 79, 87, 88, and 89
- Continued: 1, 2, 3, 4, 5, 6, 7, 8, and 80
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

Virginia revised graduation requirements that necessitated additional activities (17, 37, 38, 79, 84, 85, 87, 88, and 89) which support self-determination and parental involvement during educational planning.

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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: States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

NOTE: Per OSEP permitted flexibility, Virginia has opted to report using the same data source and measurement that Virginia used for its 2011-2012 APR that was submitted on February 15, 2013. (OSEP Memorandum 13-6 released 12/12/2012 and confirmed in Guidance for Writing the FFY 2012 APR released by NDPC-SD in November 2013)

	Measurable and Rigorous Target
FFY 2012-2013 (using 2011-2012 data)	The dropout rate for students with disabilities will decrease to 2.00 percent.

Data Source:

Per OSEP permitted flexibility, data for Indicator 2 are taken from VDOE's end of year school division report. The data source and measurement are aligned with the ESEA. (OSEP Memorandum 13-6 released 12/12/2012 and confirmed in Guidance for Writing the FFY 2012 APR released by NDPC-SD in November 2013)

Actual Target Data for 2012-2013:

Virginia made progress and met the 2012-2013 target to decrease the dropout rate for students with disabilities to 2.00 percent. For 2012-2013, the total number of students with disabilities that dropped out was 1,057 with a fall membership of 70,989 resulting in a dropout rate of 1.49 percent $(1,057/70,989)*100=1.49$ percent.

Dropout rate for students with disabilities:

Year	Dropouts	Membership	Percent
2010-2011	1,096	71,983	1.52
2011-2012	1,057	70,989	1.49

The 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 division approved educational program and does not meet any of the exclusionary conditions: transfer to another public school division, private school or state or division 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 and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: 17, 29, 37, 38, 79, 84, 85, 87, 88, and 89
- Continued: 1, 5, 6, 7, 76, 77, 78, and 80
- Revised: N/A
- Completed: 9, 10

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

Virginia revised graduation requirements that necessitated additional activities (17, 37, 38, 79, 84, 85, 87, 88, and 89) which support self-determination and parental involvement during educational planning.

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

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the divisions with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

Measurement:

A.2 AMO percent = [(# of divisions with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup) divided by the (total # of divisions that have a disability subgroup that meets the State's minimum "n" size)] times 100.

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level, modified and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned, and, calculated separately for reading and math)]. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

	Measurable and Rigorous Target
FFY 2012-2013 (using 2011-2012 data)	A. At least 19 percent of Virginia's school divisions will meet AMO targets for the students with disabilities subgroup. B. At least 95 percent of students with disabilities will participate in state assessments. C. At least 30 percent of students with disabilities will pass state English/Reading assessments. At least 41 percent of students with disabilities will pass state Mathematics assessments.

Data Source:

Data for Indicator 3A are consistent with AMO data used for accountability reporting under Title I of the Elementary and Secondary Education Act (ESEA). Data for Indicator 3B are consistent with data reported in the Consolidated State Performance Report (CSPR) reporting on ESEA (EDFacts file specifications N/X081). Data for Indicator 3C are consistent with data reported in the Consolidated State Performance Report (CSPR) reporting on ESEA (EDFacts file specifications N/X075 and N/X078).

The Elementary and Secondary Education Act (ESEA) – known since 2001 as No Child Left Behind (NCLB) – requires states to set annual measurable objectives for increasing student achievement to ensure that all children have an opportunity to obtain a high-quality education. Under the provisions of the two-year flexibility waiver granted by the U.S. Department of Education, the Virginia Board of

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Education has set new annual measurable objectives (AMOs) for raising achievement in the Commonwealth’s lowest-performing schools. These new annual measurable objectives in reading and mathematics replace the Adequate Yearly Progress (AYP) targets schools were previously required to meet. The AMOs were determined using a formula based on the federal law and student-achievement data from the state’s assessment program. Separate AMOs have been set for student subgroups, including students with disabilities. Information pertaining to the ESEA flexibility may be accessed at: http://www.doe.virginia.gov/federal_programs/esea/flexibility/index.shtml

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/federal_programs/esea/applications/consolidated/consolidated_app_account_wbk/accountability_workbook.pdf

Additional information on assessment results for students with disabilities (consistent with 34 CFR 300.160(f)) can be found at: http://www.doe.virginia.gov/special_ed/reports_plans_stats/index.shtml

Actual Target Data for 2012-2013:

Virginia’s performance relative to targets for the 2012-2013 school year for the three components of Indicator 3 is as follows:

Indicator 3A

Virginia met the 2012-2013 target that at least 19.0 percent of school divisions will meet AMO objectives for the students with disabilities subgroup; although slippage occurred. The total number of school divisions that met the AMO objectives for students with disabilities was 32 out of the 126 school divisions that met the state minimum “n” size in either math and/or English/reading, resulting in $(32/126)*100=25.4$ percent of Virginia’s school divisions meeting AMO objectives for students with disabilities subgroup in reading and mathematics. Virginia attributes the slippage from 2011-2012 to 2012-2013 to the introduction of new standards that reflect the increased rigor adopted in the subject area of English/reading creating new baseline data for student performance.

School divisions meeting AMO objectives for students with disabilities:

Year	N	Total	Percent
2011-2012	51	126*	40.5
2012-2013	32	126*	25.4

* Six school divisions did not meet the state minimum “n” size in either math and/or English/reading.

Indicator 3B

Virginia made progress and met the 2012-2013 target that at least 95.0 percent of students with disabilities will participate in state assessments. The total number of students with disabilities that participated in the English/reading state assessments in grades 3-8 and high school end-of-course was 86,270 out of a total of 86,729 in the assessed grades, resulting in a participation rate of $(86,270/86,729)*100=99.5$ percent. The total number of students with disabilities that participated in the mathematics state assessments in grades 3-8 and high school end-of-course was 99,051 out of a total of 99,942 in the assessed grades, resulting in a participation rate of $(99,051/99,942)*100=99.1$ percent.

The calculation includes all students with disabilities in ESEA grades assessed (3-8 and high school); accounts for all students with disabilities who had an IEP at the time of testing in all grades assessed and includes students not participating in assessments.

Part B Annual Performance Report (APR) for 2012-2013**Students with IEPs participating in English/Reading assessments:**

Year	N	Total	Percent
2011-2012	85,429	85,945*	99.0
2012-2013	86,270	86,729*	99.5

Students with IEPs participating in Math assessments:

Year	N	Total	Percent
2011-2012	98,984	100,044**	99.0
2012-2013	99,051	99,942**	99.1

* The end-of-course reading assessment is given in high school, typically in the 11th grade.

** End-of-course math assessments are given during the year in which a student completes the course. Therefore, the number of students taking a reading assessment in a given year is not the same as the number of students taking a math assessment in the same year.

Indicator 3C

In 2012-2013, Virginia had slippage although the target was met that at least 30.0 percent of students with disabilities will pass state English/Reading assessments. The total number of students with disabilities that passed the English/reading state assessments in grades 3-8 and high school end-of-course was 36,615 out of a total of 85,480 assessed, resulting in a pass rate of $(36,615/85,480) \times 100 = 42.8$ percent. . Virginia attributes the slippage from 2011-2012 to 2012-2013 to the introduction of new standards that reflect the increased rigor adopted in the subject area of English/reading creating new baseline data for student performance The calculation includes all students with disabilities in ESEA grades assessed (3-8 and high school) and represents both regular and alternate assessments.

Students with disabilities passing state English/Reading assessments:

Year	N	Total	Percent
2011-2012	55,689	84,831*	65.6
2012-2013	36,615	85,480*	42.8

Progress toward the target has been made, although the 2012-2013 target that at least 41.0 percent of students with disabilities will pass state mathematics assessments was not met. The total number of students with disabilities that passed the mathematics state assessments in grades 3-8 and high school end-of-course was 39,805 out of a total of 98,029 assessed, resulting in a pass rate of $(39,805/98,029) \times 100 = 40.6$ percent. The calculation includes all students with disabilities in ESEA grades assessed (3-8 and high school) and represents both regular and alternate assessments.

Students with disabilities passing state Math assessments:

Year	N	Total	Percent
2011-2012	38,942	97,948**	39.8
2012-2013	39,805	98,029**	40.6

* One end-of-course reading assessment is given in high school, typically in the 11th grade.

** There are three end-of-course math assessments given during the year in which a student completes the course. Therefore the number of students taking a reading assessment in a given year is not the same as the number of students taking a math assessment in the same year.

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Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

Indicator 3A

- N/A – Met target

Indicator 3B

- Reading/Language Arts: N/A – Met target
- Mathematics: N/A – Met target

Indicator 3C

VDOE has adopted and implemented revised content standards that establish college- and career-ready expectations in reading and mathematics. New and more rigorous assessments are being implemented to measure student achievement on these challenging standards. The percentage of schools meeting state accreditation standards dropped sharply as a consequence of the introduction of rigorous new reading Standards of Learning (SOL) tests during 2012-2013, as well as a second year of results from more challenging mathematics assessments.

- Reading/Language Arts: N/A – Met target
- Mathematics: N/A – Progress toward target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 1, 2, 3, 4, 11, 12, 14, 15, 16, 63, and 80
- Revised: N/A
- Completed: 9

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

Virginia is submitting a revised English/reading target (baseline) for FFY 2012 (2013-2014) that was calculated based on results from the revised reading Standards of Learning assessments administered for the first time in school year 2012-2013. The revised baseline target in English/reading is 30 percent for students with disabilities. The revision included broad stakeholder input, and is consistent with the ESEA flexibility waiver, approved by the U.S. Department of Education.

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Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

Percent of divisions that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

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

Measurement:
 Percent = [(# of divisions that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of divisions in the State)] times 100.
 Include State’s definition of “significant discrepancy.”

	Measurable and Rigorous Target
FFY 2012-2013 (using 2011-2012 data)	The percent of divisions that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs will be zero.

Data Source:

Discipline data used in Indicator 4A is the same as data source reported to US DOE in EDFacts file number N006.

Definition of Significant Discrepancy and Identification of Comparison Methodology

Virginia has defined significant discrepancy as two times the State’s average rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. This was calculated using the comparison to the state average and compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among divisions in the State.

Rates are computed for divisions with a minimum “n” size of 10 students with disabilities suspended or expelled more than 10 days in a school year.
 (34 CFR §300.170(a))

Actual Target Data for 2012-2013 (using 2011-2012 data)

For this indicator, report data for the year before the reporting year (use 2011-2012 data).

10/132 = 7.58 percent (Target not met)

Part B Annual Performance Report (APR) for 2012-2013**Divisions with Significant Discrepancy in Rates for Suspension and Expulsion**

Year	Total Number of Divisions*	Number of Divisions that have Significant Discrepancies	Percent
FFY2011-2012 (using 2010-2011 data)	132	14	10.60 percent
FFY2012-2013 (using 2011-2012 data)	132	10	7.58 percent

*States can choose to either: (1) include the total number of divisions in the State in the denominator; or (2) include only the number of divisions that meet the minimum n-size in the denominator.

Six divisions were excluded from the significant discrepancy student-based calculation due to the small “n” size of ten students with disabilities suspended or expelled greater than ten days in a school year. Virginia reported the total number of divisions in the state in the denominator which is 132.

Review of Policies, Procedures, and Practices *(completed in 2012-2013 using 2011-2012 data): If any Divisions are identified with significant discrepancies:*

- a. VDOE provided each of the 10 divisions identified with significant discrepancies with a self-evaluation instrument containing related requirements of policies, procedures, and practices relating to the development of IEPs, the use of positive behavioral interventions and supports and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b). The divisions were also provided a guidance document to help facilitate their reviews for a “drill down” approach to identify the root cause for significant discrepancies. Each division established a review team with both special education and general education staffs that included building administrators, teachers, and support staffs and submitted the results of their review to the VDOE.
- b. The VDOE reviewed each self-assessment and concluded that one of the 10 divisions had non-compliance with one of the requirements of 34 CFR §300.170(b).
- c. The VDOE directed the division to revise its policy, procedures, and practices as soon as possible, but no later than within one year of the date of original notification. The division submitted an acceptable corrective action plan. Monitoring staff are monitoring the division to ensure (1) they have corrected each individual case of non-compliance; and (2) they are correctly implementing the specific regulatory requirements. The status of compliance will be reported in the next APR report.

Correction of Non-compliance from 2011-2012 (using 2010-2011 data)

The VDOE has determined that the one division identified as having non-compliance specific to Indicator 4A, identified in 2011-2012 (using 2010-2011 data) has corrected consistent with OSEP Memo 09-02. The division revised its procedure and practice and provided training to applicable staff members. The VDOE used the division’s IEP online system to monitor IEP development and implementation and determined that the affected IEPs were corrected, and VDOE reviewed newly developed IEPs and determined that the division was now correctly implementing the requirements. The VDOE’s procedure for determining corrections of non-compliance is consistent with OSEP Memo 09-02.

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Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Progress toward target

Improvement Activities (See Appendix - Pages 61-67)

- New: 83
- Continued: 28, 71, 72, 73, 74, 75, 76, 77, 78, and 80
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014 (if applicable):

Activity 83 was added in an effort to further technical assistance and support to school divisions regarding suspensions and expulsions. The activity focuses on helping teachers to intentionally and effectively create positive conditions for teaching and learning.

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Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

Percent of divisions that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

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

Measurement:
 Percent = [(# of divisions that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of divisions in the State)] times 100.

	Measurable and Rigorous Target
FFY2012-2013 (using 2011-2012 data)	0 percent of divisions have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Data Source:

Discipline data used in Indicator 4B is the same as data reported to US DOE in EDFacts file number N006.

Definition of Significant Discrepancy and Methodology

Virginia has defined significant discrepancy as 2 times the State’s average rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. This was calculated using the comparison to the state average and compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among divisions in the State.

Rates are computed for divisions with a minimum “n” size of 10 students with disabilities by race/ethnicity suspended or expelled more than 10 days in a school year.

(34 CFR §300.170(a)):

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Actual Target Data for 2012-2013 (using 2011-2012 data)

For this indicator, report data for the year before the reporting year (use 2011-2012 data).

11/132 = 8.33 percent (Target not met)
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4B(a). Divisions with Significant Discrepancy, by Race or Ethnicity*, in Rates of Suspension and Expulsion:

Year	Total Number of Divisions*	Number of Divisions that have Significant Discrepancies by Race or Ethnicity	Percent
FFY2011-2012 (using 2010-2011 data)	132	12	9.09 percent
FFY2012-2013 (using 2011-2012 data)	132	11	8.33 percent

*States can choose to either: (1) include the total number of divisions in the State in the denominator; or (2) include only the number of divisions that meet the minimum n-size in the denominator.

Twenty-six divisions were excluded from the calculation due to the small “n” size of ten students with disabilities by race/ethnicity suspended or expelled greater than ten days in a school year. Virginia reported the total number of divisions in the state in the denominator which is 132.

The racial breakdown of the above referenced divisions identified as having significant discrepancy by race/ethnicity in 2012-2013 include seven divisions identified in the category of Black, two in the category of White, one in the categories of Black and White, and one in the categories of Black, White, and Hispanic.

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4B(b). Divisions with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Year	Total Number of Divisions*	Number of Divisions that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Percent
FFY2011-2012 (using 2010-2011 data)	132	1	0.76 percent
FFY2012-2013 (using 2011-2012 data)	132	2	1.52 percent

*States can choose to either: (1) include the total number of divisions in the State in the denominator; or (2) include only the number of divisions that meet the minimum n-size in the denominator.

Twenty-six divisions were excluded from the calculation due to the small “n” size of ten students with disabilities by race/ethnicity suspended or expelled greater than ten days in a school year. Virginia reported the total number of divisions in the state in the denominator which is 132.

Review of Policies, Procedures, and Practices (completed in 2012-2013 using 2011-2012 data): If any divisions are identified with significant discrepancies:

- a. The VDOE provided each of the 11 divisions identified with significant discrepancies with a self-evaluation instrument containing related requirements of policies, procedures, and practices relating to the development of IEPs, the use of positive behavioral interventions and supports and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b). The divisions were also provided a guidance document to facilitate their reviews and to use a “drill down” approach to identify the root cause for non-compliance. Each division established a review team with both special education and general education staffs that included building administrators, teachers, and support staffs and submitted the results of their review to the VDOE.
- b. The VDOE reviewed each self-assessment and concluded that two of the 11 divisions had non-compliance with one or more of the requirements of 34 CFR §300.170(b).
- c. The VDOE directed the divisions to revise its policy, procedures, and practices as soon as possible, but no later than within one year of the date of original notification. Both divisions submitted acceptable corrective action plans. The VDOE monitoring staff is monitoring the divisions’ progress to ensure each identified individual case of non-compliance is corrected and is examining new student records to ensure the school division is correctly implementing the requirements. The status of compliance will be reported in the next APR report.

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Correction of Non-compliance from 2011-2012 (using 2010-2011 data)

The VDOE has determined that the one division identified as having non-compliance specific to Indicator 4B, identified in 2011-2012 (using 2010-2011 data) has corrected consistent with OSEP Memo 09-02. The division revised its procedure and practice and provided training to applicable staff members. The VDOE used the division's IEP online system to monitor IEP development and implementation and determined that the affected IEPs were corrected, and VDOE reviewed newly developed IEPs and determined that the division was now correctly implementing the requirements. The VDOE's procedure for determining corrections of non-compliance is consistent with OSEP Memo 09-02.

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- Two school divisions self-identified that the significant discrepancy by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs was due to an inappropriate local policy, procedure or practice. VDOE will review and revise (as appropriate) the established guidance instruments for clarity and consistency, and provide targeted technical assistance and support.

Improvement Activities (See Appendix - Pages 61-67)

- New: 83
- Continued: 28, 71, 72, 73, 74, 75, 76, 77, 78, and 80
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014 (if applicable): N/A

Activity 83 was added in an effort to further technical assistance and support to school divisions regarding suspensions and expulsions. The activity focuses on helping teachers to intentionally and effectively create positive conditions for teaching and learning.

Part B Annual Performance Report (APR) for 2012-2013

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.

	Measurable and Rigorous Target
FFY2012-2013	Increase the percentage of students, ages 6-21, spending at least 80 percent of their day in the regular class to 68 percent. Decrease the percentage of students, ages 6-21, spending at least 40 percent of their day in the regular class to 8 percent. Maintain the percentage of students, ages 6-21, receiving their special education services in public or private separate schools, residential placements or homebound or hospital placements to less than 1 percent.

Data Source:

Data used in Indicator 5 is the same as data reported to US DOE under IDEA section 618 (EDEN C002)

Actual Target Data for 2012-2013:

Indicator 5A

Progress toward the target has been made, although the 2012-2013 target that 68 percent of students with disabilities ages 6-21 would spend at least 80 percent of the day in the regular class was not met. In 2012-2013, the total number of students with disabilities that spent at least 80 percent of their day in the regular class was 89,659 out of a total students with disabilities membership of 144,181 resulting in a percentage of $(89,659/144,181) \times 100 = 62.2$ percent.

Children inside the regular class 80 percent or more

Year	Number	Total	Percent
2011-2012	89,336	144,521	61.8
2012-2013	89,659	144,181	62.2

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Indicator 5B

Virginia did not meet the 2012-2013 target and reported slippage that 8 percent of students with disabilities ages 6-21 would spend less than 40 percent of the day in the regular classroom. In 2012-2013, the total number of students with disabilities that spent less than 40 percent of their day in the regular class was 18,165 out of a total students with disabilities membership of 144,181 resulting in a percentage of $(18,165/144,181)*100=12.6$ percent.

Children inside the regular class less than 40 percent

Year	Number	Total	Percent
2011-2012	18,128	144,521	12.54
2012-2013	18,165	144,181	12.60

Indicator 5C

Virginia did not meet the 2012-2013 target nor report progress or slippage that less than 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. In 2012-2013, the total number of students with disabilities that received their special education services in separate public or private schools, residential placements, or homebound or hospital placements was 5,258 out of a total students with disabilities membership of 144,181 resulting in a percentage of $(5,258/144,181)*100=3.6$ percent.

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

Year	Number	Total	Percent
2011-2012	5,253	144,521	3.6
2012-2013	5,258	144,181	3.6

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

Indicator 5A

- N/A – Progress toward target

Indicator 5B

For this indicator, analysis of the proportion of children inside the regular class less than 40 percent in 2012 (12.60 percent) and the proportion of children inside the regular class less than 40 percent in 2011 (12.54 percent) yielded no significant difference, $\chi^2(1, N = 288,702) = 0.20, p = 0.65$; therefore, the state considers this data as no change and does not require explanation of slippage.

Indicator 5C

- N/A – No Change

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Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 15, 18, 63, and 80
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

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

Measurement:

A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

	Measurable and Rigorous Target
FFY 2012-2013	<p>A. At least 38 percent of children aged 3 through 5 with IEPs attend a regular early childhood program and receive the majority of special education and related services in the regular early childhood program.</p> <p>B. No more than 25 percent of children aged 3 through 5 with IEPs attend a separate special education class, separate school or residential facility.</p>

Data Source:

Data used in Indicator 6 is the same as data reported to US DOE under IDEA section 618 (EDEN C002)

Actual Target Data for 2012-2013:

Indicator 6A

Virginia did not meet the 2012-2013 target and reported slippage that at least 38 percent of children aged 3 through 5 with IEPs attend a regular early childhood program and receive the majority of special education and related services in the regular early childhood program. In 2012-2013, the total number of children aged 3 through 5 with IEPs attended a regular early childhood program and received the majority of special education and related services in the regular early childhood program was 4,925 children out of 16,609 resulting in a percentage of $(4,925/16,609) \times 100 = 29.65$ percent.

Year	Number	Total	Percent
2011-2012	5,581	16,677	33.47
2012-2013	4,925	16,609	29.65

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Indicator 6B

Virginia did not meet the 2012-2013 target and reported slippage that no more than 25 percent of children aged 3 through 5 with IEPs attend a separate special education class, separate school or residential facility. In 2012-2013, the total number of children aged 3 through 5 with IEPs that attended a separate special education class, separate school or residential facility was 4,878 out of 16,609 resulting in a percentage of $(4,878/16,609)*100=29.37$ percent.

Year	Number	Total	Percent
2011-2012	4,474	16,677	26.83
2012-2013	4,878	16,609	29.37

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage in 6A and 6B

- This is the first year that early childhood LRE data was available to be analyzed and compared to a baseline number. There has also been a change to the data collection categories, and the analysis of this information. Guidance and professional development concerning systems change, LRE, IEP goal writing, and data collection/reporting are being provided in order to address these changes. Support for education information management systems to align data collection programs with state and federal reporting requirements is also being provided.
- Electronic data systems are in the process of being updated to match the new LRE descriptions.

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: B, C, E, F, J, K, L, and M
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

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

Measurement:

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes:

Summary Statement 1: Of those preschool children who entered or exited the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 1:

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

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Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 2: Percent = # of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e) times 100.

	Measurable and Rigorous Target
FFY 2012-2013	<p>A. Increase the percent of preschool children aged 3-5 with IEPs who demonstrate improved positive social-emotional skills</p> <ul style="list-style-type: none"> • Of those who entered the preschool program below age expectations, the percent who substantially increase their rate of growth by the time they turned 6 years of age or exited the program will be 86 percent. • The percent of those who were functioning within age expectations by the time they turned 6 years of age or exited the program will be 56 percent. <p>B. Increase the percent of preschool children aged 3-5 with IEPs who demonstrate improved acquisition and use of knowledge and skills</p> <ul style="list-style-type: none"> • Of those who entered the preschool program below age expectations, the percent who substantially increase their rate of growth by the time they turned 6 years of age or exited the program will be 90 percent. • The percent of those who were functioning within age expectations by the time they turned 6 years of age or exited the program will be 39 percent. <p>C. Increase the percent of preschool children aged 3-5 with IEPs who demonstrate improved use of appropriate behavior to meet their needs</p> <ul style="list-style-type: none"> • Of those who entered the preschool program below age expectations, the percent who substantially increase their rate of growth by the time they turned 6 years of age or exited the program will be 87 percent. • The percent of those who were functioning within age expectations by the time they turned 6 years of age or exited the program will be 62 percent.

Data Source:

The VDOE is using the COSF form and the Indicator 7 Progress Calculator spreadsheet developed by the Early Childhood Outcomes Center to collect data from school divisions. Data collected is census data of all children with IEPs transitioning to kindergarten or being dismissed from special education services.

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

- Battelle Developmental Inventory
- Learning Accomplishment Profile 3
- HELP for Preschoolers
- PALS – PK
- TOLD – P:3
- Vineland
- Work Sampling System
- Developmental Assessment of Young Children
- Brigance
- Observation

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- o AEPs

Actual Target Data for 2012-2013:

Using the COSF form and the Indicator 7 Progress Calculator spreadsheet developed by the Early Childhood Outcomes Center, the following data were collected for Indicator 7:

Indicator 7A	N	Percent
A. Positive social-emotional skills (including social relationships):		
a. Percent of preschool children who did not improve functioning	63	1.3
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	330	6.6
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1715	34.4
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	1747	35.1
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	1124	22.6
Total # for A = (a + b + c + d + e)	4979	100

Indicator 7B	N	Percent
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):		
a. Percent of preschool children who did not improve functioning	35	0.7
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	276	5.5
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	2381	47.8
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	2056	41.3
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	231	4.6
Total # B = (a + b + c + d + e)	4979	100

Indicator 7C	N	Percent
C. Use of appropriate behaviors to meet their needs.		
a. Percent of preschool children who did not improve functioning	63	1.3
b. Percent of preschool children who improved functioning but not sufficient to move nearer to	292	5.9

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functioning comparable to same-aged peers		
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1428	28.7
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	1771	35.6
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	1425	28.6
Total # for C = (a + b + c + d + e)	4979	100

Indicator 7A: Positive social-emotional skills (including social relationships)

Virginia met the 2012-2013 target that 86 percent of preschool children who entered the preschool program below age expectations, would substantially increase their rate of growth by the time they turned 6 years of age or exited the program, with 89.8 percent reported.

Virginia met the 2012-2013 target that 56 percent of preschool children were functioning within age expectations by the time they turned 6 years of age or exited the program, with 57.7 percent reported.

Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved positive social-emotional skills (including social relationships)	2011-2012 Performance	2012-2013 Performance	2012-2013 Targets
Of those preschool children who entered the preschool program below age expectations, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	88.1%	89.8%	86%
The percent of preschool children who were functioning within age expectations by the time they turned 6 years of age or exited the program	57.9%	57.7%	56%

Indicator 7B: Acquisition and use of knowledge and skills (including early language/communication and early literacy):

Virginia met the 2012-2013 target that 90 percent of preschool children who entered the preschool program below age expectations, would substantially increase their rate of growth by the time they turned 6 years of age or exited the program, with 93.4 percent reported.

Virginia met the 2012-2013 target that 39 percent of preschool children were functioning within age expectations by the time they turned 6 years of age or exited the program, with 45.9 percent reported.

Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved acquisition and use of knowledge and skills (including early language/communication and early literacy)	2011-2012 Performance	2012-2013 Performance	2012-2013 Targets
Of those preschool children who entered the preschool program below age expectations, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	92.3%	93.4%	90%
The percent of preschool children who were	45.6	45.9%	39%

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functioning within age expectations by the time they turned 6 years of age or exited the program			
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Indicator 7C: Use of appropriate behaviors to meet their needs.

Virginia met the 2012-2013 target that 87 percent of preschool children who entered the preschool program below age expectations, would substantially increase their rate of growth by the time they turned 6 years of age or exited the program, with 90.0 percent reported.

Virginia met the 2012-2013 target that 62 percent of preschool children were functioning within age expectations by the time they turned 6 years of age or exited the program, with 64.2 percent reported.

Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved use of appropriate behaviors to meet their needs	2011-2012 Performance	2012-2013 Performance	2012-2013 Targets
Of those preschool children who entered the preschool program below age expectations, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	89.1%	90.0%	87%
The percent of preschool children who were functioning within age expectations by the time they turned 6 years of age or exited the program	64.8%	64.2%	62%

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met all 6 targets for Indicator 7

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: A, B, C, D, E, F, J, K, L, and M
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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.

	Measurable and Rigorous Target
FFY 2012-2013	At least 79 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.

Data Source:

In collecting data for Indicator 8 for the 2012-2013 school year, the VDOE used the same survey instrument used the previous year. This instrument was developed by a task force of stakeholders with the goal to collect data to meet the SPP/APR reporting requirement and to improve the usefulness of data collected. The instrument is administered as a census collection, not a sampling instrument.

For the 2012-2013 data collection, the survey was made available to parents in both an online format and hard copy format. Both English and Spanish versions of the survey were available. Information announcing the distribution of the survey was sent to local 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 data returned represented all disability groups, and all race/ethnic groups. The data do not fully correspond to the demographics of the state. The nature of the survey instrument, as a census, does not allow the VDOE to control for demographics. To address this issue, the VDOE will explore moving to a new methodology for future Indicator 8 data collections.

The percent of parents reporting that schools facilitated parent involvement is calculated by dividing the total number of “agree” responses to the survey questions by the total number of responses to those questions.

Actual Target Data for 2012-2013:

In 2012-2013, Virginia reported slippage, however, still met the target that 79 percent of parents with a child receiving special education services who responded to the survey reporting that schools facilitated parent involvement as a means of improving services and results for children with disabilities. Four thousand six hundred (4,660) out of 5,878 respondents reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities for $(4,660/5,878)*100=79.3$ percent.

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

Year	N	Total	Percent
2011-2012	4,831	6,031	80.1
2012-2013	4,660	5,878	79.3

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 21, 22, 23, and 24
- Revised: N/A
- Completed: 20

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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

Monitoring Priority: Disproportionality

Indicator 9: Percent of divisions 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 divisions 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 divisions in the State)] times 100.

Include State’s definition of “disproportionate representation.”

Based on its review of the 618 data for 2012-2013, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each division, for all racial and ethnic groups in the division, or all racial and ethnic groups in the division that meet a minimum 'n' size set by the State. Report on the percent of divisions in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the 2012-2013 reporting period, i.e., after June 30, 2012. If inappropriate identification is identified, report on corrective actions taken.

	Measurable and Rigorous Target
FFY2012-2013	Zero percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification identified.

Data Source:

Annual fall membership report, VDOE December 1 Special Education Child Count, and school division summary of individual student record reviews are used in the initial disproportionate representation calculation.

Actual Target Data for 2012-2013:

Virginia did not meet the 2012-2013 target that zero percent of the school divisions in the State will have disproportionate representation that is the result of inappropriate identification. Following the two-step analysis described below, for 2012-2013 there were 2 school divisions out of 132 Virginia school divisions with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. This represents $(2/132) \times 100 = 1.52$ percent of the school divisions in the state.

Year	N	Total	Percent
2011-2012	0	132	0.0
2012-2013	2	132	1.52

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The 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 (1) the percent of a particular racial/ethnic group identified in the school division's special education population is disproportionate to the percent of that racial/ethnic group in the school division's general population, and (2) violations of regulatory or procedural requirements related to the identification of students as students with disabilities in that racial/ethnic group have been documented.

The VDOE determined the existence of 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

The VDOE used a comparison model to calculate and determine if divisions had disproportionate representation. 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.

A five percent adjustment was made to the expected number of students with disabilities in each racial/ethnic group; no small "n" was applied. 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. In 2012-2013, there were 92 school divisions identified in the level one analysis and subjected to level two analysis.

Level Two: Review of Policy, Procedure and Practice

Annually, each school division is required to provide to VDOE a written assurance, certified by signature of the Superintendent/Designee of the school division, that policies and procedures are in effect which are designed to prevent disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment.

If a school division was identified in the level one analysis for over-representation, 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.

The checklist is available on the VDOE Web site at:

http://www.doe.virginia.gov/info_management/data_collection/special_education/index.shtml

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. For 2012-2013, 92 school divisions were identified in the level one analysis and subjected to this level two analysis.

Correction of Non-compliance from 2011-2012

There were no school divisions in 2011-2012 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 non-compliance findings to be corrected.

Part B Annual Performance Report (APR) for 2012-2013

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- Two school divisions self-identified that they failed to follow established VDOE protocol for initial eligibility that resulted in disproportional representation. VDOE will review and revise (as appropriate) the established protocol instruments for clarity and consistency, and provide targeted technical assistance and support.

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 25, 26, 27, 28, 76, 77, 78, 80, and 81
- Revised: 82
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

In order to address the increase of Other Health Impairment (OHI) eligibility determinations in school divisions, a survey was conducted to analyze the increase of OHI eligibility determinations across the state and the incidence of ADHD as a factor. The results of the survey were instrumental in the VDOE Office of Special Education Program Improvement sponsoring and hosting a one-day seminar in the spring on Attention Deficit Hyperactive Disorder (ADHD). The seminar addressed the prevalence of ADHD, issues related to gender, ethnicity and race as well as diagnosis, intervention strategies and supports and Section 504 options.

Part B Annual Performance Report (APR) for 2012-2013

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

Monitoring Priority: Disproportionality

Indicator 10: Percent of divisions 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 divisions with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of divisions in the State)] times 100.

Include State’s definition of “disproportionate representation.”

Based on its review of the 618 data for 2012-2013, describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each division, for all racial and ethnic groups in the division, or all racial and ethnic groups in the division that meet a minimum 'n' size set by the State. Report on the percent of divisions in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the 2012-2013 reporting period, i.e., after June 30, 2012. If inappropriate identification is identified, report on corrective actions taken.

	Measurable and Rigorous Target
FFY2012-2013	0 percent of the school divisions in the state will have disproportionate representation that is the result of inappropriate identification 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 2012-2013:

Virginia met the 2012-2013 target that zero 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. Following the two-step analysis described below, for 2012-2013 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 (APR) for 2012-2013

Divisions 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
2011-2012	0	132	0
2012-2013	0	132	0

The 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 intellectual disabilities, 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.

The determination of inappropriate identification is based on violations of regulatory requirements related to the identification of students in the disability categories of intellectual disabilities, specific learning disabilities, emotional disturbance, other health impairment, autism, or speech/language impairment, have been documented in divisions with inappropriate identification.

The 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

The VDOE used a comparison model to calculate and determine if divisions had disproportionate representation for the following disability categories: Intellectual disabilities, specific learning disabilities, emotional disturbance, other health impairment, autism, and speech/language impairment. 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.

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; no small "n" was applied. 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. For 2012-2013, there were 117 school divisions identified in the level one analysis and subjected to the level two analysis.

Level Two: Review of Policy, Procedure and Practice

Annually, each school division is required to provide to the VDOE a written assurance, certified by signature of the Superintendent/Designee of the school division, that policies and procedures are in effect which are designed to prevent disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment.

If a school division was identified in the level one analysis for overrepresentation, 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.

The checklist is available on the VDOE Web site at:

http://www.doe.virginia.gov/info_management/data_collection/special_education/index.shtml

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School divisions submitted a written summary of their student record review to the 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. For 2012-2013, there were 117 school divisions subjected to this level two analysis.

Correction of Non-compliance from 2011-2012

There were no school divisions in 2011-2012 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 non-compliance findings to be corrected.

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 25, 26, 27, 76, 77, 78, 80, and 81
- Revised: 82
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

In order to address the increase of Other Health Impairment (OHI) eligibility determinations in school divisions, a survey was conducted to analyze the increase of OHI eligibility determinations across the state and the incidence of ADHD as a factor. The results of the survey were instrumental in the VDOE Office of Special Education Program Improvement sponsoring and hosting a one-day seminar in the spring on Attention Deficit Hyperactive Disorder (ADHD). The seminar addressed the prevalence of ADHD, issues related to gender, ethnicity and race as well as diagnosis, intervention strategies and supports and Section 504 options.

Part B Annual Performance Report (APR) for 2012-2013

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 who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a time frame within which the evaluation must be conducted, within that timeframe.

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

Measurement:
 a. # of children for whom parental consent to evaluate was received.
 b. # of children whose evaluations were completed within 60 days (or State-established timeline).
 Account for children included in “a” but not included in “b”. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.
 Percent = [(b) divided by (a)] times 100.

	Measurable and Rigorous Target
FFY2012-2013	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 the VDOE. This spreadsheet allowed divisions to maintain data on all initial referrals to special education 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 2012-2013:

Virginia did not meet the 2012-2013 target that 100 percent of children with parental consent to evaluate will be evaluated and have eligibility determined within 65 business days. For the 2012-2013 school year, school divisions reported 29,272 children were evaluated and had eligibility determined within 65 business days out of 29,647 children for whom consent was received for evaluation, for a percentage of 98.7 percent.

Children evaluated and had eligibility determined within 65 business days:

Year	Numerator	Denominator	Percent
2011-2012	29,697	30,097	98.7
2012-2013	29,272	29,647	98.7

Part B Annual Performance Report (APR) for 2012-2013

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

Range of business days beyond 65-day timeline	Number of children
1-5	136
6-15	88
16-25	46
26-35	20
36-45	37
46 and beyond	48
Total	375

Reported reasons for exceeding the 65-day timeline included:

Reported reason for exceeding the 65-day timeline	Number of children
Staffing issues and/or, parent requests to reschedule meetings	241
Paperwork errors	79
Inconclusive testing	7
Children not available	14
Inclement weather	34
Total	375

Correction of Non-compliance from 2011-2012

The VDOE contacted each school division that reported less than 100 percent compliance for FFY 2011. The VDOE verified correction of individual cases of non-compliance identified in FFY 2011 through on-site visits and internal desk reviews of school divisions' data for Indicator 11. School divisions were required to provide verification of corrections for individual cases of non-compliance and evidence that updated or new records were currently at 100 percent for the Indicator. A discussion of activities, strategies, and barriers causing non-compliance was held with directors of special education. Directors of special education followed-up with school divisions' administrators to ensure the implementation of activities and strategies discussed with the VDOE. The VDOE's procedure for corrections of non-compliance and verification of implementation of the specific regulatory requirement is consistent with OSEP Memo 09-02.

The VDOE has determined that all of the 400 items of student level non-compliance from 29 school divisions specific to Indicator 11, identified in 2011-2012 were corrected consistent with OSEP Memo 09-02. Each division with non-compliance (1) has completed the evaluation (including eligibility), although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the division; and (2) is correctly implementing the specific regulatory requirements (i.e., achieved 100 percent compliance) based on a review of updated data such as data subsequently collected through on-site monitoring. Each of the 29 school divisions were issued one finding of non-compliance.

Because Virginia did not report 100 percent compliance for 2012-2013, VDOE reviewed its improvement activities. No revisions were necessary.

Part B Annual Performance Report (APR) for 2012-2013

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – No Change

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 26, 30, 31, 32, and 80
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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 Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was 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 whom parent refusal to provide consent caused delays in evaluation or initial services or whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d or e. 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 - e)] times 100.

	Measurable and Rigorous Target
FFY2012-2013	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 the VDOE. The spreadsheet allowed divisions to maintain data on individual students and to submit division totals to the State.

Actual Target Data for 2012-2013:

Virginia did not meet the 2012-2013 target that 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. For the 2012-2013 school year, 2,115 children of the 2,123 children served in Part C referred to Part B, 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 September 30 or by their third birthday for a percentage of 99.6 percent (2123-2115=8). This represents progress from the 2011-2012 calculations.

Part B Annual Performance Report (APR) for 2012-2013

When reporting Indicator 12 division level data, school divisions account for all children served in Part C referred to Part B. Included are:

- a. The number of children who have been served in Part C and referred to Part B for Part B eligibility determination: 2,969
- b. The number of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays: 476 (deducted from the starting number of 2,969 Part C referrals)
- c. The number of those found eligible who have an IEP developed and implemented by their third birthdays: 2,115
- d. The number of children for whom parent refusal to provide consent caused withdrawal from the process, other extenuating circumstances, or delays in evaluation or initial services or whom exceptions under 34 CFR §300.301(d) applied: 249 (deducted from the starting number of 2,969 Part C referrals);
- e. The number of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays: 121 (deducted from the starting number of 2,969 Part C referrals).

The totals used in the calculation below were arrived at by deducting the 476 students referred but determined to be NOT eligible and whose eligibility was determined prior to their third birthdays, and deducting the 249 children for whom parent refusal to provide consent, withdrawal from the process, other extenuating circumstances, or caused delays in evaluation or initial services or whom exceptions under 34 CFR §300.301(d) applied, and deducting the 121 children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays from the 2,969 total number of children who have been served in Part C and referred to Part B for Part B eligibility determination: $(2969 - 476 - 249 - 121 = 2123)$. This resulted in eight children that did not meet the referral timelines in 2012-2013 $(2123 - 2115 = 8)$. 2012-2013 data represents progress from the 2011-2012 calculations.

Year	# children found eligible who have an IEP developed and implemented by their third birthdays (c)	# children served in Part C referred to Part B (a)	Percent
2011-2012	1,980	1,993	99.3
2012-2013	2,115	2,123	99.6

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

Range of business days beyond required timeline	Number of children
1-5	1
6-15	4
16-25	1
26-35	0
36-45	1
46 and beyond	1
Total	8

Part B Annual Performance Report (APR) for 2012-2013

Correction of Non-compliance from 2011-2012

The VDOE contacted each school division that reported less than 100 percent compliance for FFY 2011. The VDOE verified correction of individual cases of non-compliance identified in FFY 2011 through on-site visits and internal desk reviews of school divisions' data for Indicator 12. School divisions were required to provide verification of corrections for individual cases of non-compliance and evidence that updated or new records were currently at 100 percent for the Indicator. A discussion of activities, strategies, and barriers causing non-compliance was held with directors of special education. Directors of special education followed-up with school divisions' administrators to ensure the implementation of activities and strategies discussed with the VDOE. The VDOE's procedure for corrections of non-compliance and verification of implementation of the specific regulatory requirement is consistent with OSEP Memo 09-02.

The VDOE has determined that all of the 13 items of student level non-compliance from seven school divisions specific to Indicator 12, identified in 2011-2012 were corrected consistent with OSEP Memo 09-02. Each of the seven divisions with items of non-compliance (1) has completed the evaluation (including eligibility), although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the division; and (2) is correctly implementing the specific regulatory requirements (i.e., achieved 100 percent compliance) based on a review of updated data such as data subsequently collected through on-site monitoring. Each of the seven school divisions were issued one finding of non-compliance.

Because Virginia did not report 100 percent compliance for 2012-2013, the VDOE reviewed its improvement activities. No revisions were necessary.

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Progress toward target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: A, E, F, G, H, I, and J
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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 with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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

Measurement: Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

	Measurable and Rigorous Target
FFY2012-2013	100 percent of youth with IEPs aged 16 and above will have an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

Data Source:

All school divisions use a seven question checklist developed by VDOE employing the language from Indicator 13. Technical assistance provided by the National Secondary Transition Technical Assistance Center (NSTTAC) was also incorporated into the checklist. School divisions submitted data for Indicator 13 through a Web-based application developed by VDOE, in collaboration with Research Rehabilitation Training Center at Virginia Commonwealth University. All components of Indicator 13 are included in the application and data entered reflect information included in IEPs developed during the 2012-2013 school year (July 1, 2012 – June 30, 2013).

Part B Annual Performance Report (APR) for 2012-2013

Actual Target Data for 2012-2013:

Virginia did not meet the 2012-2013 target that 100 percent of youth with IEPs aged 16 and above will have an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. Additionally, slippage was reported from 2011-2012 to 2012-2013. School divisions reported 8,090 out of 8,275 IEPs met the requirement, for a percentage of 97.76 percent.

Percent of youth with IEPs aged 16 and above with IEPs that contain each of the required components:

Year	# of youth with IEPs aged 16 and above	# of youth with IEPs that contain each of the required components for secondary transition	Percent
2011-2012	8,141	8,014	98.43
2012-2013	8,275	8,090	97.76

Correction of Non-compliance from 2011-2012

The VDOE contacted each school division that reported less than 100 percent compliance for FFY 2011. The VDOE verified correction of individual cases of non-compliance identified in FFY 2011 through on-site visits and internal desk reviews of school divisions' data for Indicator 13. School divisions were required to provide verification of corrections for individual cases of non-compliance and evidence that updated or new records were currently at 100 percent for the Indicator. A discussion of activities, strategies, and barriers causing non-compliance was held with directors of special education. Directors of special education followed-up with school divisions' administrators to ensure the implementation of activities and strategies discussed with the VDOE. The VDOE's procedure for corrections of non-compliance and verification of implementation of the specific regulatory requirement is consistent with OSEP Memo 09-02.

The VDOE has determined that all 127 items of student level non-compliance from 15 divisions specific to Indicator 13 identified in 2011-2012 were corrected consistent with OSEP Memo 09-02. Each division with non-compliance findings (1) has corrected each individual case of non-compliance, unless the child is no longer within the jurisdiction of the division; and (2) is correctly implementing the specific regulatory requirements (i.e., achieved 100 percent compliance) based on a review of updated data such as data subsequently collected through on-site monitoring. Each of the 15 divisions were issued one finding of non-compliance.

Because Virginia did not report 100 percent compliance for 2012-2013, the VDOE reviewed its improvement activities. Revisions are indicated in the appendix.

Part B Annual Performance Report (APR) for 2012-2013

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

For this indicator, analysis of the proportion of compliant IEPs in 2012-2013 (97.76 percent) to the proportion of compliant IEPs in 2011-2012 (98.43 percent) using chi-square ($\chi^2 = 0.10$, $p = 0.75$) yielded no significant difference in statewide results; therefore, the state considers this data as no change and does not require explanation of slippage.

Improvement Activities (See Appendix - Pages 61-67)

- New: 50, 51, 52, and 86
- Continued: 1, 31, 33, 35, 36, and 80
- Revised: N/A
- Completed: 39, 40, and 41

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

In order to improve transition planning and programming, Virginia has made print materials accessible via the Web to parents and school divisions and other service providers. In addition, an innovative transition center has been established collaboratively with the Rehabilitation Research and Training Center at Virginia Commonwealth University for the purpose of implementing researched-based demonstration programs.

Part B Annual Performance Report (APR) for 2012-2013

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 are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

	Measurable and Rigorous Target
FFY2012-2013	<p>Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school will be 33 percent.</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school will be 56 percent.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school will be 65 percent.</p>

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Data Source:

The VDOE uses a survey developed by VDOE, with broad stakeholder input, to collect postsecondary outcome (PSO) data, for youth who had IEPs in effect at the time they left school, are no longer in secondary school, and within one year of leaving school.

The VDOE continues to conduct a census of all school leavers, including students who dropped out, to obtain outcome data. Survey results are obtained through interviews with school leavers or family members conducted by school division staff through telephone contact.

Data reported are representative of the population in race, ethnicity, and disability. The data collected is based on all secondary school leavers identified as students with disabilities within a given school year. School divisions are required to determine the number of students with disabilities who meet the exit criteria and attempt to contact by telephone interviews. For this reporting period, there were 10,221 students with disabilities who exited Virginia schools meeting the Indicator 14 criteria. The number of completed survey interviews conducted was 6,362. An adequate response rate was obtained with 62.2 percent ($n = 6,362$) of the population completing the survey. The sampling error was less than 1 percent (0.999 percent) with 99 percent confidence level with a population of 10,221 students with disabilities and completed surveys of 6,362 respondents. There were no significant differences (all $p > .05$) in respondent representation of population with respect to disability [$\chi^2 = 16.38, p = 0.059$] and gender [$\chi^2 = 0.005, p = 0.94$]. However, there was a significant difference in ethnicity [$\chi^2 = 46.24, p = 0.00000008$] between the students completing the survey and the total population of exiters identified for Indicator 14 in the 2012-2013 school year.

Definitions used for reporting data for Indicator 14 are as follows:

Enrolled in higher education as used in measures A, B and C means youth have been enrolled on a full- or part-time basis in a community college (two year program) or college/university (four or more year program) for at least one complete term, at anytime in the year since leaving high school.

Competitive employment as used in measures B and C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Enrolled in other postsecondary education or training as used in measure C, means youth have been enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, work force development program, career and technical education school which is less than a two year program).

Some other employment as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

“Leavers” are only counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school are only reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, are only reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

Part B Annual Performance Report (APR) for 2012-2013**Actual Target Data for 2012-2013:**Indicator 14A

Virginia met the 2012-2013 target of 33 percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were enrolled in higher education (2 and 4 year programs) for at least one complete term within one year of leaving high school. School divisions reported 2,221 out of 6,362 students contacted met the requirement, for a percentage of 34.9 percent.

Indicator 14B

Virginia met the 2012-2013 target of 56 percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were enrolled in higher education or competitively employed within one year of leaving high school. School divisions reported 3,960 out of 6,362 students contacted met the requirement, for a percentage of 62.2 percent.

Indicator 14C

Virginia met the 2012-2013 target of 65 percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. School divisions reported 4,555 out of 6,362 students contacted met the requirement, for a percentage of 71.6 percent.

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

	N	# Students Contacted	Percent
A. Enrolled in higher education within one year of leaving high school	2,221	6,362	34.9
B. Enrolled in higher education or competitively employed within one year of leaving high school	3,960	6,362	62.2
C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school	4,555	6,362	71.6

Data was collected on "leavers" who are:

1. Enrolled in higher education within one year of leaving high school: 2,221;
2. Competitively employed within one year of leaving high school (but not enrolled in higher education): 1,739;
3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed): 299;
4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed): 295.

Part B Annual Performance Report (APR) for 2012-2013

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

Indicator 14A

- N/A – Met target

Indicator 14B

- N/A – Met target

Indicator 14C

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: 13, 42, 50, 53, 54, 86, 88, and 89
- Continued: 34, 35, 36, 43, 44, 45, 46, and 80
- Revised: N/A
- Completed: 39, 40, and 41

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014:

In order to improve transition planning and programming Virginia has made print materials accessible via the Web to parents and school divisions and other service providers. In addition, an innovative transition center has been established collaboratively with the Rehabilitation Research and Training Center at Virginia Commonwealth University for the purpose of implementing researched-based demonstration programs.

Part B Annual Performance Report (APR) for 2012-2013

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects non-compliance as soon as possible but in no case later than one year from identification.

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

Measurement:

Percent of non-compliance corrected within one year of identification:

- a. # of findings of non-compliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

	Measurable and Rigorous Target
FFY 2012-2013	100 percent of the findings identified through general supervision (including monitoring, complaints, hearings, etc.) will be corrected in a timely manner, not to exceed one year from identification.

Data Source:

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

Actual Target Data for 2012-2013:

Virginia met the 2012-2013 target that 100 percent of the non-compliance findings identified in 2011-2012 through general supervision (including monitoring activities, complaints, hearings, data collection) will be corrected in a timely manner, not to exceed one year from identification. A total of 250 findings of non-compliance were identified in 2011-2012. A total of 250 findings of non-compliance (100 percent) were corrected within one year of identification.

Part B Annual Performance Report (APR) for 2012-2013

Attachment 1 – B15 Worksheet Data Specific to Non-compliance Findings from 2011-2012 and Number Corrected Within One Year of Identification:

Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
<p>4A. Percent of divisions that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>4B. Percent of divisions that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p>	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	2	2
	Dispute Resolution: Complaints, Hearings	0	0	0
<p>5. Percent of children with IEPs aged 6 through 21 - educational placements.</p> <p>6. Percent of preschool children aged 3 through 5 – early childhood placement.</p>	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
<p>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.</p>	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
9. Percent of divisions with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of divisions with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a time frame within which the evaluation must be conducted, within that time frame.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	29	29	29
	Dispute Resolution: Complaints, Hearings	0	0	0
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	7	7	7
	Dispute Resolution: Complaints, Hearings	0	0	0

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	15	15	15
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of non-compliance: Extended School Year (ESY) Services	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	2	3	3
Other areas of non-compliance: Projected Dates of Service	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	5	5	5
	Dispute Resolution: Complaints, Hearings	0	0	0

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
Other areas of non-compliance: Placement/LRE	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	5	5	5
	Dispute Resolution: Complaints, Hearings	2	4	4
Other areas of non-compliance: IEP Development, Review, and Revision; Content, Team Composition; and Implementation	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	17	29	29
	Dispute Resolution: Complaints, Hearings	20	76	76
Other areas of non-compliance: Qualified Personnel	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	1	2	2
Other areas of non-compliance: Eligibility Procedures	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	4	4
	Dispute Resolution: Complaints, Hearings	3	4	4

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
Other areas of non-compliance: Evaluation Procedures	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	3	3	3
Other areas of non-compliance: Free Appropriate Public Education (FAPE)	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	2	2	2
Other areas of non-compliance: Records Management	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	4	6	6
Other areas of non-compliance: Discipline Procedures	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	3	5	5

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
Other areas of non-compliance: Complaint Resolution Procedures	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of non-compliance: Child Find Procedures	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of non-compliance: Meeting Notice	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	9	9
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of non-compliance: Progress Reports	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	9	9
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of non-compliance: Secondary Transition, age 14	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	8	12	12
	Dispute Resolution: Complaints, Hearings	0	0	0

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Indicator/Indicator Clusters	General Supervision System Components	# of Divisions Issued Findings in 2011-2012 (7/1/10 to 6/30/11)	(a) # of Findings of non-compliance identified in 2011-2012 (7/1/10 to 6/30/11)	(b) # of Findings of non-compliance from (a) for which correction was verified no later than one year from identification
Other areas of non-compliance: Children Who Transfer	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	7	7	7
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of non-compliance: Procedural Safeguards	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	5	10	10
Sum the numbers down Column a and Column b			250	250
Percent of non-compliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(250) / (250) X 100 =	100 percent

Verification of Non-compliance Identified in 2011-2012

The VDOE has determined that 250 of 250 (or 100 percent) of the findings of non-compliance were corrected within one year of identification. Each school division with identified findings in 2011-2012 (1) has corrected each individual case of non-compliance, unless the child is no longer within the jurisdiction of the division, consistent with OSEP Memo 09-02; and (2) is correctly implementing the specific regulatory requirements (i.e., achieved 100 percent compliance) based on a review of updated data.

Verification of corrections were determined through on-site visits, review of division submission of additional data, and internal review of IEPs via divisions' IEP online systems. Monitoring staff reviewed individual cases of non-compliance. Each random selection of IEP records had to demonstrate 100 percent compliance. When a randomly selected IEP did not meet 100 percent compliance, additional visits were made to ensure corrections and another random selection was tested. Monitoring staff reviewed a random selection of new IEPs and determined that each IEP was in compliance, thus, the division is correctly implementing the regulatory requirements. Additional follow up was made through on-site visits, telephone conference calls, and review of IEPs via computerized systems to ensure continued compliance.

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Part B Annual Performance Report (APR) for 2012-2013

Explanation of Slippage

- NA – Met Target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 19, 47, 48, and 49
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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

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.

	Measurable and Rigorous Target
2012-2013	Maintain a 40 percent range rate of resolution agreements.

Data Source:

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

Actual Target Data for 2012-2013:

Virginia met the 2012-2013 target to maintain a 40 percent range rate of resolution agreements.

Year	# Resolutions Sessions Resolved Through Settlement Agreements	# Resolution Sessions	Percent
2011-2012	17	33	52.0
2012-2013	17	30	56.7

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 55, 56, 57, and 58
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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

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.

	Measurable and Rigorous Target
2012-2013	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 ongoing training, observation of and debriefing with the mediators, as well as continuing to encourage and support mediations**. One hundred 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 the VDOE's Office of Dispute Resolution & Administrative Services (ODRAS).

Actual Target Data for 2012-2013:

Virginia met the 2012-2013 target to maintain 76-80+ percent range rate of mediations that result in mediation agreements and 100 percent 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
2011-2012	81	107	76.0
2012-2013	83	101	82.2

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target that occurred for 2012-2013:

Explanation of Slippage

- N/A – Met target

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 59, 60, 61, and 62
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

Part B Annual Performance Report (APR) for 2012-2013

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, State Performance Plan, 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 dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B).

	Measurable and Rigorous Target
2012-2013	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 2012-2013:

Virginia chooses not to report Indicator 20 data per guidance from the United States Department of Education Office of Special Education Programs (OSEP Memorandum 13-6, dated December 12, 2012).

Explanation of Slippage

- N/A

Improvement Activities (See Appendix - Pages 61-67)

- New: N/A
- Continued: 64, 65, 66, 67, 68, 69, and 70
- Revised: N/A
- Completed: N/A

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2013-2014: N/A

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Appendix – Improvement Activities

Preschool Age Students

- A. The VDOE conducted training and provided technical assistance on conducting progress reviews, appropriate assessment instruments, maintaining data on students, and reporting data. All of these initiatives were conducted in collaboration with state Part C staff.
- B. The VDOE conducted training and provided technical assistance on inclusive practices, functional IEP goal development, teaching social and emotional skills, and the use of curriculum frameworks. Most of these activities were conducted collaboratively with Head Start, Child Care programs, Early Childhood Mental Health workgroup, and the state preschool programs for children at-risk for school difficulties to increase the number of inclusive placements for children with disabilities.
- C. The VDOE conducted training and provided technical assistance, in collaboration with state Part C staff and staff from the Partnership for People with Disabilities/Early Childhood Mental Health workgroup on Social/Emotional Competency Curriculum for children age 5 and under.
- D. The VDOE developed technical assistance material related to outcomes for preschool age students, to include webinars with Part C staff and FAQ documents specific to child assessment and progress reporting. Materials include sharing data between Part C and Part B, infusing the outcomes and progress into IFSP/IEP development and progress reports.
- E. The VDOE continues to work with the Early Childhood Technical Assistance Center (ECTA Center), Early Childhood Outcomes Center (ECO), and other new funded national centers on issues related to preschool indicators (6, 7, and 12).
- F. The VDOE staff and the ECSE stakeholder group continued to conduct training sessions for all school divisions where information on the State Performance Plan/Annual Performance Report will be presented.
- G. In cooperation with Part C personnel, the VDOE continued to conduct meetings, provide guidance and disseminate information on issues related to the transition process from Part C to Part B/619.
- H. The VDOE continued to provide guidance documents/flow charts to all school divisions, concerning transition from Part C. Documents were developed with the state Part C office for sharing with local Part C system managers and school divisions.
- I. The VDOE continued to cooperate with Part C personnel, in updating and disseminating materials to reflect changes created by the 2004 amendments to the Individuals with Disabilities Education Act and the Part C regulations released in 2011.
- J. The VDOE continued to work with school divisions through its focused monitoring system to ensure compliance with early childhood indicators (6, 7, and 12).
- K. VDOE offered all improvement activities through the FY 2012. VDOE will conduct training and provide technical assistance to school divisions and school administrators on the following topics to support providing services in settings with typically developing, same age peers and improving early childhood outcomes. Research that supports these topics will be included in the sessions.
 - Inclusive practices
 - Teaching children with challenging behaviors
 - Functional IEP goal development and implementation
 - Use of curriculum frameworks
 - Least restrictive environment for ECSE
 - Child and program progress reviews
 - Appropriate early childhood curricula and curricula-based assessment instruments

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- Coaching, mentoring, co-teaching, and consulting
 - Systems change
 - Accurate data reporting
 - Differentiated instruction/teaching all children
- L. VDOE, as part of the Virginia Cross-Sector Professional Development Workgroup, will work on improving the quality of all preschool settings and improving the professional development for the work force in these settings. The goal is to increase the number of inclusive settings and their use to provide special education settings and services for the ECSE population.
- M. VDOE, as part of the Special Quest Leadership Team, will use the Special Quest materials to increase the number of settings that use inclusive practices.

Resources to support these activities include the following:

- Center for Social and Emotional Foundations for Early Learning: *Promoting the Social Emotional Competence of Youth Children* curriculum
- Technical Assistance Center for Social Emotional Interventions (TACSEI) materials, Web site
- Early Childhood Special Education stakeholders group
- The VDOE Early Childhood Project group
- Early Childhood Outcomes Center (ECO) materials, Web site, and training materials.
- The VDOE Training/Technical Assistance Centers (T/TACs)
- Early Childhood Technical Assistance Center (ECTA) materials, Web site.
- Virginia Cross Sector Professional Development Workgroup materials, Web site
- Special Quest Web site, materials
- Early Childhood Knowledge and Learning Center (ECKLC, Head Start) materials, Web site
- Tots n' Tech Web site, materials
- Head Start Center for Inclusion Web site, materials
- Zero to Three Web site, materials
- Connect Modules (Frank Porter Graham Childhood Development Institute) Web site, modules
- Virginia Early Childhood Foundation – Plan for Smart Beginnings, Virginia Star Quality Initiative Web site, materials
- Virginia Early Intervention Professional Development Web site, materials

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School Age Students

1. The VDOE continued to provide technical assistance and support for parents, school faculty and staff on the use of substitute tests available as End-of-Course tests to allow students to earn verified credits toward graduation.
2. The VDOE continued to support Reading and Algebra tutorial programs and continued to help school divisions in developing and implementing transition plans aimed at increasing academic performance and graduation.
3. The VDOE continued to support local project graduation academies to prepare students in need of verified units of credit.
4. The VDOE continued to provide online tools and tutorials designed to assist students and teachers with preparing for and taking Standards of Learning (SOL) assessments needed for graduation.
5. The VDOE developed an Academic and Career Planning online tool.
6. The VDOE provided training to divisions, students, and families on the Academic and Career Plan, to be developed prior to high school entry.
7. The VDOE has developed materials that support self determination skill development related to: goal setting, problem solving, choice making, self awareness, advocacy, leadership.
8. The VDOE supported Virginia College Access Network activities.
9. **COMPLETED** - ~~The VDOE continued 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.~~
10. **COMPLETED** - ~~The VDOE supported local and regional dropout prevention forums and institutes.~~
11. The VDOE continued to provide training and technical assistance related to reading skills with a focus on professional development needs of special education teachers.
12. The VDOE will provide training and technical assistance related to reading and math in partnership with Response to Intervention (RtI) training initiatives, school improvement processes, and the state's literacy activity with a focus on instructional practices for special education teachers.
13. **NEW** - Develop hands-on career fairs at elementary school level. Consider contracting with Virginia VIEW to develop virtually.
14. The VDOE continued to provide instructional resources that assist elementary, middle, and high school teachers in the delivery of SOL content to students while using evidence-based instructional practices including differentiated instructional techniques and technology.
15. The VDOE continued 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.
16. The VDOE continued to provide support for demonstration schools to implement the University of Kansas Strategic Instruction Model-Content Literacy Continuum (SIM-CLC).
17. **NEW** - In order to assist students with receiving a diploma, the VDOE sponsors site licenses for the use of an online tutorial program for WorkKeys, a substitute assessment verifying literacy and numeracy and EOC English Writing.
18. The VDOE and its Training/Technical Assistance Centers (T/TACs) will continue to disseminate information and implement professional development with ongoing coaching and modeling of effective inclusive practices, including differentiating instruction, co-teaching and collaboration.
19. Continued to provide professional development and training with Virginia's T/TACs.

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20. **COMPLETED** - ~~The VDOE continued to offer "Effectiveness Training for Local Special Education Advisory Committees (SEACs)," however, the project is now managed by the VDOE. The VDOE continued to offer technical assistance and information, and offered eight regional trainings for local SEAC chairs and directors of special education.~~
21. The VDOE continued expansion and improvement of the VDOE Web page promoting parent involvement.
22. The VDOE continued to provide ongoing training for existing Parent Resource Centers.
23. The VDOE continued to utilize the parent ombudsman to address parent concerns.
24. The VDOE in partnership with the Center for Family Involvement (CFI) and the Parent Education Advocacy Training Center (PEATC), Virginia's Parent Training and Information (PTI), sponsors activities for parents of children with disabilities.
25. The VDOE continued 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 includes a focus on state level data analysis, state and school division level policies, procedures and practices related to pre-referral instructional interventions and appropriateness of eligibility decisions.
26. The VDOE engages in follow-up monitoring of student record reviews to ensure procedural and regulatory violations are being correctly reported.
27. The VDOE continued 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), and the Mid-South Regional Resource Center (MSRRC).
28. Sponsored Strengthening Connections Institute: Accelerating Success among Select Student Populations – December 9-10, 2013. Forty-nine school divisions targeted for participation in this seminar due to short-term suspensions and not making annual measurable objectives for African American students, students with disabilities and low-income students. Institute focus on alternatives to short-term suspensions, classroom management strategies and impact of trauma on learning.
29. **NEW** - In order to assist students in earning a diploma, the VDOE continued to provide training and technical assistance related to credit accommodations, with a focus on professional development needs of parents, school faculty and staff
30. The VDOE continued with established technical assistance efforts and monitoring activities to ensure that all directors of special education are well-informed of the timeline reporting requirements.
31. The VDOE continued to work with school divisions through its focused monitoring system to ensure compliance with this indicator.
32. The VDOE provides technical assistance, and professional development activities, as needed, to all school divisions with non-compliance findings.
33. The VDOE sponsored a youth and parent summit that focused on secondary transition.
34. The VDOE will continue to participate in National Transition Communities of Practice.
35. The VDOE continued to participate in and sponsor local, regional, state communities of practice.
36. The VDOE continued to sponsor a state Transition Conference for the purpose of staff development, training across agencies, and disseminating information to practitioners, parents, and youth.
37. **NEW** - To ensure that SWD were part of the school improvement plan, VDOE staff were assigned to work with schools where students with disabilities did not make AMO to include this population in the schools' strategic plan, advice regarding research-based interventions and broker professional development.

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38. **NEW** - As a credit accommodation, the VDOE will assist with the augmentation of the mathematics class Personal Living and Finance (3120) to include the CTE Workplace Readiness Skills (WRS) which will assist students in earning a standard diploma.
39. **COMPLETED** - ~~The VDOE will sponsor a Middle School Conference where staff will provide professional development on standards based IEPs, closing the achievement gap along with self determination strategies.~~
40. **COMPLETED** - ~~The VDOE will disseminate the Tristate Slide Guide and provide assistance to develop an online Transition Guide.~~
41. **COMPLETED** - ~~The Transition Outcomes Project has been expanded from a separate project into a state-wide model for services. The VDOE will continue to support implementation of this model.~~
42. **NEW** - VDOE sponsors Start on Success, an employment program designed to assist youth with high incidence disabilities who are historically unengaged.
43. The VDOE continues to receive technical assistance from the National Postsecondary Outcomes Center.
44. The VDOE continues to provide local school divisions technical assistance in the collection and use of postsecondary data to improve local outcomes, for example, webcasts for local school divisions on collection of data, use of postsecondary data, for local program improvements.
45. The VDOE participates in the National Exiting Community.
46. The VDOE sponsors demonstration employment sites, supported education models (i.e., employment model for high incidence disabilities), and a youth development project.
47. The VDOE worked with school divisions through its general supervision systems to promptly identify non-compliance and ensured correction of non-compliance in accordance with OSEP's Memo 09-02.
48. Continued to target school divisions with systemic non-compliance.
49. Continued to monitor tracking logs and case files monthly.
50. **NEW** - In an effort to improve postsecondary outcomes, the VDOE will sponsor/collaborate with Rehabilitation Research and Training Center (RRTC) at Virginia Commonwealth University (VCU) Center on Transition Innovations (CTI). One of the goals of this new center is to provide "knowledge transfer" activities and products to the 132 school divisions in Virginia as well as to families. The CTI will provide research-based demonstration models leading to increased postsecondary outcomes in employment, education, training and independent living.
51. **NEW** - VDOE sponsors the IMD Web site which houses the Slide Guide for parents.
52. **NEW** - VDOE funds the development of anti-bullying materials and activities by youth leaders in Virginia.
53. **NEW** - Develop a model similar to Great Expectations...career and college coaching.
54. **NEW** - VDOE will work with NPSO to analyze PS data at the local level utilizing STEPPS.
55. The VDOE Office of Dispute Resolution and Administrative Services will continue to maintain its tracking logs to identify use of the Resolution Session for resolving due process issues.
56. The VDOE Office of Dispute Resolution and Administrative Services 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.
57. The VDOE Office of Dispute Resolution and Administrative Services will continue to contact every school division and hearing officer upon receipt of the request for due process to ensure that both the division and hearing officer correctly manage the timelines and process for the Resolution Sessions.
58. The VDOE Office of Dispute Resolution and Administrative Services will continue to provide guidance to school divisions and parents on the benefits of the Resolution Session, and how to conduct such sessions.

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59. Mediators received 16 hours of training sponsored by the VDOE Office of Dispute Resolution and Administrative Services this year. They were provided with summaries of Fourth Circuit and Supreme Court cases relevant to special education.
60. The VDOE Office of Dispute Resolution and Administrative Services mentored 15 cohort members of Virginia's Special Education Leadership Academy during this period.
61. The VDOE Office of Dispute Resolution and Administrative Services 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.
62. The VDOE Office of Dispute Resolution and Administrative Services will continue its training efforts in negotiation and mediation for the Virginia Council of Administrators of Special Education, parents and school personnel, as well as other consumers.
63. The VDOE will continue to encourage and facilitate embedded professional development with Training and Technical Assistance Center staff in select target schools where students with disabilities did not meet the AMOs.
64. Data collected through the December 1 child count (Indicators 5, 6, 9 and 10) will receive extensive verification, 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 the VDOE staff. All child count data, including educational environment data, will be verified through local superintendents' signature.
65. Data collected through the VDOE annual end of year reports (Indicators 1 and 2) will be edited by State staff and verified by local division superintendents.
66. Data collected for Virginia's state assessment programs (Indicator 3) will meet all NCLB reporting requirements.
67. Data collected on dispute resolution activities (Indicators 16, 17, 18 and 19) will be maintained and verified by the VDOE Office of Special Education and Student Services Dispute Resolution staff.
68. Data collected on suspension and expulsion for students with disabilities (Indicator 4) will be edited by VDOE staff and have local division superintendent verification.
69. The VDOE will ensure there are edit checks for accuracy for data collections implemented for Indicators 7,8,11,12, and 13.
70. The VDOE staff continued to provide extensive technical assistance to all school divisions on 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.
71. Provide training and technical assistance related to conducting functional behavior assessments and developing behavior intervention plans.
72. Provide technical assistance and training in effective schoolwide discipline using positive behavior interventions, including dissemination of Functional Behavioral Assessment and Behavioral Intervention Plan multimedia materials to schools implementing effective schoolwide discipline initiative.
73. Continue to provide training to school divisions on manifestation review procedures.
74. The VDOE will identify divisions with significant discrepancies and review policies, procedures and practice in a timely manner so that VDOE staff can conduct on-site reviews, as needed, when a division is repeatedly identified with significant discrepancy in the rates of suspensions and expulsions. The on-site review will determine the root cause for significant discrepancy.
75. The VDOE will disaggregate its crime and violence data and school climate data by school and incidents and target assistance as the need is determined. This procedure should help to identify specific needs.
http://www.doe.virginia.gov/administrators/principals_memos/2013/1006-13.shtml

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76. The VDOE will cross reference Indicators 2 and 4 with the disproportionality data from Indicators 9 and 10 for African American and Hispanic students. Targeted assistance will be provided as the need is determined.
77. Include students with disabilities in the Project EASE suspension grant participation.
78. The VDOE will initiate, plan and host a series of workshops or symposiums on OHI, with emphasis upon ADD/ADHD.
79. **NEW** - In order to improve postsecondary employment and graduation rates, the VDOE sponsors career readiness software to assist students with disabilities earn CTE credentials.
80. The VDOE Division of Special Education and Student Services has now fully integrated the Office of Special Education Program Improvement. The Office of Special Education Program Improvement is responsible for implementing the provisions of the Elementary and Secondary Education Act (ESEA) Flexibility Waiver that includes; providing training and technical assistance to target schools where students with disabilities did not meet the Annual Measurable Objectives (AMOs) and training and technical assistance are also aimed at preparing students with disabilities to be college and career ready.
81. The VDOE will encourage divisions to develop action plans to address disproportionality that exists although it may not be due to policies, procedures, or practices.
82. **REVISED** - A survey was conducted to analyze the increase of Other Health Impairments (OHI) eligibilities across the state and the incidence of Attention Deficit Hyperactive Disorder (ADHD) as a factor followed by a one-day seminar on ADHD. The seminar addressed the prevalence of ADHD, issues related to gender, ethnicity and race as well as diagnosis, intervention strategies and supports and Section 504 options.
83. **NEW** - The VDOE has provided online modules on Transformative Classroom Management for professional development for local school divisions.
http://www.doe.virginia.gov/support/school_improvement/training/transformative_classroom_mgt/index.shtml
84. **NEW** - VDOE will disseminate updated truancy policy and resources to local school divisions.
85. **NEW** - The VDOE will target specific school divisions to receive information related to resources and technical assistance related to promoting graduation including updating information on Web site specifically related to the dissemination of student trauma related resources.
86. **NEW** - In order to improve postsecondary education, training and employment for SWD, the VDOE develops cooperative agreements with state agencies that describe referral process, shared training and sharing data.
87. **NEW** - Support Fostering Connections Act to promote educational stability for students in foster care to assist with graduation, reduce dropout and promote positive postsecondary outcomes for students in foster care to assist with graduation, reduce dropout and promote positive postsecondary outcomes.
88. **NEW** - Continue to support and sponsor youth development programs such as YLF and Youth Summit. These programs assist youth in taking more responsibility for their educations by understanding disability and its impact on their lives as well as providing problem solving and goal setting routines.
89. **NEW** - VDOE continues to support and sponsor demonstration employment and postsecondary education programs. By developing and supporting research-based programs, we can provide best practice models for divisions to implement.