

Virginia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 47.5%. These data represent progress from the FFY 2008 data of 44%. The State did not meet its FFY 2009 target of 52.75%.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR).</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 2.51%. These data represent slippage from the FFY 2008 data of 2.4%. The State did not meet its FFY 2009 target of 1.85%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 18.2%. These data represent slippage from the FFY 2008 data of 71.9%. The State did not meet its FFY 2009 target of 68%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: B. Participation rate for children</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 99% for reading and 99% for</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>with IEPs. [Results Indicator]</p>	<p>math. These data remain unchanged from the FFY 2008 data of 99% for reading and 99% for math. The State met its FFY 2009 targets of 95%. The State provided a Web link to 2009 publicly-reported assessment results.</p>	
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State’s FFY 2009 reported data for this indicator are 73% for reading and 73% for math. These data remain unchanged from the FFY 2008 data of 73% for reading, and represent progress from the FFY 2008 data of 71% for math. The State did not meet its FFY 2009 targets of 85% for reading and 83% for math. The State provided a Web link to 2009 publicly-reported assessment results.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>4. Rates of suspension and expulsion: A. Percent of districts 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 [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State’s FFY 2009 reported data for this indicator are 16.7% for long-term suspensions and 11.4% for expulsions. These data represent progress from the FFY 2008 data of 18.2% for long-term suspensions and slippage from the FFY 2008 data of 7.6% for expulsions. The State did not meet its FFY 2009 target of 12% for long-term suspensions or its FFY 2009 target of 8% for expulsions. The State reported its definition of “significant discrepancy.” The State reported that 99 of 132 districts did not meet the State-established minimum “n” size requirement of greater than three long-term suspensions or expulsions, and were excluded from the calculation. The State did not report that it reviewed the LEAs’ policies, procedures, and practices relating to the development and implementation 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) for the LEAs identified with significant discrepancies based on FFY 2008 data. The State reported that it “did not specifically require a state or local review of policies, procedures or practices based on a preliminary analysis of data for Indicator 4a but will do so in the future.”</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012. The failure to conduct the review required in 34 CFR §300.170(b) is noncompliance. In the FFY 2010 APR, the State must report correction of this noncompliance by describing the review, and if appropriate, revision of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with the IDEA, for districts identified with</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		significant discrepancies based on FFY 2008 data, as required in 34 CFR §300.170(b).
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts 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> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator and OSEP accepts these revisions.</p> <p>The State’s FFY 2009 baseline data for this indicator are 0%. However, the State did not provide valid and reliable FFY 2009 baseline data for this indicator.</p> <p>The State reported that 23 districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. The State also reported that no districts were identified as having 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> <p>However, the State did not report that it reviewed the LEAs’ policies, procedures, and practices relating to the development and implementation 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) for the LEAs identified with significant discrepancies based on FFY 2008 data. The State reported that it “did not specifically require a state or local review of policies, procedures or practices based on a preliminary analysis of data for Indicator 4a [from the context, it appears the State meant Indicator 4B] but will do so in the future.”</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported a minimum “n” size requirement of ten; however, OSEP is unable to determine whether any districts were excluded from the calculation.</p>	<p>The State did not conduct the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA, as required in 34 CFR §300.170(b). The failure to conduct the review required in 34 CFR §300.170(b) is noncompliance.</p> <p>In the FFY 2010 APR, due February 1, 2012, the State must report correction of this noncompliance by describing the review, and if appropriate, revision of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with the IDEA, for districts identified with significant discrepancies based on FFY 2008 data, as required in 34 CFR §300.170(b).</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
		<p>Further, in the FFY 2010 APR, the State must provide the required data for FFY 2009 (using 2008-2009 data) and FFY 2010 (using 2009-2010 data) for this indicator.</p> <p>OSEP will be carefully reviewing each State’s methodology for identifying “significant discrepancy” and will contact the State if there are questions or concerns.</p>																				
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 914 1583 1390"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">56</td> <td align="center">59</td> <td align="center">66</td> <td align="center">3.00%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">16</td> <td align="center">11</td> <td align="center">9</td> <td align="center">5.00%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">3.6</td> <td align="center">3</td> <td align="center">1</td> <td align="center">0.60%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2008 data. The State did not meet any of its FFY 2009 targets for this indicator.</p>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	56	59	66	3.00%	B. % Inside the regular class less than 40% of the day	16	11	9	5.00%	C. % In separate schools, residential facilities, or homebound/hospital placements	3.6	3	1	0.60%	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	56	59	66	3.00%																		
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<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	<p>The State is not required to report on this indicator in the FFY 2009 APR.</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>																								
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State's reported FFY 2009 data for this indicator are:</p> <table border="1" data-bbox="552 914 1583 1520"> <thead> <tr> <th><u>Summary Statement 1</u></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td>Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center">82</td> <td align="center">85.8</td> <td align="center">83</td> </tr> <tr> <td>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td align="center">83</td> <td align="center">90.3</td> <td align="center">84</td> </tr> <tr> <td>Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center">82</td> <td align="center">86.9</td> <td align="center">83</td> </tr> <tr> <th><u>Summary Statement 2</u></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> </tr> <tr> <td>Outcome A: Positive social-emotional skills</td> <td align="center">55</td> <td align="center">58.5</td> <td align="center">56</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	82	85.8	83	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	83	90.3	84	Outcome C: Use of appropriate behaviors to meet their needs (%)	82	86.9	83	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills	55	58.5	56	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																							
Outcome A: Positive social-emotional skills (including social relationships) (%)	82	85.8	83																							
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Outcome C: Use of appropriate behaviors to meet their needs (%)	82	86.9	83																							
<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																							
Outcome A: Positive social-emotional skills	55	58.5	56																							

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	(including social relationships) (%)				
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	38	44.9	39	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	61	64.1	62	
	These data represent progress from the FFY 2008 data. The State met its FFY 2009 targets for this indicator.				
<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> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 79%. These data represent progress from the FFY 2008 data of 63.5%. The State met its FFY 2009 target of 66%.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.</p>				<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that 132 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported in its FFY 2009 APR that none of the 132 districts were excluded from the calculation as a result of the required minimum "n" size of more than 50 students with disabilities in the racial/ ethnic group.</p>				<p>OSEP appreciates the State's efforts regarding this indicator.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that 132 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported in its FFY 2009 APR that none of the 132 districts were excluded as a result of the State-established minimum "n" size of more than 50 students with disabilities in the racial/ethnic group.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 97.6%. These data represent progress from the FFY 2008 data of 97.5%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that it identified noncompliance in 45 school divisions in FFY 2008, but did not report the number of findings that it made. The State also reported that the State verified that noncompliance identified in those 45 school divisions in FFY 2008 had been corrected in a timely manner.</p> <p>The State reported that all seven findings of noncompliance identified in FFY 2007 for this indicator were corrected.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 98.4%. The FFY 2009 data were 99%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that it identified noncompliance in eight school divisions in FFY 2008, but did not report the number of findings that it made. The State also reported that the State verified that noncompliance identified in those eight school divisions in FFY 2008 had been corrected in a timely manner.</p> <p>The State reported that two findings of noncompliance identified in FFY 2007 for this indicator were corrected.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>reflected in the FFY 2009 data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In the FFY 2010 APR, the State must clarify whether it is deducting the number of children referred determined to be not eligible and whose eligibility was determined prior to their third birthdays (measurement b), the number of children for whom parental refusal to provide consent caused delays in</p>

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		<p>evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied (measurement d), and the number of children who were referred to Part C less than 90 days before their third birthdays (measurement e) from the number of children who have been served in Part C and referred to Part B for Part B eligibility determination (measurement a) when calculating the State's level of compliance for FFY 2010 for this indicator.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>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</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2009 reported baseline data for this indicator are 98.09%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011: (1) the number of findings of noncompliance it made in FFY 2007 based on the FFY 2007 data for this indicator, the number of those findings timely corrected, and the number of those findings subsequently corrected; and (2) the number of findings of noncompliance it made in FFY 2008 based on the FFY 2007 data for this indicator, the number of those findings timely corrected, and the number of findings subsequently corrected. The State reported that 18 findings of noncompliance identified in FFY 2007 for this indicator were corrected. The State also reported that it identified noncompliance in 39 school divisions in FFY 2008, but did not report the number of findings that it made. The State reported that the State verified that noncompliance identified in 38 of the 39 school</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p>

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<p>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.</p> <p>[Compliance Indicator]</p>	<p>divisions in FFY 2008 had been corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, that the one remaining uncorrected noncompliance finding identified in FFY 2008 was corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator and the LEA with remaining noncompliance identified in FFY 2008: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>14. 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;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</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.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011 and FFY 2012.</p> <p>The State’s reported FFY 2009 baseline data for this indicator are:</p> <p>A. 31.93% enrolled in higher education within one year of leaving high school;</p> <p>B. 54.95% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 63.32% 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.</p>	<p>The State must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 99.58%. These data represent progress from the FFY 2008 data of 89.5%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 241 of 242 findings of noncompliance identified in FFY 2008 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that 31 findings of noncompliance identified in FFY 2007 were corrected.</p> <p>OSEP’s verification letter, dated January 15, 2010, and OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, in the specific indicator and in Indicator 15, that it reported on the timely correction of all noncompliance identified in FFY 2008, including in situations where the school division reported at least 96% compliance for Indicators 11, 12 and 13, or 90% for</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating that the State timely corrected noncompliance identified in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>The State must demonstrate, in the FFY 2010 APR, that the remaining one finding of noncompliance identified in FFY 2008 that was not reported as corrected in the FFY 2009 APR</p>

Virginia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	Indicators 9 and 10, but less than 100%. The State provided the required information.	<p>was corrected.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 4A, 4B, 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>
16. Percent of signed written complaints with reports issued that were resolved within 60-day	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data remain</p>	OSEP appreciates the State's efforts in achieving compliance with the timely complaint

Virginia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data represent progress from the FFY 2008 data of 93%. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 38%. These data represent slippage from the FFY 2008 data of 39%. The State met its FFY 2009 target of 35%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 74%. These data represent slippage from the FFY 2008 data of 84%. The State met its FFY 2009 target of 76-</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

Virginia Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	80%.	
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 97.62%. However, OSEP's calculation of the data for this indicator is 96.51%. These data represent slippage from the FFY 2008 data of 100%. The State did not meet its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric. If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>