

Virginia Part B FFY 2010 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’s FFY 2010 reported data for this indicator are 44.39%. These data represent slippage from the FFY 2009 data of 47.5%. The State did not meet its FFY 2010 target of 50%.</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 2011 APR, due February 1, 2013.</p> <p>In reporting data for this indicator in the FFY 2011 APR, States must use the same data they used for reporting to the Department under Title I of the ESEA, using the adjusted cohort graduation rate required under the ESEA.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 1.53 %. These data represent progress from the FFY 2009 data of 2.51%. The State met its target of 1.85%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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’s FFY 2010 reported data for this indicator are 4.5%. These data represent slippage from the FFY 2009 data of 18.2%. The State did not meet its FFY 2010 target of 18%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: B. Participation rate for children with IEPs. [Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 99% for reading and 99% for math. These data remain unchanged from the FFY 2009 data of 99% for reading and 99% for math. The State met its FFY 2010 targets of 95%.</p> <p>OSEP notes that the number of students with IEPs used as the denominator for reading is 83,068, while the number of students with IEPs used as the denominator for math is 96,569. The State accounted for the discrepancy as being due to the math and reading assessments being administered at different grade levels and at different frequencies.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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	The State provided a Web link to 2010 publicly-reported assessment results.	
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 62% for reading and 49% for math. These data represent slippage from the FFY 2009 data of 73% for reading and 73% for math. The State did not meet its FFY 2010 targets of 86% for reading and 85% for math.</p> <p>The State provided a Web link to 2010 publicly- reported assessment results.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.</p>
<p>4. Rates of suspension and expulsion:</p> <p>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</p> <p>[Results Indicator]</p>	<p>The State revised its improvement activities and targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 7.57%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State did not meet its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that ten districts were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.</p> <p>The State reported that 19 of 132 districts did not meet the State-established minimum “n” size requirement of ten out of school suspensions and expulsions of more than ten days.</p> <p>The State reported that it reviewed the districts’ 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 districts identified with significant discrepancies in FFY 2010. The State identified noncompliance through this review.</p> <p>The State did not report on the result of the review it conducted pursuant to 34 CFR §300.170(b), i.e., the State did not report whether it revised (or required the affected district to revise), the district’s 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 for the</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The State did not report the results of the review it conducted pursuant to 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2010 based on 2009-2010 data and in FFY 2009 based on 2008-2009 data.</p> <p>In the FFY 2011 APR, the State must report whether, as a result of the review, the State revised, or required the affected district to revise 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 for the district</p>

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	<p>districts identified with significant discrepancies in FFY 2010 based on 2009-2010 data. While the State reported that nine of the ten districts with a significant discrepancy did not have policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards that were not in compliance with the IDEA and the tenth did, it did not report whether, for that tenth district, it revised (or required the affected district to revise) the district’s policies, procedures, and practices.</p> <p>OSEP’s FFY 2009 SPP/APR Response Table, dated June 20, 2011, required the State to include in the FFY 2010 APR, due February 1, 2012, a report of correction of 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). The State did not provide all of the required information. While the State reported on pages 11 and 12 of the FFY 2010 APR that it reviewed the districts’ 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 districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data, it did not report on the result of the review it conducted. The State did not report whether it identified any noncompliance as a result of the review, and if it did identify noncompliance, whether it revised (or required the affected districts to revise), the districts’ 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 for the districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>identified with noncompliance in FFY 2010 based on 2009-2010 data.</p> <p>The State must also, for the districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data, report on whether it identified any noncompliance as a result of the review, and if it did identify noncompliance, whether the State revised (or required the affected districts to revise), the districts’ 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.</p> <p>In addition, the State must report, in its FFY 2011 APR, on the correction of noncompliance that the State identified in FFY 2010 as a result of the review it conducted pursuant to 34 CFR §300.170(b) for districts identified with significant discrepancies based on 2009-2010 data and any noncompliance that the State identified as a result of the review of districts identified with significant discrepancies based on 2008-2009 data. When reporting on the correction of this noncompliance, the State must</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>report that it has verified that each district with noncompliance identified by the State: (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 Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02) In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<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</p>	<p>The State revised its improvement activities and targets for FFY 2010, FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State reported FFY 2010 data for this indicator are 5.30%. However, that is the percentage of districts that had 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, rather than the percentage of districts that had: (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. OSEP recalculated the data for this indicator to be 0.76%. OSEP was unable to determine progress or slippage because the State did not provide valid and reliable FFY 2009 data for this indicator. The State did not meet its FFY 2010 target of 0%.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator and looks forward to data in the FFY 2011 APR demonstrating compliance.</p> <p>The State did not report, for the district identified with significant discrepancies in FFY 2010 based on 2009-2010 data and the districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data, on whether it revised (or required the affected district to revise) policies, procedures, and practices relating</p>

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<p>procedural safeguards. [Compliance Indicator]</p>	<p>The State reported that seven districts were identified as having 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. The State reported that it reviewed the districts’ 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 districts identified with significant discrepancies in FFY 2010 based on 2009-2010 data. The State also reported that one district was 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>The State reported that 17 of 132 districts did not meet the State-established minimum “n” size requirement of ten out of school suspensions and expulsions of more than 10 days in a particular race category.</p> <p>The State did not report on the result of the review it conducted pursuant to 34 CFR §300.170(b), i.e., the State did not report whether it revised (or required the affected district to revise), the district’s 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 for the district identified with a significant discrepancy in FFY 2010 based on 2009-2010 data. While the State reported that six of the seven districts with a significant discrepancy did not have policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards that were not in compliance with the IDEA and the seventh did, it did not report whether, for that seventh district it revised (or required the affected district to revise), the district’s policies, procedures, and practices.</p> <p>OSEP’s FFY 2009 SPP/APR Response Table, dated June 20, 2011, required the State to include in the FFY 2010 APR, due February 1, 2012, a report of correction of 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). The State did not provide all of the required information. While the State reported on pages 11- 12 of the FFY 2010 APR that it reviewed the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the</p>	<p>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 in 34 CFR §300.170(b).</p> <p>In the FFY 2011 APR, the State must report, for the district identified with noncompliance in FFY 2010 based on 2009-2010 data, whether, as a result of the review, the State revised, or required the affected district to revise, 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. The State must also report, for the districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data, on whether it identified any noncompliance as a result of the review, and if it did identify noncompliance, whether the State revised (or required the affected districts to revise), the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural</p>

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	<p>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 districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data, it did not report on the result of the review it conducted. The State did not report whether it identified any noncompliance as a result of the review, and if it did identify noncompliance, whether it revised (or required the affected districts to revise), the districts' 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 for the districts identified with significant discrepancies in FFY 2009 based on 2008-2009 data</p>	<p>safeguards to ensure compliance with the IDEA.</p> <p>Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator. The State must demonstrate, in the FFY 2011 APR, that the district identified with noncompliance in FFY 2010 has corrected the noncompliance and any district identified with noncompliance as a result of the review of districts identified with significant discrepancies based on 2008-2009 data has corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (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 district, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to</p>

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		<p>verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's reported data for this indicator are:</p> <table border="1" data-bbox="552 630 1583 1105"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 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">59</td> <td align="center">55</td> <td align="center">68</td> <td align="center">-4.00%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">11</td> <td align="center">18.5</td> <td align="center">8</td> <td align="center">-7.50%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">3</td> <td align="center">3.5</td> <td align="center">1</td> <td align="center">-0.50%</td> </tr> </tbody> </table> <p>These data represent slippage from the FFY 2009 data. The State did not meet any of its FFY 2010 targets for this indicator.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	59	55	68	-4.00%	B. % Inside the regular class less than 40% of the day	11	18.5	8	-7.50%	C. % In separate schools, residential facilities, or homebound/hospital placements	3	3.5	1	-0.50%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	59	55	68	-4.00%																		
B. % Inside the regular class less than 40% of the day	11	18.5	8	-7.50%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	3	3.5	1	-0.50%																		
<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,</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR.</p>	<p>The State must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits in the FFY 2011 APR.</p>																				

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separate school or residential facility. [Results Indicator; New]																																		
7. Percent of preschool children age 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. [Results Indicator]	The State's reported data for this indicator are: <table border="1" data-bbox="548 464 1583 1474"> <thead> <tr> <th data-bbox="548 464 957 563"><u>Summary Statement 1</u></th> <th data-bbox="957 464 1163 563"><u>FFY 2009 Data</u></th> <th data-bbox="1163 464 1373 563"><u>FFY 2010 Data</u></th> <th data-bbox="1373 464 1583 563"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 563 957 699">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 563 1163 699">85.8</td> <td align="center" data-bbox="1163 563 1373 699">87.7</td> <td align="center" data-bbox="1373 563 1583 699">86</td> </tr> <tr> <td data-bbox="548 699 957 867">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td align="center" data-bbox="957 699 1163 867">90.3</td> <td align="center" data-bbox="1163 699 1373 867">92.0</td> <td align="center" data-bbox="1373 699 1583 867">90</td> </tr> <tr> <td data-bbox="548 867 957 971">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 867 1163 971">86.9</td> <td align="center" data-bbox="1163 867 1373 971">89.3</td> <td align="center" data-bbox="1373 867 1583 971">87</td> </tr> <tr> <th data-bbox="548 971 957 1070"><u>Summary Statement 2</u></th> <th data-bbox="957 971 1163 1070"><u>FFY 2009 Data</u></th> <th data-bbox="1163 971 1373 1070"><u>FFY 2010 Data</u></th> <th data-bbox="1373 971 1583 1070"><u>FFY 2010 Target</u></th> </tr> <tr> <td data-bbox="548 1070 957 1206">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="957 1070 1163 1206">58.5</td> <td align="center" data-bbox="1163 1070 1373 1206">60.4</td> <td align="center" data-bbox="1373 1070 1583 1206">56</td> </tr> <tr> <td data-bbox="548 1206 957 1373">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td align="center" data-bbox="957 1206 1163 1373">44.9</td> <td align="center" data-bbox="1163 1206 1373 1373">46.4</td> <td align="center" data-bbox="1373 1206 1583 1373">39</td> </tr> <tr> <td data-bbox="548 1373 957 1474">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="957 1373 1163 1474">64.1</td> <td align="center" data-bbox="1163 1373 1373 1474">65.9</td> <td align="center" data-bbox="1373 1373 1583 1474">62</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	85.8	87.7	86	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	90.3	92.0	90	Outcome C: Use of appropriate behaviors to meet their needs (%)	86.9	89.3	87	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	58.5	60.4	56	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	44.9	46.4	39	Outcome C: Use of appropriate behaviors to meet their needs (%)	64.1	65.9	62	OSEP appreciates the State's efforts to improve performance. The State must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
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	<p>These data represent progress from the FFY 2009 data. The State met its FFY 2010 targets for this indicator.</p>	
<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. [Results Indicator]</p>	<p>The State's reported FFY 2010 data for this indicator are 85.0%. These data represent progress from the FFY 2009 data of 79%. The State met its FFY 2010 target of 78%.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population. The State reported that the data for this indicator were collected from a response group that was not representative of the population.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State reported that the response group was not representative of the population. In the FFY 2011 APR, the State must report whether its FFY 2011 data are from a group representative of the population, and, if not, the actions the State is taking to address this issue.</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. [Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 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 that all 132 districts met the State-established minimum "n" size requirement of greater than 50 students in the students with disabilities population for at least one of the racial/ethnic groups.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported that all 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>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>The State reported that all 132 districts met the State-established minimum “n” size requirement of greater than 50 students in the students with disabilities population for at least one of the racial/ethnic groups.</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’s FFY 2010 reported data for this indicator are 98.3%. These data represent progress from the FFY 2009 data of 97.6%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 696 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2011 APR 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (1) is correctly 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</p>

Virginia Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>Memo 09-02. In the FFY 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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’s FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 98.4%. The State met its FFY 2010 target of 100%.</p> <p>The State reported that all 30 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>OSEP’s FFY 2009 SPP/APR Response Table, dated June 20, 2011, required the State to include in the FFY 2010 APR, due February 1, 2012, clarification regarding 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 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. The State provided the required information.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the early childhood transition requirements in 34 CFR §300.124(b).</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</p>	<p>The State’s FFY 2010 reported data for this indicator are 98.55%. These data represent progress from the FFY 2009 data of 98.09%. The State did not meet the FFY 2010 target of 100%.</p> <p>The State reported that all 166 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The State reported that the one remaining uncorrected noncompliance finding identified in FFY 2008 was corrected.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2011 APR 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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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.</p> <p>[Compliance Indicator]</p>		<p>reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
14. Percent of youth who are no	The State’s reported data for this indicator are:	OSEP appreciates the State’s

Virginia Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
<p>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>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	<p>efforts to improve performance.</p>
A. % Enrolled in higher education	31.9	35.9	32	4.00%		
B. % Enrolled in higher education or competitively employed	54.9	62.2	55	7.30%		
C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	63.2	72	64	8.80%		
<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>These data represent progress from the FFY 2009 data. The State met its FFY 2010 targets.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p> <p>The State's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 99.58%. The State met its FFY 2010 target of 100%.</p> <p>The State reported that all 242 findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p> <p>The State reported that the one remaining finding of noncompliance identified in FFY 2008 was corrected.</p>					<p>OSEP appreciates the State's efforts in timely correcting findings of noncompliance identified in FFY 2009.</p> <p>When reporting in the FFY 2011 APR on the correction of findings of noncompliance identified in FFY 2010, the State must report that it verified that each LEA with noncompliance identified in FFY 2010: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 2011 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 2011 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 4A, 4B, 11, and 13 in the FFY 2011 APR, the State must report on the noncompliance described in this table under those indicators.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, 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>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on nine due process hearings. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</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's FFY 2010 reported data for this indicator, as of January 31, 2012, are 56%. These data represent progress from the FFY 2009 data of 38%. The State met its FFY 2010 target of a 40 percent range rate of resolution agreements.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 78%. These data represent progress from the FFY 2009 data of 74%. The State met its FFY 2010 target of a 76-80+ percent range rate.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 100%. However, OSEP's calculation of the data for this indicator is 98.89%. These data represent progress from the FFY 2009 data of 97.62%. The State did not meet its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR, 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). If the State does not report 100% compliance in the FFY 2011 APR, the State must review its</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		improvement activities and revise them, if necessary to ensure compliance. In reporting on Indicator 20 in the FFY 2011 APR, the State must use the Indicator 20 Data Rubric.