

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>Status of Public Reporting on LEA Performance: While the State has publicly reported on the FFY 2008 (July 1, 2008-June 30, 2009) and FFY 2009 (July 1, 2009-June 30, 2010) performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA, those reports do not contain the required information. Specifically, the State did not report on the FFY 2008 performance of each LEA on the targets in the SPP for Indicator 3 and did not report on the FFY 2009 performance of each LEA on the targets in the SPP for Indicators 3, 9, and 10.</p>		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State’s FFY 2010 data for this indicator are 37.4%. These data represent progress from the FFY 2009 data of 19%. The State met its FFY 2010 target of 22%.</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 appreciates the State’s efforts to improve performance.</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 4.6%. These data represent progress from the FFY 2009 data of 4.82%. The State did not meet its FFY 2010 target of 3%.</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: 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 revised the target for FFY 2012 for this indicator and OSEP accepts those revisions.</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>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:</p>	<p>The State’s FFY 2010 reported data for this indicator are 97.4% for reading and 97.4% for math. These data represent progress from the FFY 2009 data of 81% for reading and 81% for math. The State met its FFY 2010 targets of 95%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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<p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p><u>Special Conditions</u></p> <p>Under the FFY 2011 Special Conditions the State is required to report publicly and to the Secretary consistent with the standards in 20 U.S.C. §1412(a)(16) and 34 CFR §300.160, including, with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the number of children with disabilities participating on Statewide (Territory-wide) assessments with accommodations; the numbers of children with disabilities participating without accommodations; and numbers of children with disabilities participating in the alternate assessment(s) by February 1, 2012. In addition, the FFY 2011 Special Conditions required that by October 1, 2011, the State must provide a Web link that demonstrates it has reported to the public on the 2009 Territory-wide assessments of children with disabilities in accordance with 34 CFR §300.160(f). The State provided the required information.</p>	
<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 24.12% for reading and 32.58% for math. These data represent progress from the FFY 2009 data of 14.9% for reading and 7.9% for math. The State met its FFY 2010 targets of 54.5% for reading and 52.9% for math.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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 the baseline for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 revised baseline data for this indicator are 50%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State met its FFY 2010 target of 50%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that one district was identified as having a significant discrepancy, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.</p> <p>The State reported that it does not use a minimum “n” size requirement.</p> <p>The State reported that it reviewed the district’s policies, procedures, and practices</p>	<p>As set out under Indicator 15, the State’s reporting of significant discrepancy and noncompliance data and information that is inconsistent with previously reported data and information raises serious concerns regarding the State’s general supervision system. The lack of a general supervision system negatively affects the timely identification and correction of noncompliance and is</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

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	<p>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 district identified with significant discrepancies in FFY 2010. The State did not identify noncompliance through this review.</p> <p>The State reported on page 27 of the FFY 2010 APR that on February 6, 2012, it issued a finding of noncompliance to one district 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 based on FFY 2009 data. However, the State's FFY 2009 data reported in the FFY 2010 APR are inconsistent with the FFY 2009 data reported in the FFY 2009 APR. Specifically, the State reported no significant discrepancy in the FFY 2009 APR under this indicator. Although the State issued a finding of noncompliance based on FFY 2009 data, it did not report that if and when, 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 district identified with significant discrepancy.</p>	<p>inconsistent with the requirements of 20 U.S.C. 1232d(3)(A) and 1412(a)(11). Within 60 days of the issuance of OSEP's Response Table, the State must provide: (1) documentation regarding the review of district policies, procedures and practices as required by §300.170 for the district identified with significant discrepancy based on FFY 2009 data; (2) a description of the State's monitoring procedures for this indicator including the timeline the State uses in its monitoring procedures; (3) any updated information regarding the steps that the State has taken to ensure timely identification of noncompliance for this indicator; and (4) copies of monitoring reports or other written findings issued for this indicator during FFY 2010. By October 15, 2012, the State must submit monitoring reports or other written findings issued for this indicator during FFY 2011 and FFY 2012.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the district 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</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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 correction. 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>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’s FFY 2010 reported data for this indicator are 0%. OSEP was unable to determine whether there was progress or slippage because the State revised its calculation methodology. The State met its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that one district was 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 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 district identified with significant discrepancies in FFY 2010. The State did not identify any noncompliance through this review.</p> <p>The State reported the number of districts that met their minimum “n” size of ten students with disabilities in each race/ethnicity category and that no districts were</p>	<p>As set out under Indicator 15, the State’s reporting of significant discrepancy and noncompliance data and information that is inconsistent with previously reported data and information raises serious concerns regarding the State’s general supervision system. The lack of a general supervision system negatively affects the timely identification and correction of noncompliance and is inconsistent with the requirements of 20 U.S.C. 1232d(3)(A) and 1412(a)(11). Within 60 days of the issuance of OSEP’s Response</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

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<p>procedural safeguards. [Compliance Indicator]</p>	<p>excluded from the calculation.</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 description of 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 there 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 provided the required information.</p> <p>The State reported on page 38 of the of the FFY 2010 APR that on February 6, 2012, it issued a finding of noncompliance to one district 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 based on FFY 2009 data. However, the State’s FFY 2009 data reported in the FFY 2010 APR are inconsistent with the FFY 2009 data reported in the FFY 2009 APR. Specifically, the State reported no significant discrepancy in the FFY 2009 APR under this indicator. Although the State issued a finding of noncompliance based on FFY 2009 data, it did not report that if and when, 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 district identified with significant discrepancy. In addition, the State did not identify the racial/ethnic group with a significant discrepancy based on FFY 2009 data.</p> <p>OSEP notes that although the language in the FFY 2010 APR listed on pages 32-35, appears to compare the suspension rates of Black, Hispanic or Latino and White students with disabilities to the suspension rates of Black, Hispanic or Latino and White students without disabilities, respectively, based on the numbers reported under Indicator 4A and 4B, the comparison is actually to the suspension and expulsion rates for all students without disabilities. The APR language must be revised to reflect the actual comparison group-- suspension and expulsion rates for all students without disabilities.</p>	<p>Table, the State must provide: (1) documentation regarding the review of district policies, procedures and practices as required by §300.170 for the district identified with significant discrepancy based on FFY 2009 data; (2) a description of the State’s monitoring procedures for this indicator including the timeline uses in its monitoring procedures; (3) any updated information regarding the steps that the State has taken to ensure timely identification and verification of correction of noncompliance for this indicator; and (4) copies of monitoring reports or other written findings issued for this indicator during FFY 2010. By October 15, 2012, the State must submit monitoring reports or other written findings issued for this indicator during FFY 2011 and FFY 2012.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the district 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</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

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		<p>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 verify correction. 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="550 849 1570 1325"> <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">46.7</td> <td align="center">51.86</td> <td align="center">47</td> <td align="center">5.16%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">24.9</td> <td align="center">19.47</td> <td align="center">23</td> <td align="center">5.43%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">3.59</td> <td align="center">4.35</td> <td align="center">3</td> <td align="center">-0.76%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B and slippage for 5C from the FFY 2009 data. The State met its FFY 2010 targets for 5A and 5B, but did not meet its FFY 2010 target for 5C.</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	46.7	51.86	47	5.16%	B. % Inside the regular class less than 40% of the day	24.9	19.47	23	5.43%	C. % In separate schools, residential facilities, or homebound/hospital placements	3.59	4.35	3	-0.76%	<p>OSEP appreciates the State's efforts to improve performance and 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	46.7	51.86	47	5.16%																		
B. % Inside the regular class less than 40% of the day	24.9	19.47	23	5.43%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	3.59	4.35	3	-0.76%																		
<p>6. Percent of children aged 3</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</p>																				

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<p>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>baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the FFY 2011 APR.</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's reported data for this indicator are:</p> <table border="1" data-bbox="548 716 1568 1489"> <thead> <tr> <th data-bbox="548 716 953 813"><u>Summary Statement 1</u></th> <th data-bbox="953 716 1157 813"><u>FFY 2009 Data</u></th> <th data-bbox="1157 716 1360 813"><u>FFY 2010 Data</u></th> <th data-bbox="1360 716 1568 813"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 813 953 951">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="953 813 1157 951">44.9</td> <td data-bbox="1157 813 1360 951">79.3</td> <td data-bbox="1360 813 1568 951">45.4</td> </tr> <tr> <td data-bbox="548 951 953 1122">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="953 951 1157 1122">46.43</td> <td data-bbox="1157 951 1360 1122">77.1</td> <td data-bbox="1360 951 1568 1122">46.93</td> </tr> <tr> <td data-bbox="548 1122 953 1227">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="953 1122 1157 1227">57.14</td> <td data-bbox="1157 1122 1360 1227">91.5</td> <td data-bbox="1360 1122 1568 1227">57.64</td> </tr> <tr> <th data-bbox="548 1227 953 1325"><u>Summary Statement 2</u></th> <th data-bbox="953 1227 1157 1325"><u>FFY 2009 Data</u></th> <th data-bbox="1157 1227 1360 1325"><u>FFY 2010 Data</u></th> <th data-bbox="1360 1227 1568 1325"><u>FFY 2010 Target</u></th> </tr> <tr> <td data-bbox="548 1325 953 1455">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="953 1325 1157 1455">32.20</td> <td data-bbox="1157 1325 1360 1455">68.4</td> <td data-bbox="1360 1325 1568 1455">32.7</td> </tr> <tr> <td data-bbox="548 1455 953 1489">Outcome B:</td> <td data-bbox="953 1455 1157 1489">27.12</td> <td data-bbox="1157 1455 1360 1489">71.4</td> <td data-bbox="1360 1455 1568 1489">27.62</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) (%)	44.9	79.3	45.4	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	46.43	77.1	46.93	Outcome C: Use of appropriate behaviors to meet their needs (%)	57.14	91.5	57.64	<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) (%)	32.20	68.4	32.7	Outcome B:	27.12	71.4	27.62	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.</p>
<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) (%)	44.9	79.3	45.4																											
Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	46.43	77.1	46.93																											
Outcome C: Use of appropriate behaviors to meet their needs (%)	57.14	91.5	57.64																											
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Virgin Islands Part B FFY 2010 SPP/APR Response Table

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	Acquisition and use of knowledge and skills (including early language/communication) (%)				
	Outcome C: Use of appropriate behaviors to meet their needs (%)	40.68	87.8	41.18	
	These data represent progress from the FFY 2009 data. The State met its FFY 2010 targets for this 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. [Results Indicator]	The State's FFY 2010 reported data for this indicator are 83.68%. These data represent progress from the FFY 2009 data of 81.8%. The State met its FFY 2010 target of 82%. In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.				OSEP appreciates the State's efforts to improve performance.
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]	The State revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions. 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%. The State reported that one district was 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. The State provided its definition of "disproportionate representation." The State reported that two of two districts did not meet the minimum "n" size of "ten students with disabilities in the same racial and ethnic group" for at least one racial or ethnic group.				OSEP appreciates the State's efforts regarding this indicator.
10. Percent of districts with	The State revised the improvement activities for FFY 2011 and FFY 2012 for this				OSEP appreciates the State's

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>indicator and OSEP accepts those revisions.</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 one district was 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 that two of two districts did not meet the minimum “n” size of “ten students with disabilities in a specific disability category who are of the same racial and ethnic group within the district.”</p>	<p>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 revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 99.23%. The State met its FFY 2010 target of 100%.</p> <p>The State reported that both 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 in achieving compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1).</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 remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</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</p>	<p>The State’s FFY 2010 reported data for this indicator are 97.7%. These data represent slippage from the FFY 2009 data of 100%. 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</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

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<p>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.</p> <p>[Compliance Indicator]</p>		<p>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 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</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
		compliance.																				
<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's reported data for this indicator are:</p> <table border="1" data-bbox="550 431 1570 971"> <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. % Enrolled in higher education</td> <td align="center">19</td> <td align="center">13.8</td> <td align="center">19</td> <td align="center">-5.20%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively employed</td> <td align="center">59</td> <td align="center">37.5</td> <td align="center">59</td> <td align="center">-21.50%</td> </tr> <tr> <td>C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed</td> <td align="center">80</td> <td align="center">36.1</td> <td align="center">80</td> <td align="center">-43.90%</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> <p>The State did not provide the actual numbers used in the calculation for this indicator.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher education	19	13.8	19	-5.20%	B. % Enrolled in higher education or competitively employed	59	37.5	59	-21.50%	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	80	36.1	80	-43.90%	<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>																		
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<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's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 76.47%. The State met its FFY 2010 target of 100%.</p> <p>The State reported that 141 of 141 findings of noncompliance identified in FFY 2009 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported on page 109 of its FFY 2010 APR that it reviewed information related to the FFY 2008 findings of noncompliance previously reported as not being</p>	<p>The State's inability to locate previously reported findings and inconsistent reporting of data and information reported in this APR compared to previous APRs raises serious concerns about the State's general supervision system. The lack of an effective general supervision system is inconsistent</p>																				

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>corrected in a timely manner in its FFY 2009 APR and determined that findings of noncompliance could not be located. In addition, the State attempts to explain why the prior reporting may have been inaccurate.</p>	<p>with the requirements of 20 U.S.C. 1232d(3)(A) and 1412(a)(11), and negatively impacts the State’s ability to timely identify and correct all noncompliance. Within 60 days of the issuance of OSEP’s Response Table, the State must provide: (1) a listing of the materials, documents, and information VIDE reviewed in its efforts to identify the remaining uncorrected FFY 2008 findings; and, (2) any updated information regarding the steps that the State has taken to identify the findings and verify correction of noncompliance for the remaining uncorrected FFY 2008 findings previously reported in the FFY 2009 APR. Within 120 days of the issuance of OSEP’s Response Table, the State must submit, for FFY 2009, FFY 2010, and FFY 2011, respectively: (1) documentation regarding the State’s past monitoring schedules and activities; (2) a description of how the State monitored for all Part B requirements, including information demonstrating that the State has ensured that the data collected from its monitoring activities were timely analyzed to determine if noncompliance existed and that findings were issued within three months of the monitoring activity or data</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>collection; (3) documentation demonstrating that monitoring reports and other written findings were issued to districts in a timely manner; and (4) documentation demonstrating that the State has tracked and is tracking findings of noncompliance to ensure verification of correction within one year from the issuance of the finding.</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 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 reporting on Indicator 15 in the FFY 2011 APR, the State must use the Indicator 15 Worksheet.</p>

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		In addition, in responding to Indicators 4A, 4B, and 13 in the FFY 2011 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 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 reported, as of January 31, 2012, that it did not issue any signed written complaints during the reporting period. However, the State’s FFY 2010 data under IDEA section 618 for this indicator, as of January 31, 2012, are 100% based on ten complaints. The State reported under this indicator that the data reported in its APR submission are the correct data and that a revised Table 7 was submitted in February 2012.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	OSEP looks forward to reviewing the State’s FFY 2011 IDEA section 618 data.
<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 0%. These data are based on two due process hearings. The State did not meet 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>	OSEP looks forward to reviewing the State’s FFY 2011 IDEA section 618 data, demonstrating that it is in compliance with the due process hearing timeline requirements in 34 CFR §300.515.
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p>	<p>The State reported, as of January 31, 2012, that all six resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which</p>	OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.

Virgin Islands Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]	<p>ten or more resolution sessions were held.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's reported, as of January 31, 2012, that all four mediations resulted in mediation agreements. However, the State's FFY 2010 data under IDEA section 618 for this indicator are all seven mediations resulted in mediation agreements. The State reported under this indicator that the data reported in its APR submission are the correct data and that a revised Table 7 was submitted in February 2012.</p> <p>The State reported fewer than ten mediations held in FFY 2010. The State is not required to meet its targets or provide improvement activities in any fiscal year in which fewer than ten mediations were held.</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 85.40%. However, OSEP's calculation of the data for this indicator is 89.85%. These data represent slippage from the FFY 2009 data of 95.56%. The State did not meet its FFY 2010 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2011 APR, 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 2011 APR, the State must use the Indicator 20 Data Rubric.</p>