**State Performance Plan / Annual Performance Report: Part B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on
FFY 2021**

**Bureau of Indian Education**



**PART B DUE February 1, 2023**

**U.S. DEPARTMENT OF EDUCATION**

**WASHINGTON, DC 20202**

# Introduction

**Instructions**

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State’s systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State’s General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

## Intro - Indicator Data

**Executive Summary**

The Bureau of Indian Education (BIE) has a general supervision system in place that is designed to drive improved results for students with disabilities and ensure that IDEA Part B statutory requirements are met. The general supervision system consists of the following components:
 • Technical Assistance
 • Professional Development
 • Stakeholder Involvement
 • Reporting to the Public

The BIE reports annually on performance in accordance with 20 U.S.C. 1416b(2)(c)(ii) and 34 CFR 300.602. BIE's State Performance Plan/Annual Performance Report (SPP/APR) for FFY 2021 represents the requirements for applicable SPP/APR Indicators and targets that have been developed with stakeholder input and public dissemination. The BIE does not report for Indicators 4B, 6, 7, 9, 10, and 12 which do not apply. The FFY 2021 SPP/APR describes BIE’s progress on the performance on indicators that are applicable to BIE and sets a new baseline and targets for Indicator 8 – Parent Involvement for FFY 2021-2025 SPP/APRs.

Accessing TA and actions based off TA
The BIE’s Division of Performance & Accountability (DPA), from here on referred as the DPA, continues to engage with OSEP-funded TA centers on a regular basis and their support has been integral. Sources for technical assistance include the following partners: IDEA Data Center (IDC), Center for IDEA Fiscal Reporting (CIFR), National Center for Systemic Improvement (NCSI), Center for Integration of IDEA Data (CIID), National Technical Assistance Center on Transition (NTACT:C), Technical Assistance for Excellence in Special Education (TAESE), Center for Appropriate Dispute Resolution in Special Education (CADRE) and WestEd.

Actions taken:

Improve communication and collaboration (in person and online) between:
o The DPA team and BIE’s data teams to improve data collection and preparation, including the timely submission of EdFacts data.
o The DPA and the Chief Performance Office for implementing BIE’s high-risk monitoring activities.
o The DPA and the Chief Academic Office to implement the BIE unified assessment (to improve participation of and provision of accommodations for students with disabilities in statewide assessments).

Improve Data and the SPP/APR:
o The DPA data team developed and implemented data protocols.
o The DPA team utilized online tools for data collection, analysis and reporting.
o The DPA data team developed data trends on all student outcomes indicators to assist stakeholders in providing input on target setting.

Finalization of BIE IDEA Policies and Procedures:
o The DPA worked with stakeholders to review and revise the final draft of the BIE IDEA policies and procedures.
o The DPA submitted the reviewed/revised draft to BIE solicitors for final review.
o The DPA began collaboration and preparation with BIE Central Office to prepare for upcoming BIE Tribal Consultations.

Improve integrated monitoring activities:
o Increase staff capacity and efficiency to design and implement a general supervision system that balances accountability and supports to all 174 BIE-funded schools.
o The DPA developed a BIE DPA General Supervision and Support Framework.
o The DPA continued the implementation of Community of Practices for special education staff in Bureau-funded high schools and developed asynchronous online courses for Bureau-funded high schools to improve compliance with secondary transition.

Improve implementation of fiscal systems:
o The DPA began developing fiscal monitoring procedures and manuals and alignment with other activities within General Supervision processes.
o The DPA worked to improve collaboration with school operations to support fiscal accountability.
o Strengthening collaboration between DPA and Financial Reporting and Analysis Division, Office of the Chief Financial Officer, and Indian Affairs.

Sustaining Compliance and Improvement:
o The DPA continued coaching and mentoring for correction of noncompliance of secondary transition plans for students with disabilities.
o The DPA developed a system to track and verify the correction of long-standing noncompliance and demonstrated incremental increase across quarters.

Improve Dispute Resolution system:
o Dispute Resolution & Mediation Services for BIE Special Education Programs.
o The DPA continued to invest in LRP Publications providing it as universal technical assistance.
o The DPA renewed access of Special Ed Connection, Title 1 Admin, and DirectSTEP for all BIE staff.

Improve stakeholder engagement:
o The DPA improved engagement of the Bureau of Indian Affairs (BIA) Advisory Board for Exceptional Children members in DPA IDEA activities.
o The DPA provided training, orientation, travel and meeting arrangements for the BIA Advisory Board for Exceptional Children.
o The DPA in collaboration with stakeholders established targets for SPP/APR indicators.

Improve Professional Development and Technical Assistance
o The DPA developed a BIE DPA General Supervision and Support Framework.
o BIE regularly participated and utilized learning from national technical assistance activities implemented by the TA centers such as: The IDEA Data Center Interactive Institutes and SPP/APR Summit, NCSI Learning Collaboratives, CADRE Symposium, TAESE monthly meetings for state directors, NTACT:C webinars, Monthly CIFR calls, OSEP monthly TA calls (monthly MSIP calls and monthly check in calls with BIE’s team lead).
o The DPA IDEA team improve collaboration between and the BIE director, the DPA Supplemental Education Programs (SEP), the Associate Deputy Directors (ADDs), BIE’s Education Resource Center (ERC) regions and BIE-funded schools to reconcile IDEA priorities and schools areas of need across the entire system.

**Additional information related to data collection and reporting**

Data collection and reporting for all SPP/APR Indicators continue to be impacted by COVID-19. We reported the impact of COVID-19 for Tribal communities and each indicator using the following three questions:
(1) the impact on performance, data completeness, validity and reliability for the indicator;
(2) an explanation of how COVID-19 specifically impacted the State’s ability to collect the data for the indicator; and
(3) any steps the State took to mitigate the impact of COVID-19 on the data collection.

**Number of Districts in your State/Territory during reporting year**

174

**General Supervision System:**

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

Fiscal management -- Fiscal review procedures for special education has been developed and implemented that ensures a school's compliance to certain fiscal and administrative requirements for special education funds (e.g., Indian Student Equalization Program (ISEP) 15% base academic funding, IDEA Part B supplemental funds). BIE-funded schools submit fiscal documents in Native Star--LEA School Part B Application and if applicable, the Coordinated Early Intervening Services (CEIS) and/or Cooperative Agreement Unit (CAU) Plan, and IDEA Part B budget. The programmatic and fiscal monitoring activities includes a desk audit and an on-site review for selected schools that includes a review of the schools’ special education program. DPA-IDEA staff participate in financial reviews for Bureau-Operated Schools led by School Operations. A part of DPA-IDEA’s improvements to the general supervision system includes developing IDEA fiscal procedures and monitoring tools.

Monitoring -- BIE implements the High-Risk Fiscal Monitoring Policy and Handbook to monitor the implementation of IDEA Part B. The process focuses on improving education results and functional outcomes for all children with disabilities. The High-Risk Matrix is used to identify schools for monitoring. The monitoring components include desk audits utilizing the Native American Student Information System (NASIS), school staff and student interviews. DPA-IDEA continues to utilize online tools to track identified noncompliance and to verify noncompliance, including long-standing noncompliance.

Policies and Procedures -- a draft of the BIE Special Education Policy and Handbook has been developed by the BIE Stakeholders and BIE submit matter experts. The BIE Special Education Policy and Handbook is being reviewed by Solicitors to ensure the content reflects regulations applicable to the BIE.

Data on Processes and Results -- the Native American Student Information System (NASIS) is utilized which serves as BIE's electronic student information system that includes a special education module that supports the management of IEPs for students with disabilities. NASIS serves as BIE's central data collection for student level data and reporting. DPA-IDEA has been collaborating with Infinite Campus to identify improvements to the entire IEP module and editor forms (e.g., Prior Written Notice, meeting notes, initial evaluation timelines, invitations for IEP meetings).

Sustaining Compliance and Improvement -- The High-Risk Fiscal Monitoring Policy and Handbook, Local School Performance Plan (LSPP), fiscal review supports improvement and ensure timely correction through incentives and enforcement. DPA-IDEA meets monthly with its OSEP team lead and continues to implement the Corrective Action Plan (CAP) while providing quarterly progress reports to the US Department of Education.

Dispute Resolution -- The BIE provides a process for a parent or school to file a complaint and request for a due process hearing or mediation. Request for mediation, request for due process hearing, and state complaint forms are posted on the BIE website at http://www.bie.edu/Programs/SpecialEd/Dispute/index.htm.
Targeted technical assistance and professional development -- Targeted and universal technical assistance and professional development is offered to three ADD Regions (Bureau Operated Schools, Tribally Controlled Schools, Navajo Schools) and Education Resource Centers to help them improve results for children. The technical assistance and activities are presented through a variety of means including the BIE website, guidance documents, webinars, telephone, and electronic communication. Schools also have IDEA Part B funds to purchase training directly from other resources (e.g., states, national organizations, consultant) for special education activities. The BIE continues to partner with LRP Publications to provide all BIE-funded schools and staff with three education resources (e.g., Special Ed Connection, Title1Admin, DirectSTEP) to help school staff better serve students.

BIE's focus is to improve results and functional outcomes for all children with disabilities and ensuring that program requirements of IDEA Part B are met, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

**Technical Assistance System:**

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

DPA-IDEA utilizes a differentiated framework to organize, align and prioritize supports to all BIE-funded schools. DPA develops and provides technical assistance on universal, targeted and intensive levels. BIE-funded schools receive differentiated supports based on their needs following local determinations, specific indicators and other data sources. Some examples of technical assistance provided include the following:

Universal technical Assistance is offered to the BIE-funded schools in three ADD Regions (Bureau Operated Schools, Tribally Controlled Schools, Navajo Schools) and Education Resource Centers to help them improve results for children with disabilities. The technical assistance and activities are presented through a variety of means--BIE website, guidance documents, dissemination of evidence-based practices, webinars, NATIVE Star, consultants, telephone, fax, and electronic communication. Technical assistance is linked to the SPP/APR Indicators through the Local School Performance Plan (LSPP) whereby schools develop improvement activities for applicable SPP/APR indicators and evaluate the improvement activities two times per school year to determine if progress is being made to meet the BIE indicator target. Schools also have the IDEA Part B funds to purchase training directly from other resources (e.g., states, Tribal organizations, BIE, national organizations, consultants, other TA providers). DPA-IDEA also assigns Education Specialists universally too all BIE-funded schools; each Education Specialist is assigned up to twenty schools.

DPA-IDEA also provided targeted technical assistance to BIE-funded schools through Communities of Practice. DPA-IDEA staff also provide coaching and mentoring to special education staff at high schools to improve data quality and compliance with secondary transition. Additionally, DPA-IDEA facilitates monthly calls with specific Associate Deputy Director regions to address special education priorities and announcements for the region. DPA-IDEA also tailors technical assistance to schools based off the off compliance and performance data. The DPA-IDEA Education Specialists also provide targeted webinars to their assigned schools.

DPA-IDEA staff also provide intensive technical assistance to schools through email, phone, online meetings to address long-standing noncompliance. An intensive cross-discipline technical assistance plan is developed and implemented for all schools who receive on-site monitoring, The technical assistance (provided on-site or post site visit) is also built into the programmatic and fiscal review activities in the area of fiscal support.

**Professional Development System:**

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for children with disabilities.**

The BIE supports the provision of professional development to improve results for children through the three ADD Regions (Bureau Operated Schools, Tribally Controlled Schools, Navajo Schools) and Education Resource Centers for their school staff. Schools are encouraged to collaborate and network with other Tribal or education organizations to help them increase staff skills and knowledge in the areas of school need.

The professional development activities are presented through a variety of means--BIE website, virtual conferences, guidance documents, disseminating information to schools about evidence-based practices, monthly webinars, consultants, telephone, and electronic communication. Schools also have the IDEA Part B funds to purchase professional development directly from other resources (e.g., states, national organizations, consultant). National technical centers and contractors are used to help support the professional development needs of schools. On-site technical assistance and professional development is offered through the programmatic and fiscal review activities. Written feedback on the LSPP is provided directly in NATIVE Star on the school's evaluation of their improvement activities. Schools that have been identified for fiscal risk ratings are provided technical assistance and professional development. The BIE continues to partner with LRP Publications to provide all BIE-funded schools and staff with three education resources (e.g., Special Ed Connection, Title1Admin, DirectSTEP) to better serve students.

**Broad Stakeholder Input:**

**The mechanisms for soliciting broad stakeholder input on the State’s targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 17, the State’s Systemic Improvement Plan (SSIP).**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

YES

**Number of Parent Members:**

3

**Parent Members Engagement:**

**Describe how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

The Supervisory Education Specialist regularly provides updates on the SPP/APR progress to the BIA Advisory Board for Exceptional Children. These updates include data on BIE’s progress in implementing the SPP/APR. Stakeholders are invited to review and analyze SPP/APR indicator data and to provide advice on BIE’s strategies for indicators’ progress. The BIE regularly seeks and considers their feedback.

The BIE implemented a new special education parent survey in SY 2021-2022 and set new targets. The BIE convened a stakeholder group on November 30, 2022, and presented the data and proposed targets. The stakeholder group consisted of BIA Advisory Board for Exceptional Children members, staff from BIE-funded schools and other departments within the BIE. The Supervisory Education Specialist contacted parents and also reached out to schools to invite parents to attend the meeting. However, no parents were able to attend. The stakeholders asked very good questions about the data, how the data were collected, what schools had good participation, which schools did not participate, and asked to see the new special education parent survey. Therefore, the group did not make a decision on new targets. The BIE re-convened the stakeholder meeting on December 15, 2022, and presented the data and proposed targets again, answered the questions, and shared the survey. At the second meeting, targets were selected. Also, the group had a very good discussion about how to get the schools to increase parent participation in the survey. The Supervisory Education Specialist shared the strategies they had already implemented to improve participation and the stakeholders suggested additional strategies.

**Activities to Improve Outcomes for Children with Disabilities:**

**The activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities.**

To ensure the effective engagement of parents and other stakeholders to support the development of implementation activities to improve outcomes for children with disabilities, the following activities were conducted to help increase their capacity. BIE requested the three Education Specialists (Special Education) from BIE’s three Associate Deputy Director (ADD)-Regions to disseminate the information to their schools to identify parents from their ADD regions to serve as a SPP/APR stakeholder. BIE provides materials in advance to help parents and stakeholders understand the BIE State Performance Plan/Annual Performance Plan results indicators. BIE provides professional development to other stakeholders including BIE staff (Education Specialists) and BIA Advisory Board for Exceptional Children in how to review and analyze the data and request their input as needed. BIE is committed to maintaining and increasing parent engagement throughout the FFY 2020-25 SPP/APR. The BIE revisits the targets annually with the BIA Advisory Board of Exceptional Children, parents, and other stakeholders. BIE continues to work on increasing the number of parents of children with disabilities actively involved as members of the BIA Advisory Board for Exceptional Children.

**Soliciting Public Input:**

**The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

As a Federal Agency BIE utilizes the Federal Register to share the agenda, location and time for the BIA Advisory Board for Exceptional Children meetings. Each Advisory Board meeting includes a specific portion of time for public comment. The Federal Register is posted online 30 days prior to each Advisory Board meeting. DPA-IDEA is regularly invited to present at these meetings on the BIE progress on implementing IDEA. At a minimum, the DPA-IDEA provides an annual SPP/APR summary on these meetings and solicits their input for setting targets, analyzing data, developing improvement strategies, and evaluating progress as appropriate.

**Making Results Available to the Public:**

**The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.**

The BIE-DPA annually publishes SPP/APR information on its website no longer than 90 days after the final annual submission. The annually published information includes the entire SPP/APR, a report of special education assessment data that matches the same frequency and in the same detail as the reports on the assessment of nondisabled children, and the indicator performance of BIE-funded schools with academic programs. The BIE-DPA monitors the website and its social media for input from the public on any area of the SPP/APR, including indicator performance toward meeting targets, improvement strategies or the performance of schools in relation to each indicator as appropriate.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State’s submission of its FFY 2020 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State’s SPP/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

A link to the BIE's FFY 2020 State Performance Plan/Annual Performance Report (SPP/APR) is posted on the special education webpage of the BIE's website: https://www.bie.edu/topic-page/performance-data-statistics. A link for the FFY 2021 APR will be posted no later than June 1, 2023. The BIE also posts a link to each school's annual performance on the SPP/APR indicators on this webpage. School level performance for FFY 2021 will be posted no later than June 1, 2023.

## Intro - Prior FFY Required Actions

The BIE's IDEA Part B determination for both 2021 and 2022 is Needs Assistance. In the BIE's 2022 determination letter, the Department advised the BIE of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the BIE to work with appropriate entities. The Department directed the BIE to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance.

The BIE must report, with its FFY 2021 SPP/APR submission, due February 1, 2023, on: (1) the technical assistance sources from which the BIE received assistance; and (2) the actions the BIE took as a result of that technical assistance.

**Response to actions required in FFY 2020 SPP/APR**

## Intro - OSEP Response

OSEP has imposed Specific Conditions on the BIE's IDEA Part B grant award each year from FFY 2007 through FFY 2022, and those Specific Conditions are in effect at the time of the determination. Under the FFY 2022 specific conditions, the BIE was required to submit a corrective action plan and quarterly progress reports that address the steps the BIE will take to: (1) adopt final policies and procedures related to implementation of Part B of IDEA; (2) implement a general supervision system to ensure that BIE-funded schools are in compliance with IDEA requirements, including ensuring timely correction of findings of noncompliance and issuing annual determinations on the performance of all BIE-funded schools; (3) revise and implement its dispute resolution policies and procedures to be consistent with IDEA requirements; (4) update and implement its corrective action plan to demonstrate compliance with secondary transition requirements and improve the accuracy of the secondary transition data; and (5) ensure the provision of related services and timely initial evaluations in accordance with IDEA requirements in all BIE-funded schools. OSEP will determine under separate cover whether the BIE has completed all of the corrective actions, and will respond separately in its FFY 2023 IDEA Part B grant award letter to the BIE.

OSEP issued a monitoring report to the BIE on October 23, 2019. The outstanding findings have been added to the BIE’s Specific Conditions and are tracked through OSEP’s responses to the BIE’s quarterly Corrective Action Plan (CAP) reports. On May 25, 2023, OSEP issued a response to the BIE's most recent CAP report, summarizing the current status of OSEP’s review of the BIE’s outstanding noncompliance first identified in OSEP’s monitoring report, and of the documentation provided to date by the BIE to address those findings of noncompliance. As noted in the BIE's most recent CAP report, the BIE has corrected some but not all of the findings. OSEP will review any additional documents the BIE wishes to submit that address the outstanding findings. The failure to correct these findings represents longstanding noncompliance and may be considered in OSEP's annual determination. For specific details, see OSEP's 2023 determination letter.

The BIE's determinations for both 2021 and 2022 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 24, 2022 determination letter informed the BIE that it must report with its FFY 2021 SPP/APR submission, due February 1, 2023, on: (1) the technical assistance sources from which the BIE received assistance; and (2) the actions the BIE took as a result of that technical assistance. The BIE provided the required information.

## Intro - Required Actions

# Indicator 1: Graduation

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) exiting special education due to graduating with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

**Measurement**

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

**Instructions**

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved but are known to be continuing in an educational program.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma. If the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma are different, please explain.

## 1 - Indicator Data

**Historical Data[[1]](#footnote-2)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 75.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 53.12% | 55.12% | 57.12% | 57.12% | 75.00% |
| Data | 51.49% | 63.06% | 63.72% | 67%[[2]](#footnote-3) | 75.00% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 75.33% | 75.67% | 76.00% | 76.33% | 76.67% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 235 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) |  |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 4 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 1 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 145 |

**FFY 2021 SPP/APR Data**

| **Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma** | **Number of all youth with IEPs who exited special education (ages 14-21)**  | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 235 | 385 | 75.00% | 75.33% | 61.04% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

Tribal communities were disproportionality impacted and continue to be impacted by COVID-19. COVID-19 appears to impact the data for Indicator 1. During the reporting year, BIE-funded schools experienced a number of school closures. Most BIE-funded schools operated in remote, virtual or hybrid status also in response to Tribal Executive Orders. Some BIE-funded schools also had delayed openings for SY 2020-2021 and all schools were required to develop re-opening plans to mitigate negative impacts on students and families.

The twenty-three states where BIE-funded schools are located also had different health department requirements for schools to follow throughout the reporting period. Internet connectivity continued to be an impact throughout Indian Country. During the SY 2020-2021, teachers at BIE-funded schools experienced challenges utilizing technology and school communities had delays with large orders of technology to support students. Some families withdrew students from BIE-funded schools and enrolled their children in local public schools.

It is unclear if the data available is a true representation for students (e.g. some students may have been coded as drop out when they are moved known to continue). School staff were also working remotely and did not have regular access to all BIE systems for data collection and reporting.

**Graduation Conditions**

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma.**

BIE-funded schools are located in 23 states. All students must meet the graduation requirements for a regular high school diploma for the state in which the school is located.

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

OSEP notes that in the FFY 2021 SPP/APR and within a data note submitted as part of the SY 2020-21 Exiting Data Group Section 618 data collection, the BIE provided an explanation of how COVID-19 impacted its ability to collect FFY 2021 data for this indicator.  Specifically, the BIE reported, "School staff were also working remotely and did not have regular access to all BIE systems for data collection and reporting."

## 1 - Required Actions

# Indicator 2: Drop Out

**Instructions and Measurement**

Monitoring Priority: FAPE in the LRE

**Results indicator**: Percent of youth with IEPs who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

Data Source

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

Measurement

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

Instructions

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a

state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved but are known to be continuing in an educational program.

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

Provide a narrative that describes what counts as dropping out for all youth. Please explain if there is a difference between what counts as dropping out for all students and what counts as dropping out for students with IEPs.

## 2 - Indicator Data

**Historical Data[[3]](#footnote-4)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 22.99% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target <= | 5.26% | 5.26% | 5.25% | 5.25% | 22.99% |
| Data | 8.17% | 4.76% | 3.27% | 5.47% | 22.99% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 22.50% | 22.00% | 21.50% | 21.00% | 20.50% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 235 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) |  |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 4 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 1 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 145 |

**FFY 2021 SPP/APR Data**

| **Number of youth with IEPs (ages 14-21) who exited special education due to dropping out** | **Number of all youth with IEPs who exited special education (ages 14-21)**  | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 145 | 385 | 22.99% | 22.50% | 37.66% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

Native communities were disproportionality impacted and continue to be impacted by COVID-19. COVID-19 appears to impact the data for Indicator 2. During the reporting year, BIE-funded schools experienced a number of school closures. Most BIE-funded schools operated in remote, virtual or hybrid status also in response to Tribal Executive Orders. Some BIE-funded schools also had delayed openings for SY 2020-2021 and all schools were required to develop re-opening plans to mitigate negative impacts on students and families.

It is unclear if the data available is a true representation for students (e.g. some students may have been coded as drop out when they are moved known to continue). School staff were also working remotely and did not have regular access to all BIE systems for data collection and reporting. School staff have also had challenges completing data reporting for maintaining accurate information on student enrollment.

The BIE data team has already calculated the FFY 2022 dropout data. The data shows that next year BIE will demonstrate progress on this indicator, lowering dropout rates from 37.66% in FFY 2021 to 28.8% in FFY 2022.

**Provide a narrative that describes what counts as dropping out for all youth**

BIE’s definition of dropout includes students who were enrolled at the start of the reporting period but were not enrolled at the end of the reporting period and did not exit through any other means.

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs.**

**Provide additional information about this indicator (optional)**

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

OSEP notes that in the FFY 2021 SPP/APR and within a data note submitted as part of the SY 2020-21 Exiting Data Group Section 618 data collection, the BIE provided an explanation of how COVID-19 impacted its ability to collect FFY 2021 data for this indicator.  Specifically, the BIE reported, "School staff were also working remotely and did not have regular access to all BIE systems for data collection and reporting."

## 2 - Required Actions

# Indicator 3A: Participation for Children with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

**Data Source**

3A. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

**Measurement**

A. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), *i.e.*, a link to the Web site where these data are reported.

Indicator 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3A - Indicator Data

**Historical Data:**

| **Subject** | **Group**  | **Group Name**  | **Baseline Year**  | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2020 | 75.27% |
| Reading | B | Grade 8 | 2020 | 74.52% |
| Reading | C | Grade HS | 2020 | 100.00% |
| Math | A | Grade 4 | 2020 | 70.67% |
| Math | B | Grade 8 | 2020 | 74.14% |
| Math | C | Grade HS | 2020 | 100.00% |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 95.00% | 95.00%  | 95.00% | 95.00% | 95.00% |
| Reading | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | C >= | Grade HS | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |
| Math | A >= | Grade 4 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | C >= | Grade HS | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**Targets: Description of Stakeholder Input**BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

For the FFY 2020 submission stakeholders provided input and agreed on setting targets for participation rates which were below 95%, for FFY 2020-2024 for grades 4 and 8. OSEP reviewed BIE's FFY 2020 submission and did not accept the targets for FFYs 2020, 2021, 2022, 2023, and 2024 because OSEP was concerned that targets below 95% were inconsistent with the requirement in section 1111(c)(4) of the Elementary and Secondary Education Act of 1965 (ESEA) to annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the BIE’s assessments. BIE revised these targets to meet the 95% requirement and informed the stakeholders about this change.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

04/05/2023

**Reading Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 525 | 487 | 329 |
| b. Children with IEPs in regular assessment with no accommodations | 211 | 183 | 153 |
| c. Children with IEPs in regular assessment with accommodations | 285 | 249 | 152 |
| d. Children with IEPs in alternate assessment against alternate standards | 23 | 31 | 24 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

04/05/2023

**Math Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 525 | 487 | 320 |
| b. Children with IEPs in regular assessment with no accommodations | 197 | 160 | 158 |
| c. Children with IEPs in regular assessment with accommodations | 297 | 260 | 143 |
| d. Children with IEPs in alternate assessment against alternate standards | 23 | 30 | 19 |

\*The children with IEPs count excludes children with disabilities who were reported as exempt due to significant medical emergency in row a for all the prefilled data in this indicator.

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 519 | 525 | 75.27% | 95.00% | 98.86% | Met target | No Slippage |
| **B** | Grade 8 | 463 | 487 | 74.43% | 95.00% | 95.07% | Met target | No Slippage |
| **C** | Grade HS | 329 | 329 | 100.00% | 100.00% | 100.00% | Met target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 517 | 525 | 70.67% | 95.00% | 98.48% | Met target | No Slippage |
| **B** | Grade 8 | 450 | 487 | 74.05% | 95.00% | 92.40% | Did not meet target | No Slippage |
| **C** | Grade HS | 320 | 320 | 100.00% | 100.00% | 100.00% | Met target | No Slippage |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

https://www.bie.edu/topic-page/performance-data-statistics

**Provide additional information about this indicator (optional)**

The BIE’s Assessment Participation Data, FS185 and FS188, were submitted on time. However, after submission, an inaccuracy was found which resulted in a re-submission of accurate data.
The data populated for indicator 3A in this FFY 2021 APR is the inaccurate data. The following is a description of the accurate data, the status of the data (Met Target or did not meet Target) and the slippage status.

Reading /language arts:
4th grade:
• 525 Children with IEPs
• 211 Children with IEPs in regular assessment with no accommodations
• 285 Children with IEPs in regular assessment with accommodations
• 23 Children with IEPs in alternate assessment against alternate standards

Total 4th grade participants: 519
4th grade Reading /language arts Indicator 3A FFY2021 Data: 98.86%
Met Target
No Slippage

Reading /language arts:
8th grade:
• 487 Children with IEPs
• 183 Children with IEPs in regular assessment with no accommodations
• 249 Children with IEPs in regular assessment with accommodations
• 31 Children with IEPs in alternate assessment against alternate standards

Total 8th grade participants: 463
8th grade Reading /language arts Indicator 3A FFY2021 Data: 95.07%
Met Target
No Slippage

Reading /English language arts:
High School:
• 329 Children with IEPs
• 153 Children with IEPs in regular assessment with no accommodations
• 152 Children with IEPs in regular assessment with accommodations
• 24 Children with IEPs in alternate assessment against alternate standards

Total High School participants: 329
High School Reading /English language arts Indicator 3A FFY2021 Data: 100.00%
Met Target
No Slippage

## 3A - Prior FFY Required Actions

If, in the FFY 2021 SPP/APR, the State chooses to revise its baseline for group B for Reading or Math, using FFY 2020 data, the State must ensure that the data reported in the Historical Table and the SPP/APR Data Tables are consistent.

The State did not provide targets for FFYs 2021, 2022, 2023, and 2024, as required by the measurement table. The State must provide the required targets for FFY 20201 through FFY 2024 in the FFY 2021 SPP/APR.

Within 90 days of the receipt of the BIE's 2022 determination letter, the BIE must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the BIE that in the FFY 2021 SPP/APR, the BIE must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

## 3A - OSEP Response

The BIE has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The BIE revised its FFY 2021 through FFY 2025 targets for this indicator, and OSEP accepts those targets.

OSEP notes that according to the third quarter update to the FFY 2022 Corrective Action Plan, the BIE has not met the report card requirements under ESEA section 1111(h) for three years beginning with SY 2019-2020. However, the BIE has made available the results of state-wide assessment data for children with disabilities through SY 2020-2021. As the BIE meets the reporting requirements under ESEA section 1111(h), it must also make available the assessment data for children with disabilities with the same frequency and detail as required in 34 C.F.R. § 300.160(f).

## 3A - Required Actions

# Indicator 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

**Data Source**

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3B - Indicator Data

**Historical Data:**

| **Subject** | **Group**  | **Group Name**  | **Baseline Year**  | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2020 | x[[4]](#footnote-5) |
| Reading | B | Grade 8 | 2020 | x4 |
| Reading | C | Grade HS | 2020 | x4 |
| Math | A | Grade 4 | 2020 | x4 |
| Math | B | Grade 8 | 2020 | x4 |
| Math | C | Grade HS | 2020 | x4 |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 2.74% | 3.31% | 4.41% | 6.45% | 10.39% |
| Reading | B >= | Grade 8 | 3.59% | 4.27% | 5.53% | 7.80% | 12.01% |
| Reading | C >= | Grade HS | 7.45% | 9.09% | 10.73% | 12.36% | 14.00% |
| Math | A >= | Grade 4 | 1.95% | 2.84% | 3.73% | 4.61% | 5.50% |
| Math | B >= | Grade 8 | 1.98% | 2.86% | 3.74% | 4.62% | 5.50% |
| Math | C >= | Grade HS | 1.96% | 2.85% | 3.73% | 4.62% | 5.50% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment | 496 | 432 | 305 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 14 | 10 | 8 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | x[[5]](#footnote-6) | x4 |  |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment | 494 | 420 | 301 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 10 | 6 | x4 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | x4 |  | x4 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | x6 | 496 | x6 | 2.74% | x6 | Met target | No Slippage |
| **B** | Grade 8 | x[[6]](#footnote-7) | 432 | x6 | 3.59% | x6 | Did not meet target | Slippage |
| **C** | Grade HS | 8 | 305 | x6 | 7.45% | 2.62% | Did not meet target | Slippage |

**Provide reasons for slippage for Group B, if applicable**

The BIE saw slippage in the data for 8th grade regular assessment reading/language arts for SY 2021-2022.

In the FFY 2020 APR, data from SY 2020-2021, the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report assessment data for SY 2020-21 were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

In this APR, FFY 2021, data for SY 2021-2022 is from 172 of the 174 schools, many more schools and data on many more children. The slippage occurred for students in 8th grade for reading/ language arts; a decline from 3.30% proficient to 2.55% proficient. The analysis of these data indicates that 8th graders, students who missed in-person learning for most of their middle grades years were greatly impacted by learning loss due to the pandemic. The analysis included a comparison of the percent of SWD 8th grade test-takers who scored proficient to the percent of all SWD 3rd – 8th grade test-takers who scored proficient. The analysis revealed that .41% fewer 8th grade students scored proficient when compared to all SWD in grades 3-8.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and education program administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**Provide reasons for slippage for Group C, if applicable**

The BIE saw slippage in the data the high school regular assessment reading/English language arts for SY 2021-2022.

In the FFY 2020 APR, data from SY 2020-2021, the BIE reported assessment data from only 27 of the 60 BIE schools with 9th through 12th graders. The schools that did not test and therefore did not report assessment data for SY2020-21 were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

In this APR, FFY 2021, data for SY 2021-2022, 59 of the schools with high school grades reported assessment data; 51 of the schools reported assessment data for SWD. Many more schools and data on many more children were reported. The slippage that occurred for students in high school for reading/English language arts is a decline from 5.81% proficient to 2.62% proficient. Many of these students missed a great deal of in-person learning for much of their middle and high school years and were greatly impacted by learning loss due to the pandemic.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and education program administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | x5 | 494 | x5 | 1.95% | x5 | Met target | No Slippage |
| **B** | Grade 8 | 6 | 420 | x5 | 1.98% | 1.43% | Did not meet target | No Slippage |
| **C** | Grade HS | x5 | 301 | x5 | 1.96% | x5 | Did not meet target | No Slippage |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

https://www.bie.edu/topic-page/performance-data-statistics

**Provide additional information about this indicator (optional)**

## 3B - Prior FFY Required Actions

Within 90 days of the receipt of the BIE's 2022 determination letter, the BIE must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the BIE that in the FFY 2021 SPP/APR, the BIE must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

## 3B - OSEP Response

OSEP notes that according to the third quarter update to the FFY 2022 Corrective Action Plan, the BIE has not met the report card requirements under ESEA section 1111(h) for three years beginning with SY 2019-2020. However, the BIE has made available the results of state-wide assessment data for children with disabilities through SY 2020-2021. As the BIE meets the reporting requirements under ESEA section 1111(h), it must also make available the assessment data for children with disabilities with the same frequency and detail as required in 34 C.F.R. § 300.160(f).

## 3B - Required Actions

# Indicator 3C: Proficiency for Children with IEPs (Alternate Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

**Data Source**

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time

of testing.

## 3C - Indicator Data

**Historical Data:**

| **Subject** | **Group**  | **Group Name**  | **Baseline Year**  | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2020 | 45.45% |
| Reading | B | Grade 8 | 2020 | 38.46% |
| Reading | C | Grade HS | 2020 | 50.00% |
| Math | A | Grade 4 | 2020 | 36.36% |
| Math | B | Grade 8 | 2020 | 50.00% |
| Math | C | Grade HS | 2020 | x[[7]](#footnote-8) |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 45.91% | 46.83% | 48.25% | 50.21% | 52.77% |
| Reading | B >= | Grade 8 | 38.85% | 39.63% | 40.83% | 42.49% | 44.65% |
| Reading | C >= | Grade HS | 50.60% | 51.82% | 53.71% | 56.33% | 59.80% |
| Math | A >= | Grade 4 | 38.09% | 39.82% | 41.55% | 43.27% | 45.00% |
| Math | B >= | Grade 8 | 52.00% | 54.00% | 56.00% | 58.00% | 60.00% |
| Math | C >= | Grade HS | 39.60% | 41.70% | 43.80% | 45.90% | 48.00% |

**Targets: Description of Stakeholder Input**BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 23 | 31 | 24 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 15 | 9 | 15 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 23 | 30 | 19 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 16 | 10 | 12 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 15 | 23 | 45.45% | 45.91% | 65.22% | Met target | No Slippage |
| **B** | Grade 8 | 9 | 31 | 38.46% | 38.85% | 29.03% | Did not meet target | Slippage |
| **C** | Grade HS | 15 | 24 | 50.00% | 50.60% | 62.50% | Met target | No Slippage |

**Provide reasons for slippage for Group B, if applicable**

The BIE saw slippage in the 8th grade alternate reading/language arts assessment data for SY 2021-2022.

In the FFY 2020 APR, data from SY 2020-2021, the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The numbers of 8th grade alternate math assessment test-takers are very low, only 30 students in all 172 schools that reported assessment data for the 2021-2022 school year participated in the math alternate assessment. Small numbers can cause large swings in the “percent proficient” data; the BIE reported a 38.46% proficiency rate in the FFY 2020 APR as compared to only a 29.03% proficiency rate in this FFY 2021 APR. Slippage occurred for students in 8th grade for both math and reading/language arts alternate assessment indicating that these middle grades were greatly impacted by learning loss due to the pandemic.

The BIE will continue to work with the school staff to ensure that the students taking the alternate assessment are eligible for this assessment and also provide support to the schools to implement evidence-based practices to improve the alternate assessment data.

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 16 | 23 | 36.36% | 38.09% | 69.57% | Met target | No Slippage |
| **B** | Grade 8 | 10 | 30 | 50.00% | 52.00% | 33.33% | Did not meet target | Slippage |
| **C** | Grade HS | 12 | 19 | x[[8]](#footnote-9) | 39.60% | 63.16% | Met target | No Slippage |

**Provide reasons for slippage for Group B, if applicable**

The BIE saw slippage in the 8th grade alternate math assessment data for SY 2021-2022.

In the FFY 2020 APR, data from SY 2020-2021, the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report assessment data for SY 2020-21 were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The numbers of 8th grade alternate math assessment test-takers are very low, only 31 students in all 172 schools that reported assessment data for the 2021-2022 school year participated in the math alternate assessment. Small numbers can cause large swings in the “percent proficient” data; the BIE reported a 50.00% proficiency rate in the FFY 2020 APR as compared to only a 33.33% proficiency rate in this FFY 2021 APR. Slippage occurred for students in 8th grade for both math and reading/language arts alternate assessment indicating that these middle grades were greatly impacted by learning loss due to the pandemic.

The BIE will continue to work with the school staff to ensure that the students taking the alternate assessment are eligible for this assessment and also provide support to the schools to implement evidence-based practices to improve the alternate assessment data.

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

https://www.bie.edu/topic-page/performance-data-statistics

**Provide additional information about this indicator (optional)**

## 3C - Prior FFY Required Actions

Within 90 days of the receipt of the BIE's 2022 determination letter, the BIE must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the BIE that in the FFY 2021 SPP/APR, the BIE must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

## 3C - OSEP Response

OSEP notes that according to the third quarter update to the FFY 2022 Corrective Action Plan, the BIE has not met the report card requirements under ESEA section 1111(h) for three years beginning with SY 2019-2020. However, the BIE has made available the results of state-wide assessment data for children with disabilities through SY 2020-2021. As the BIE meets the reporting requirements under ESEA section 1111(h), it must also make available the assessment data for children with disabilities with the same frequency and detail as required in 34 C.F.R. § 300.160(f).

## 3C - Required Actions

# Indicator 3D: Gap in Proficiency Rates (Grade Level Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

**Data Source**

3D. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), *i.e.*, a link to the Web site where these data are reported.

Indicator 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3D - Indicator Data

**Historical Data:**

| **Subject** | **Group**  | **Group Name**  | **Baseline Year**  | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2020 | 2.48 |
| Reading | B | Grade 8 | 2020 | 4.02 |
| Reading | C | Grade HS | 2020 | 11.73 |
| Math | A | Grade 4 | 2020 | 0.91 |
| Math | B | Grade 8 | 2020 | 2.28 |
| Math | C | Grade HS | 2020 | 3.28 |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A <= | Grade 4 | 2.38 | 2.28  | 2.19 | 2.09 | 2.00 |
| Reading | B <= | Grade 8 | 3.91 | 3.81 | 3.71 | 3.60 | 3.50 |
| Reading | C <= | Grade HS | 11.80 | 11.64 | 11.40 | 11.08 | 10.70 |
| Math | A <= | Grade 4 | 0.88 | 0.86 | 0.84 | 0.82 | 0.80 |
| Math | B <= | Grade 8 | 2.22 | 2.17 | 2.11 | 2.06 | 2.00 |
| Math | C <= | Grade HS | 3.20 | 3.15 | 3.10 | 3.05 | 3.00 |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment | 2,566 | 2,504 | 1,843 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 496 | 432 | 305 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 207 | 259 | 348 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | x[[9]](#footnote-10) | x8 | x8 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 14 | 10 | 8 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | x8 | x8 | x8 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment | 2,569 | 2,496 | 1,783 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 494 | 420 | 301 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 129 | 144 | x8 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | x8 | 20 | x8 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 10 | 6 | x8 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | x8 |  | x8 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards**  | **Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards**  | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | x[[10]](#footnote-11) | x9 | 2.48 | 2.38 | 5.54 | Did not meet target | Slippage |
| **B** | Grade 8 | x9 | x9 | 4.02 | 3.91 | 9.55 | Did not meet target | Slippage |
| **C** | Grade HS | x9 | x9 | 11.73 | 11.80 | 16.37 | Did not meet target | Slippage |

**Provide reasons for slippage for Group A, if applicable**

The BIE saw slippage in the data reported in indicator 3D reading/language arts, the gap between 4th grade students with disabilities and all 4th grade students for SY 2021-2022. In the FFY 2020 APR, the BIE reported a gap of 2.47% between 4th grade SWD and all 4th grade students. The BIE is reporting a gap of 5.54% in the FY 2021 APR. Most children experienced poor proficiency, likely due to pandemic related learning loss.

Also, in the FFY 2020 APR, data for SY 2020-2021 the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The data for SY 2021-2022 reported in this APR is from 172 of the 174 schools, many more schools and many more children. Slippage that occurred for students with disabilities for both reading/language arts and math assessments indicates that SWD were more greatly impacted by learning loss due to the pandemic than students without disabilities.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school, both students with and without disabilities. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and education program administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**Provide reasons for slippage for Group B, if applicable**

The BIE saw slippage in the data reported in indicator 3D reading/language arts, the gap between 8th grade students with disabilities and all 8th grade students for SY 2021-2022. In the FFY 2020 APR, the BIE reported a gap of 4.01% between 8th grade SWD and all 8th grade students. The BIE is reporting a gap of 9.55% in the FFY 2021 APR. Most children experienced poor proficiency, likely due to pandemic related learning loss.

Also, in the FFY 2020 APR, data for SY 2020-2021 the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The data for SY 2021-2022 reported in this APR is from 172 of the 174 schools, many more schools and many more children. Slippage that occurred for students with disabilities for both reading/language arts and math assessments indicates that SWD were more greatly impacted by learning loss due to the pandemic than students without disabilities.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school, both students with and without disabilities. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and Education Program Administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and Education Program Administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**Provide reasons for slippage for Group C, if applicable**

The BIE saw slippage in the data reported in indicator 3D reading/English language arts, the gap between high school students with disabilities and all high school students for SY 2021-2022. In the FFY 2020 APR, the BIE reported a gap of 11.89% between high school SWD and all high school students. The BIE is reporting a gap of 16.37% in the FFY 2021 APR. Most children experienced poor proficiency, likely due to pandemic related learning loss.

Also, in the FFY 2020 APR, data for SY 2020-2021 the BIE reported assessment data for less than half of the BIE’s schools with grades 9 – 12. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The data for SY 2021-2022 reported in this APR is from 59 of the 60 schools with grades 9 – 12, many more schools and many more children. The slippage that occurred for students with disabilities on reading/English language arts assessments indicates that SWD were more greatly impacted by learning loss due to the pandemic than students without disabilities.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school, both students with and without disabilities. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and Education Program Administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards**  | **Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards**  | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | x[[11]](#footnote-12) | x10 | 0.91 | 0.88 | 2.75 | Did not meet target | Slippage |
| **B** | Grade 8 | 1.43% | 6.57% | 2.28 | 2.22 | 5.14 | Did not meet target | Slippage |
| **C** | Grade HS | x10 | x10 | 3.28 | 3.20 | 2.37 | Met target | No Slippage |

**Provide reasons for slippage for Group A, if applicable**

The BIE saw slippage in the data reported in indicator 3D math, the gap between 4th grade students with disabilities and all 4th grade students for SY 2021-2022. In the FFY 2020 APR, the BIE reported a gap of .91% between 4th grade SWD and all 4th grade students. The BIE is reporting a gap of 2.75% in the FFY21 APR, an increase of 1.84%. Most children experienced poor proficiency on the SY 2021-2022 assessments, likely due to pandemic related learning loss.

Also, in the FFY 2020 APR, data for SY 2020-2021 the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The data for SY 2021-2022 reported in this APR is from 172 of the 174 schools, many more schools and many more children. Slippage that occurred for students with disabilities for both reading/language arts and math assessments indicates that SWD were more greatly impacted by learning loss due to the pandemic than students without disabilities.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school, both students with and without disabilities. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and Education Program Administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**Provide reasons for slippage for Group B, if applicable**

The BIE saw slippage in the data reported in indicator 3D math, the gap between 8th grade students with disabilities and all 8th grade students for SY 2021-2022. In the FFY 2020 APR, the BIE reported a gap of 2.28% between 8th grade SWD and all 8th grade students. The BIE is reporting a gap of 5.14% in the FFY 2021 APR, an increase of 2.86%. Most children experienced poor proficiency, likely due to pandemic related learning loss.

Also, in the FFY 2020 APR, data for SY2020-2021 the BIE reported assessment data for only about 1/3 of the BIE’s 174 schools. The schools that did not test and therefore did not report data that year were still experiencing pandemic related school closures and had a waiver allowing them to not administer assessments in the 2020-2021 school year.

The data for SY 2021-2022 reported in this APR is from 172 of the 174 schools, many more schools and many more children. Slippage that occurred for students with disabilities for both reading/language arts and math assessments indicates that SWD were more greatly impacted by learning loss due to the pandemic than students without disabilities.

The BIE data team has analyzed the data further and determined the number of students who scored “not proficient” at each school, both students with and without disabilities. These data will be shared with the school staff (principal and special education staff), the Education Resource Center (ERC) staff, and Education Program Administrators.

The BIE IDEA DPA staff also plans to work with school staff, the ERC staff and education program administers to strengthen the dissemination of information to schools regarding evidence-based practices to improve the assessment data.

**Provide additional information about this indicator (optional)**

## 3D - Prior FFY Required Actions

OSEP notes that, because this is a new indicator, the BIE was required to establish a baseline for this indicator. The BIE has established the baseline for this indicator, using data from FFY 2020, and OSEP accepts the baselines for Grades 4 and 8 Math. OSEP cannot accept the baselines for Grades 4, 8, and HS Reading and HS Math because the FFY 2020 baseline information provided in the Historical Table does not match the FFY 2020 data provided. In the FFY 2021 SPP/APR, the BIE must establish a baseline with accurate data.

**Response to actions required in FFY 2020 SPP/APR**

## 3D - OSEP Response

The BIE has revised the baselines for this indicator for Reading Grades 4, 8, HS, and Math HS, using data from FFY 2020, and OSEP accepts those revised baselines.

The BIE provided targets for FFYs 2021 through 2025 for this indicator, and OSEP accepts the targets.

## 3D - Required Actions

# Indicator 4A: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

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

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, LEAs that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of LEAs excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n and/or cell size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its 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 such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 7.69% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target <= | 4.92% | 4.50% | 4.00% | 4.00% | 7.69% |
| Data | 8.47% | 13.27% | 3.17% | 5.22% | 7.69% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 7.35% | 7.01% | 6.67% | 6.33% | 6.00% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**FFY 2021 SPP/APR Data**

**Has the state established a minimum n/cell-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, LEAs that met the State-established n/cell size. Report the number of LEAs excluded from the calculation as a result of the requirement.**

174

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| 0 | 0 | 7.69% | 7.35% |  | N/A | N/A |

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

**State’s definition of “significant discrepancy” and methodology**

The BIE continues to use the rate ratio to compare a district-level suspension/expulsion rate for children with disabilities to the same district’s suspension/expulsion rate for children without disabilities.

A school will have significant discrepancy when its suspension/expulsion rate for children with disabilities is 3 times more than its suspension/expulsion rate for children without disabilities (a rate ratio of 3.00 or more).

Schools that did not report discipline resolutions for students with or without disabilities are not included in the calculation. Schools reporting discipline resolutions with an "n" size of 20 or fewer

Schools that did not report discipline resolutions for students with or without disabilities are not included in the calculation. Schools reporting discipline resolutions with an "n" size of 20 or fewer students with disabilities are not included in the calculation of significant discrepancy. Rates of suspension and expulsion for schools with 20 or fewer with students with disabilities and schools not reporting any discipline resolutions will be reviewed during monitoring.

BIE stakeholders have determined that LEAs in which only one student with a disability was suspended/expelled greater than ten days in a school year will not be considered to be a significant discrepancy.

**Provide additional information about this indicator (optional)**

The BIE has determined that the cell size is two or more students. For SY 2020-2021, no students with disabilities were suspended for more than ten days. BIE hypothesizes this is due to limited in person learning. Therefore, all 174 BIE-funded schools are excluded. Please note that because of the number of LEAs that met minimum n/cell size is 0, the SPP/APR tool was not able to calculate the FFY 2021 data. The actual BIE FFY 2021 data for Indicator 4A is 0%.

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 data)**

**Provide a description of 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.**

The standard procedures are for BIE to review policies, procedures, and practices of BIE-funded schools identified with significant discrepancy in a given year. No BIE-funded schools were identified with significant discrepancy in FFY 2021.

These are the documents BIE reviews when BIE-funded schools are identified with significant discrepancy:
1. School policies, procedures, and practices relating to development and implementation of the IEPs Positive Behavior interventions and supports being implemented.
2. Procedural Safeguards documentation that is provided to the parents, and documented evidence of the school's file review for each student with a disability who was suspended for greater than 10 days.

The BIE reviews the documents to determine if the school's policies, procedures, and practices are in compliance with regulatory requirements 34 CFR §300.530 and all of the procedural safeguard provisions in 34 CFR §§300.500-300.536. The BIE also examines documentation in the NASIS to ensure the school is correctly entering the data. Additional data is reviewed in NASIS to ensure that students are receiving FAPE when suspended beyond 10 days (BIE reviews the schools’ 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 schools identified with significant discrepancies in a given year).

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4A - Prior FFY Required Actions

None

## 4A - OSEP Response

In the FFY 2021 SPP/APR the BIE included none of the BIE-funded schools in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP recognizes the BIE reported, " For SY 2020-2021, no students with disabilities were suspended for more than ten days. BIE hypothesizes this is due to limited in person learning. Therefore, all 174 BIE-funded schools are excluded." OSEP reminds the BIE that if the examination for significant discrepancies in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the BIE-funded school level, OSEP may determine that a State/Entities chosen methodology is not reasonably designed to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

## 4A - Required Actions

In the FFY 2022 SPP/APR, the BIE must explain how its methodology is reasonably designed to determine if significant discrepancies are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the BIE-funded schools are being examined for significant discrepancy under the BIE's chosen methodology.

# Indicator 4B: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

 A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

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

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, LEAs that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of LEAs totally excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs in which policies, procedures or practices 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.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below:**

The BIE population is homogenous in terms of race and ethnicity. The population is 100% composed of American Indian/Alaska Native.

## 4B - Prior FFY Required Actions

None

## 4B - OSEP Response

OSEP notes that this indicator is not applicable.

## 4B- Required Actions

# Indicator 5: Education Environments (children 5 (Kindergarten) - 21)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; and

C. In separate schools, residential facilities, or homebound/hospital placements.

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

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

**Measurement**

 A. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

 B. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

 C. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)]times 100.

**Instructions**

*Sampling from the State’s 618 data is not allowed.*

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6.Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline**  | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| A | 2020 | Target >= | 74.50% | 74.50% | 74.50% |  | 77.31% |
| A | 77.31% | Data | 74.35% | 72.86% | 73.66% | 80.81% | 77.31% |
| B | 2020 | Target <= | 6.00% | 6.00% | 6.00% |  | 5.51% |
| B | 5.51% | Data | 5.41% | 5.80% | 5.62% | 5.55% | 5.51% |
| C | 2020 | Target <= | 0.90% | 0.90% | 0.90% |  | 1.32% |
| C | 1.32% | Data | 0.55% | 0.60% | 0.63% | 0.54% | 1.32% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 77.85% | 78.39% | 78.92% | 79.46% | 80.00% |
| Target B <= | 5.41% | 5.31% | 5.21% | 5.10% | 5.00% |
| Target C <= | 1.15% | 0.99% | 0.83% | 0.66% | 0.50% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | Total number of children with IEPs aged 5 (kindergarten) through 21 | 5,484 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 4,282 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 300 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools | 6 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities | 5 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements | 55 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2021 SPP/APR Data**

| **Education Environments** | **Number of children with IEPs aged 5 (kindergarten) through 21 served** | **Total number of children with IEPs aged 5 (kindergarten) through 21** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 4,282 | 5,484 | 77.31% | 77.85% | 78.08% | Met target | No Slippage |
| B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 300 | 5,484 | 5.51% | 5.41% | 5.47% | Did not meet target | No Slippage |
| C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 66 | 5,484 | 1.32% | 1.15% | 1.20% | Did not meet target | No Slippage |

**Provide additional information about this indicator (optional)**

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

## 5 - Required Actions

# Indicator 6: Preschool Environments

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and

B. Separate special education class, separate school or residential facility.

 C. Receiving special education and related services in the home.

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

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

**Measurement**

 A. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

 B. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

 C. Percent = [(# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

**Instructions**

*Sampling from the State’s 618 data is not allowed.*

States must report five-year-old children with disabilities who are enrolled in preschool programs in this indicator. Five-year-old children with disabilities who are enrolled in kindergarten are included in Indicator 5.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.

For Indicator 6C: States are not required to establish a baseline or targets if the number of children receiving special education and related services in the home is less than 10, regardless of whether the State chooses to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age. In a reporting period during which the number of children receiving special education and related services in the home reaches 10 or greater, States are required to develop baseline and targets and report on them in the corresponding SPP/APR.

For Indicator 6C: States may express their targets in a range (*e.g.*, 75-85%).Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under IDEA section 618, explain.

## 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below.**

The indicator is not applicable to the BIE because BIE schools do not serve students less than 5 years of age.

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

OSEP notes that this indicator is not applicable.

## 6 - Required Actions

# Indicator 7: Preschool Outcomes

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

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

**Data Source**

State selected data source.

**Measurement**

Outcomes:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.

b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes:**

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

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

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

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

**Instructions**

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining “comparable to same-aged peers.” If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining “comparable to same-aged peers” has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below.**

This indicator does not apply to the BIE because BIE does not serve students younger than five years of age.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

OSEP notes that this indicator is not applicable.

## 7 - Required Actions

# Indicator 8: Parent involvement

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

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

**Data Source**

State selected data source.

**Measurement**

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

**Instructions**

*Sampling****of parents from whom response is requested****is allowed.* *When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)*

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** include in the State’s analysis the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services. States must consider race/ethnicity. In addition, the State’s analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

If the analysis shows that the demographics of the children for whom parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 8 - Indicator Data

| **Question** | **Yes / No**  |
| --- | --- |
| Do you use a separate data collection methodology for preschool children?  | NO |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

The BIE implemented a new special education parent survey in SY 2021-2022 and therefore, had to set new targets. The BIE convened a stakeholder group on November 30, 2022 and presented the data and proposed targets. The stakeholder group consisted of BIA Advisory Board for Exceptional Children members, staff from BIE-funded schools and other departments within the BIE. The Supervisory Education Specialist contacted parents and also reached out to schools to invite parents to attend the meeting. However, no parents were able to attend. The stakeholders asked very good questions about the data, how the data were collected, what schools had good participation, which schools did not participate, and asked to see the new special education parent survey. Therefore, the group did not make a decision on new targets. The BIE re-convened the stakeholder meeting on December 15, 2022, and presented the data and proposed targets again, answered the questions, and shared the survey. At the second meeting, targets were selected. Also, the group had a very good discussion about how to get the schools to increase parent participation in the survey. The Supervisory Education Specialist shared the strategies they had already implemented to improve participation and the stakeholders suggested additional strategies.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2021 | 93.61% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 48.00% | 49.00% | 50.00% | 50.00% | 47.27% |
| Data | 45.97% | 48.99% | 47.90% | 48.23% | 44.76% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 93.61% | 93.87% | 94.12% | 94.37% | 94.62% |

**FFY 2021 SPP/APR Data**

| **Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities** | **Total number of respondent parents of children with disabilities** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1,493 | 1,595 | 44.76% | 93.61% | 93.61% | N/A | N/A |

**Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.**

Not Applicable. The BIE only reports on children 4 years to 21 years (kindergarten to twelfth grade).

**The number of parents to whom the surveys were distributed.**

5,464

**Percentage of respondent parents**

29.19%

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2020** | **2021** |
| Response Rate  | 20.91% | 29.19% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

The response rate was impacted by COVID-19. So, we expect when the pandemic subsides and students return to in-person learning, the response rates will return to a higher rate. Eighty-eight BIE-funded schools did not submit any surveys for FFY 2021. During the reporting period, BIE-funded schools experienced additional closures due to COVID-19, infrastructure challenges (e.g. electricity, heating, running water) and environmental factors (e.g. uranium).

The following are strategies to increase the response rate:

1. BIE will continue to offer multiple modes for parents to complete the survey including paper and online formats.
2. BIE will request that each BIE-funded schoolwork with the parents of students with disabilities to provide access to, and completion of, the paper version of the survey or online.
3. Spoken language interpreters will be available to orally interpret any part or all of the survey in a language the parents understand for both paper and online version of surveys.
4. BIE-funded schools will continue to address improvement activities and evaluate these activities through the BIE’s Local School Performance Plan, including Indicator 8.
5. BIE-DPA’s assigned special education specialists will provide targeted technical assistance webinars to their assigned schools and regions.

**Describe the analysis** **of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.**

BIE examined the parent survey data by disability category and school type (Tribally Controlled or Bureau Operated Schools), and possible response bias was found. To determine this, BIE compared the proportion of responders to the target group in each demographic category using the +/- 3% discrepancy. All eligibility categories with the exception of specific learning disability and developmental delay were within +/- 3% discrepancy in the proportion of responders compared to the target group; both specific learning disability (3.4%) and developmental delay (4.15%) were underrepresented. Additionally, 10.34% of respondents did not indicate the child’s disability category. 29.9% of BIE’s schools are Bureau-Operated Schools and 70.1% are Tribally Controlled; 39.8% of the surveys received were from Bureau-Operated schools while 60.2% were from Tribally Controlled Schools indicating a +/-10% over/under representation. Eighty-eight BIE-funded schools did not submit any surveys for FFY 2021.

Steps taken to reduce bias and promote responses from a broad cross section of parent of children with disabilities:
• BIE provided paper and online options for parents to complete the survey.
• Spoken language interpreters were available to orally interpret any part or all of the survey in a language the parents understand for both paper and online version of surveys.
• BIE-funded schools were required to develop activities to improve parent participation in the survey and evaluate these activities in their Local School Performance Plan.
• BIE provided targeted support to Tribally Controlled Schools, the school type with under representation, through monthly TA calls to address special education topics and priorities, including improving parent engagement and survey response.

**Include the State’s analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.** **States must include race/ethnicity in their analysis. In addition, the State’s analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

All students enrolled in BIE-funded schools are American Indian/Alaska Native, making the respondents representative of the student demographics by race/ethnicity. BIE measured disability and school type (Bureau-Operated Schools and Tribally Controlled Schools) as demographics groups to measure the representativeness of the respondents. All eligibility categories with the exception of specific learning disability and developmental delay within +/- 3% discrepancy in the proportion of responders compared to the target group; both specific learning disability (3.4%) and developmental delay (4.15%) were underrepresented. Additionally, 10.34% of respondents did not indicate the child’s disability category. 29.9% of BIE’s schools are Bureau-Operated Schools and 70.1% are Tribally Controlled; 39.8% of the surveys received were from Bureau-Operated schools while 60.2% were from Tribally Controlled Schools indicating a +/-10% over/under representation.

The demographics of the parents responding are representative of the demographics of children receiving special education services. (yes/no)

NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics**

This information was provided in the initial letter that the DPA provided to school administrators, to utilize any available resources to assist parents in completing the parent survey. Schools may provide opportunities to assist parents with the completion of the survey in the following ways:

· Share the electronic weblink (https://www.surveymonkey.com/r/BIEParentSurvey) with parents and guardians
· Provide parents and guardians with a paper-copy version of the survey. School staff may assist the parents to complete the survey via a telephone call or virtual meeting.
· During virtual conferences, schools can explain to parents and guardians the purpose of the survey and assist with completion of the survey.
· Have interpreters available via phone call or virtual meeting to orally interpret any part or all of the survey in a language the parents understand.
· When scheduling virtual IEP meetings, ask parents ahead of time if they could spend extra time after the meeting to complete the parent survey.
· Make all school staff aware of the survey and the importance to the school in the timely completion of the parent survey by parents and guardians.
· Parents can be contacted through a telephone contact, virtual meeting, or by U.S. Postal Mail.

Stakeholder’s input has provided strategies to improve this process. BIE will ensure that the response data are representative of the demographics through these strategies:
· Offer more professional development for schools on facilitating parent involvement for parents of Native children.
· Continue to offer an accessible electronic version.
· Provide parents an opportunity to complete the parent survey during progress report meetings and other meetings (or provide a link for the survey).
· Disseminate parent survey results to BIE-funded schools and their Associate Deputy Director and Education Resource Center staff.
· Suggest reminders to parents to complete the surveys and track response rates with phone calls to parents.
· As schools are creating PD, have stations with computers open at the school; increase participation that way;
· Creating incentives (raffles) is effective in increasing participation.

Beyond what stakeholders recommended, BIE will promote improve responses from a broad cross section of parent of children with disabilities by:
· BIE will continue to provide multiple modes for parents to complete the survey including paper and online formats.
· Spoken language interpreters will be available to orally interpret any part or all of the survey in a language the parents understand for both paper and online version of surveys.
· BIE-funded schools will be required to develop activities to improve parent participation in the survey and evaluate these activities in their Local School Performance Plan.
· BIE will specifically support Tribally Controlled Schools, the school type with under representation, monthly TA calls will be provided to address special education topics and priorities, including improving parent engagement and survey response.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

BIE examined the parent survey respondents’ data by disability and by ADD regions using the +/- 3% discrepancy in the proportion of responders compared to target group.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | NO |

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used?  | YES |
| If yes, is it a new or revised survey? | YES |
| If yes, provide a copy of the survey. | ParentSurveyFINAL9.27.21 |

**Provide additional information about this indicator (optional)**

## 8 - Prior FFY Required Actions

None

## 8 - OSEP Response

The BIE has revised the baseline for this indicator, using data from FFY 2021, and OSEP accepts that revision.

The BIE revised its FFY 2021 through FFY 2025 targets for this indicator, and OSEP accepts those targets.

## 8 - Required Actions

In the FFY 2022 SPP/APR, the BIE must report whether the FFY 2022 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the BIE is taking to address this issue. The BIE must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

# Indicator 9: Disproportionate Representation

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below.**

The indicator is not applicable to the BIE because all children in BIE schools are of American Indian/Alaska Native ethnicity.

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

OSEP notes that this indicator is not applicable.

## 9 - Required Actions

# Indicator 10: Disproportionate Representation in Specific Disability Categories

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

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

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in specific disability categories and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below**

The indicator is not applicable to the BIE because all children in BIE schools are of American Indian / Alaska Native ethnicity.

## 10 - Prior FFY Required Actions

None

## 10 - OSEP Response

OSEP notes that this indicator is not applicable.

## 10 - Required Actions

# Indicator 11: Child Find

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Child Find

**Compliance indicator**: 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.

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

**Data Source**

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State’s timeline for initial evaluations.

**Measurement**

a. # of children for whom parental consent to evaluate was received.

b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

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

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 86.90% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 83.45% | 91.23% | 93.07% | 77.99% | 85.96% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% |

**FFY 2021 SPP/APR Data**

| **(a) Number of children for whom parental consent to evaluate was received** | **(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 584 | 480 | 85.96% | 100% | 82.19% | Did not meet target | Slippage |

**Provide reasons for slippage**

The BIE saw slippage in indicator 11 data from FFY 2020 to FFY 2021.

The BIE reported 85.96% of evaluations completed on time in SY 2020-2021 and is reporting 82.19% of evaluations completed on time in SY 2021-2022, a decline of 3.76%.

The BIE saw a sizable increase in the number of children evaluated in SY 2021-2022, 584 as compared to only 292 in SY 2020-2021.

The BIE data team analyzed the data and found that many schools reported a backlog of referrals due to pandemic related school closures. This backlog and the unavailability of qualified evaluators resulted in many evaluations completed beyond the required 60 days. Many BIE schools did not return to in-person learning during the 2021-2022 school year. Tribal leaders issued executive orders which prohibited businesses and organizations including schools to operate in person. School staff and students were not permitted to enter school buildings.

Also, due to the remote nature of many of the BIE-funded schools, many families had limited access to the internet resulting in reduced communication and access to complete students’ evaluations.

Most of the evaluations reported late were not the result of noncompliant practices or procedures, but situations such as described above that are challenging to overcome. The BIE DPA Special Education staff will work with schools through the correction of noncompliance process to ensure that required regulations are being implemented and to support strategies for timely completion of evaluations.

Additionally, the BIE DPA Special Education staff is in the process of developing a system for schools to report evaluation data in real time. This system will use a Smartsheet, and data pulled from NASIS. The BIE will implement this system this year with additional rollout and training to occur during the Interactive Data Summits being planned for the schools during the summer of 2023.

**Number of children included in (a) but not included in (b)**

104

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

One hundred four students had evaluations completed, although late. The days late ranged from 1 day to 233 days late. Twenty-one of the evaluations completed beyond 60 days were COVID related.

Eighty-three of the evaluations completed beyond the 60 days included reasons not directly related to COVID:

· difficulty scheduling meetings with parents; parent illness, difficulty contacting parent
· student illness
· students absent when evaluator was available to test
· difficulty obtaining services of psychologist and/or diagnostician
· unknown reasons

**Indicate the evaluation timeline used:**

The State used the 60 day timeframe within which the evaluation must be conducted

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The BIE collects the Indicator 11 data (July 1, 2021 to June 30, 2022) through a desk audit utilizing the NASIS from all schools with academic programs. The desk audit is one of the components of BIEs universal monitoring activities.

All schools with academic programs self-report the initial evaluation using the Indicator 11 Desk Audit form which collects name of school and the number of complete initial evaluations for SY 2021-2022. The desk audit forms are made available via a link on the BIE website. The BIE reviews and determines if the data submitted by the schools were initial evaluations utilizing the NASIS to ensure the 60-day timeline has been met. The BIE verifies the initial evaluation data submitted by the school against the documents in NASIS.

All schools with academic programs are provided advanced written notification and webinar training of the desk audit for the purpose of determining compliance of the 60-day timeline to complete initial evaluations. To conduct the Indicator 11 Desk Audit, the BIE reviews and verifies the following documents that schools scan and upload in the NASIS Special Education Module:

Parent Consent to Evaluate (Assessment Plan) with signature and date, and
Determination of Eligibility (Evaluation Summary Report) with signature and date.

If the BIE needs clarification, the school is contacted (e.g., if the parent consent had a different date than was indicated on the uploaded document). In response, schools provide clarification and/or upload required documents in NASIS

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 41 | 41 | 0 | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

All findings of noncompliance for SY 2020-21 were verified corrected in accordance with OSEP Memo 09-02 within one year of issuing the findings. All findings of noncompliance identified in FFY 2020 were verified as corrected through BIE's review of subsequent data in NASIS special education module within the required one year timeline. Subsequent data review consisted of 1-5 additional initial evaluations sampled for each of the schools with identified noncompliance and verified that these schools were correctly implementing the regulatory requirement at 100% compliance rate.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

The BIE verified correction of each instance of noncompliance (41 findings) for this indicator in FFY 2020 by reviewing the data and verifying that all 41 eligible and ineligible students had their evaluations completed. Each of the files was reviewed through NASIS and verified that all eligible students' evaluations were completed although late.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 11 - Prior FFY Required Actions

Because the BIE reported less than 100% compliance for FFY 2020, the BIE must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the BIE must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (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 BIE 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 2021 SPP/APR, the BIE must describe the specific actions that were taken to verify the correction.

If the BIE did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the BIE did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

## 11 - OSEP Response

## 11 - Required Actions

Because the BIE reported less than 100% compliance for FFY 2021, the BIE must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the BIE must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (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 2022 SPP/APR, the BIE must describe the specific actions that were taken to verify the correction.

If the BIE did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the BIE did not identify any findings of noncompliance in FFY 2021.

# Indicator 12: Early Childhood Transition

**Instructions and Measurement**

**Monitoring Priorit**y: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

 a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.

 b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.

 c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

 d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.

 e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

 f. # of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child’s third birthday under 34 CFR §303.211 or a similar State option.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

YES

**Provide an explanation of why it is not applicable below.**

The indicator is not applicable to the BIE because BIE does not operate IDEA Part C program.

## 12 - Prior FFY Required Actions

None

## 12 - OSEP Response

OSEP notes that this indicator is not applicable.

## 12 - Required Actions

# Indicator 13: Secondary Transition

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

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

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

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

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

If a State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2009 | 59.14% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 14.98% | 8.39% | 16.67% | 20.41% | 20.56% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% |

**FFY 2021 SPP/APR Data**

| **Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition** | **Number of youth with IEPs aged 16 and above** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 187 | 400 | 20.56% | 100% | 46.75% | Did not meet target | No Slippage |

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The BIE utilized NASIS to conduct IEP file reviews (April-June 2022) for 60 high schools located in 20 states. The IEP file review was conducted on a sample of students aged 16 years and older including those enrolled in middle and high school. The IEP file review is one of DPA’s desktop monitoring activities. The data collection system for School Year 2021-2022 consisted of drawing a representative sample of IEPs from every school. For high schools with less than 10 students aged 16 and above, the DPA sampled a minimum of 3 files per school. For high schools with greater than 10 students aged 16 and above, DPA sampled a minimum of 25% of IEPs. All IEPs of students aged 16 and above were assigned a number. A random number generator was used to draw the sample of IEPs. A total of 400 IEPs were sampled during SY 2021-2022. Three DPA special education reviewers were trained and achieved 100% Inter-Rater Agreement before scoring independently. Each reviewer used the 8-item National Secondary Transition Technical Assistance Center (NSTTAC) Checklist Form A to collect the data for each IEP reviewed. Data was entered into an online database for analysis.

| **Question** | **Yes / No** |
| --- | --- |
| Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?  | NO |

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 255 | 255 | 0 | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The BIE verified correction of noncompliance based on the review of subsequent data in the NASIS special education module (IEPs, supporting signature/data documents and forms) within the required one-year timeline. Using the 8-item NSTTAC Form A, the BIE concluded: subsequent data review of 3-5 additional current NASIS IEPs and supporting signature date documents and forms sampled for each of the schools having identified findings of noncompliance and verified that schools were correctly implementing the specific regulatory requirements (at 100% compliance rate).

**Describe how the State verified that each *individual case* of noncompliance was corrected**

The BIE reviewed all individual cases identified in FFY 2020 through the NASIS database and verified that 100%, or all the secondary IEPs for the identified cases (for students still under the jurisdiction of each school) were corrected consistent with 34 CFR §300.320(b) measurable post-secondary goals related to training, education, employment, and where appropriate, independent living skills; §300.320(b)(2) transition services (including courses of study) needed to assist the child in reaching post-secondary goals; §300.321(b)(1) inviting the student to attend his/her Individualized Education Program (IEP) team meeting if a purpose of the meeting will be the consideration of the post-secondary goals and transition services.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 13 - Prior FFY Required Actions

Because the BIE reported less than 100% compliance for FFY 2020, the BIE must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the BIE must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (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 BIE 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 2021 SPP/APR, the BIE must describe the specific actions that were taken to verify the correction.

If the BIE did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the BIE did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

## 13 - OSEP Response

## 13 - Required Actions

Because the BIE reported less than 100% compliance for FFY 2021, the BIE must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the BIE must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (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 2022 SPP/APR, the BIE must describe the specific actions that were taken to verify the correction.

If the BIE did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the BIE did not identify any findings of noncompliance in FFY 2021.

# Indicator 14: Post-School Outcomes

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

**Results indicator:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

 A. Enrolled in higher education within one year of leaving high school.

 B. Enrolled in higher education or competitively employed within one year of leaving high school.

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

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

**Data Source**

State selected data source.

**Measurement**

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

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

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

**Instructions**

*Sampling****of youth who had IEPs and are no longer in secondary school****is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See General Instructions on page 2 for additional instructions on sampling.)*

Collect data by September 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

**I. *Definitions***

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

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment”:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

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

**II. *Data Reporting***

States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

Provide the total number of targeted youth in the sample or census.

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

 1. Enrolled in higher education within one year of leaving high school;

 2. Competitively employed within one year of leaving high school (but not enrolled in higher education);

3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);

4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

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

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

**III. *Reporting on the Measures/Indicators***

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, include the State’s analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline**  | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| A | 2020 | Target >= | 19.00% | 22.50% | 26.00% | 26.00% | 16.96% |
| A | 16.96% | Data | 20.24% | 18.36% | 25.26% | 20.65% | 16.96% |
| B | 2020 | Target >= | 41.00% | 44.00% | 47.00% | 47.00% | 33.91% |
| B | 33.91% | Data | 58.30% | 55.47% | 67.53% | 48.91% | 33.91% |
| C | 2020 | Target >= | 70.00% | 72.50% | 75.00% | 75.00% | 66.09% |
| C | 66.09% | Data | 65.18% | 63.28% | 82.47% | 74.46% | 66.09% |

**FFY 2020 Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 18.37% | 19.78% | 21.18% | 22.59% | 24.00% |
| Target B >= | 40.13% | 46.35% | 52.56% | 58.78% | 65.00% |
| Target C >= | 69.27% | 72.45% | 75.64% | 78.82% | 82.00% |

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**FFY 2021 SPP/APR Data**

|  |  |
| --- | --- |
| Total number of targeted youth in the sample or census | 398 |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 186 |
| Response Rate | 46.73% |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school  | 26 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school  | 73 |
| 3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed) | 5 |
| 4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). | 38 |

| **Measure** | **Number of respondent youth** | **Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 26 | 186 | 16.96% | 18.37% | 13.98% | Did not meet target | Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 99 | 186 | 33.91% | 40.13% | 53.23% | Met target | No Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 142 | 186 | 66.09% | 69.27% | 76.34% | Met target | No Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **A** | During SY 2020-2021, the students included within Post-School Outcomes interviews included disproportionately less students who graduated with a regular diploma due to COVID-19 and other contributing factors (e.g., environmental closures). For this indicator, students were interviewed who left during SY 2020-2021, which reflect a decrease in students with disabilities who graduated with a regular diploma and an increase in students who left BIE-funded high schools by dropping out. We expect this to negatively impact the number of students who enroll in higher education within one year of leaving high school. The reasons for reduction in the number of students graduating with a regular diploma and the increase in students who dropped out are related to school closures and school’s operating status further impacted by Tribal Executive Orders and State Departments of Health. For more information about the reasons for slippage in B1 and B2, please review those sections of this report. Additionally, during this reporting period, colleges and universities, including Tribal Colleges and Universities, had challenges with providing in person instruction. Leavers indicated through the Post-School Outcomes surveys experiencing challenges with enrollment and receiving appropriate supports as students with disabilities. Leavers also indicated significant challenges with employment due to COVID-19.  |

**Please select the reporting option your State is using:**

Option 2: Report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2020** | **2021** |
| Response Rate  | 51.57% | 46.73% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

The BIE DPA will follow guidance originally published by the National Post-school Outcomes Center (NPSO) and disseminated by the National Technical Assistance Center on Transition-Collaborative related to Contacting Hard to Find Youth. Strategies include (1) providing pre-notification to inform students and families about the survey multiple times during the year leading up to the survey; (2) creating familiarity to help students and families become familiar with the survey; (3) showing interest when conducting the survey being attentive to youth as individuals as they share their experiences; and (4) providing incentives to give former students a reason to participate in the survey, for example, reminding students that the information they share will help other students with disabilities; providing information about jobs, colleges, and services student may be eligible for.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

Overall, the response rate from FFY 2021 data indicates an overall response rate of 46.73% which is a decrease from the previous two years. Staff at BIE-funded schools utilized BIE’s Native American Student Information System (NASIS) to collect these data for the first time during FFY 2021 collection window. To support the completion of the post-school outcomes collection, BIE DPA staff provided a recorded webinar and targeted technical assistance to schools in need of additional support. Some of the targeted technical assistance included support to utilize the online tool, understanding the purpose of the indicator, confirming students meet the definition of a leaver and answering other student specific questions. Additionally, BIE-funded schools were provided extensions to complete the data collection and successful practices from other BIE-funded schools were shared.

Using the same methodology used to calculate representativeness, there may be nonresponse bias for students who were dropouts.

The following are steps the BIE is taking to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

Revise the materials used on webinars presented to schools. Aside from what we provide schools in terms of support to collect these data, be more purposeful in assisting schools to collect data from underrepresented groups.
- Share data with schools highlighting the underrepresentation of dropouts in the data.
- Troubleshoot with schools participating in the webinar the strategies to locate and collect data from dropout students.

Other strategies to improve response rates:
- Encourage school personnel to share ideas for locating student leavers and administering the post-school outcomes survey.
- Collect accurate, complete, and multiple contacts for students still in school.
- Teach students about the interview process.
- Provide multiple pre-notifications to students and parents (i.e., flyers or postcards at IEP meetings, videos or social media, letters or informational briefs).

**Include the State’s analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in its analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

All students enrolled in BIE-funded schools are American Indian/Alaska Native, making the respondents representative of the race/ethnicity of the students who left school. In addition to the analysis by race/ethnicity, BIE utilized disability category, gender and exit reason which were previously reviewed and approved by BIE’s Stakeholders.

According to the NPSO Response Calculator, differences between the Respondent Group and the Target Leaver Group of ±3% are important. Negative differences indicate an under-representativeness of the group and positive differences indicate over-representativeness. The analysis shows with the exception of Dropouts, respondents were representative, that being the difference in each category including race/ethnicity gender and disability categories analyzed was +/-3.0%. Dropouts were underrepresented at -4.04% an improvement from -5.12% reported in the previous year (FFY 2020).

**The response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school. (yes/no)**

NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

To address groups underrepresented, BIE will continue to invest in a Community of Practice for high school staff. For the SY 2022-2023, particular focus has been given to supporting students at risk of dropping out and contacting dropouts during the upcoming data collection. BIE will invest in providing guidance and training to schools to support their implementation of Check & Connect. All BIE-funded high schools will be invited to participate and share their experiences supporting students who are at risk for dropping out. BIE will continue to utilize weekly checkpoints to determine representativeness of responses to date. BIE will measure the following demographics: exit reason, disability, and gender. BIE will provide targeted communication to schools and regions with underrepresented groups.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

BIE used +/- 3% discrepancy in the proportion of responders compared to target group to determine representativeness.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | NO |
| **Survey Question** | **Yes / No** |
| Was a survey used?  | NO |

**Provide additional information about this indicator (optional)**

The COVID-19 impacted actual data collected and the post-school outcomes for students. Some student quotes obtained during student interviews regarding enrollment with higher education or pursuing employment: “Enrolled in technical school but caught COVID and had to quit.” “It was too hard to continue schooling, work, and try to take care of a baby.” “Currently on the wait list for a higher ed engineering program.” “Due to working at a job, she was unable to complete her lessons dur to COVID.” BIE-funded schools and DPA staff continue to address improvement activities on this indicator through each BIE-funded school’s Local School Performance Plan (LSPP).

## 14 - Prior FFY Required Actions

In the FFY 2021 SPP/APR, the BIE must report whether the FFY 2021 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the BIE is taking to address this issue. The BIE must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

**Response to actions required in FFY 2020 SPP/APR**

## 14 - OSEP Response

## 14 - Required Actions

In the FFY 2022 SPP/APR, the BIE must report whether the FFY 2022 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the BIE is taking to address this issue. The BIE must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

# Indicator 15: Resolution Sessions

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (3.1(a) divided by 3.1) times 100.

**Instructions**

*Sampling is not allowed.*

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline and targets and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 15 - Indicator Data

Select yes to use target ranges

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1 Number of resolution sessions | 0 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1(a) Number resolution sessions resolved through settlement agreements | 0 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= |  |  |  |  |  |
| Data |  | 100.00% | 66.67% |  |  |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= |  |  |  |  |  |

**FFY 2021 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 0 | 0 |  |  |  | N/A | N/A |

**Provide additional information about this indicator (optional)**

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. The BIE reported fewer than ten resolution sessions held in FFY 2021. The BIE is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

The BIE reported fewer than ten resolution sessions held in FFY 2021. The BIE is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

## 15 - Required Actions

# Indicator 16: Mediation

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

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

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by 2.1) times 100.

**Instructions**

*Sampling is not allowed.*

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of resolution mediations reaches 10 or greater, develop baseline and targets and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

**Select yes to use target ranges**

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1 Mediations held | 3 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.a.i Mediations agreements related to due process complaints | 1 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.b.i Mediations agreements not related to due process complaints | 0 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= |  |  |  |  |  |
| Data | 100.00% | 0.00% | 100.00% | 100.00% |  |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= |  |  |  |  |  |

**FFY 2021 SPP/APR Data**

| **2.1.a.i Mediation agreements related to due process complaints** | **2.1.b.i Mediation agreements not related to due process complaints** | **2.1 Number of mediations held** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | 0 | 3 |  |  | 33.33% | N/A | N/A |

**Provide additional information about this indicator (optional)**

States are not required to establish baseline or targets if the number of mediation sessions is less than 10. The BIE reported fewer than ten mediation sessions held in FFY 2021. The BIE is not required to provide targets until any fiscal year in which ten or more mediation sessions were held.

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

The BIE reported fewer than ten mediations held in FFY 2021. The BIE is not required to provide targets until any fiscal year in which ten or more mediations were held.

## 16 - Required Actions

# Indicator 17: State Systemic Improvement Plan

**Instructions and Measurement**

**Monitoring Priority:** General Supervision

The State’s SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

**Measurement**

The State’s SPP/APR includes an SSIP that is a comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities. The SSIP includes each of the components described below.

**Instructions**

**Baseline Data*:*** The State must provide baseline data that must be expressed as a percentage and which is aligned with the State-identified Measurable Result(s) for Children with Disabilities.

**Targets*:*** In its FFY 2021 SPP/APR, due February 1, 2023, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2021 through FFY 2025. The State’s FFY 2025 target must demonstrate improvement over the State’s baseline data.

**Updated Data:** In its FFYs 2021 through FFY 2025 SPPs/APRs, due February 1, 2023, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2021 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

Overview of the Three Phases of the SSIP

It is of the utmost importance to improve results for children with disabilities by improving educational services, including special education and related services. Stakeholders, including parents of children with disabilities, local educational agencies, the State Advisory Panel, and others, are critical participants in improving results for children with disabilities and should be included in developing, implementing, evaluating, and revising the SSIP and included in establishing the State’s targets under Indicator 17. The SSIP should include information about stakeholder involvement in all three phases.

*Phase I: Analysis:*

- Data Analysis;

- Analysis of State Infrastructure to Support Improvement and Build Capacity;

- State-identified Measurable Result(s) for Children with Disabilities;

- Selection of Coherent Improvement Strategies; and

- Theory of Action.

*Phase II: Plan* (which, is in addition to the Phase I content (including any updates) outlined above:

- Infrastructure Development;

- Support for local educational agency (LEA) Implementation of Evidence-Based Practices; and

- Evaluation.

*Phase III: Implementation and Evaluation* (which, is in addition to the Phase I and Phase II content (including any updates) outlined above:

- Results of Ongoing Evaluation and Revisions to the SSIP.

**Specific Content of Each Phase of the SSIP**

Refer to FFY 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

Phase III should only include information from Phase I or Phase II if changes or revisions are being made by the State and/or if information previously required in Phase I or Phase II was not reported.

***Phase III: Implementation and Evaluation***

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2021 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

B. Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State’s last SSIP submission (i.e., Feb 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023).).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes, and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

C. Stakeholder Engagement

The State must describe the specific strategies implemented to engage stakeholders in key improvement efforts and how the State addressed concerns, if any, raised by stakeholders through its engagement activities.

Additional Implementation Activities

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023)) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

## 17 - Indicator Data

**Section A: Data Analysis**

**What is the State-identified Measurable Result (SiMR)?**

The BIE’s State Identified Measurable Result (SIMR) is to increase the percentage of youth engaged in post-secondary activities including education, training, and/or employment as measured by APR Indicator B14C (all youth enrolled in higher education, competitively employed, enrolled in other post-secondary education or training, or some other employment).

**Has the SiMR changed since the last SSIP submission? (yes/no)**

NO

**Is the State using a subset of the population from the indicator (*e.g.*, a sample, cohort model)? (yes/no)**

NO

**Is the State’s theory of action new or revised since the previous submission? (yes/no)**

NO

**Please provide a link to the current theory of action.**

https://www.bie.edu/sites/default/files/documents/BIE\_Theory\_of\_Action.pdf

**Progress toward the SiMR**

**Please provide the data for the specific FFY listed below (expressed as actual number and percentages)*.***

**Select yes if the State uses two targets for measurement. (yes/no)**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 66.09% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target>= | 69.27% | 72.45% | 75.64% | 78.82% | 82.00% |

**FFY 2021 SPP/APR Data**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  **Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)** | **Number of respondent youth** | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | **Status** | **Slippage** |
| 142 | 186 | 66.09% | 69.27% | 76.34% | Met target | No Slippage |

**Provide the data source for the FFY 2021 data.**

The data source is from the SPP/APR Indicator 14C

**Please describe how data are collected and analyzed for the SiMR**.

School staff collected data by September 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. The collection included all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out. The school staff called all leavers and asked survey questions to determine their post school activity. Responses were reported in the BIE's online data collection tool through BIE’s Native American Student Information System (NASIS); BIE school staff utilized this online tool for the first time with the FFY 2021 data collection. BIE State staff stayed in contact with schools to provide technical assistance throughout the collection window. Following its closure, BIE calculated and analyzed the data to determine trends within and across schools. Representativeness was calculated for race/ethnicity, gender, disability category and exit reasons. The data were representative in all subgroups except dropout.

**Optional: Has the State collected additional data *(i.e., benchmark, CQI, survey)* that demonstrates progress toward the SiMR? (yes/no)**

NO

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

NO

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

YES

**If data for this reporting period were impacted specifically by COVID-19, the State must include in the narrative for the indicator: (1) the impact on data completeness, validity and reliability for the indicator; (2) an explanation of how COVID-19 specifically impacted the State’s ability to collect the data for the indicator; and (3) any steps the State took to mitigate the impact of COVID-19 on the data collection.**

A number of schools experienced challenges with this data collection during the reporting period because of the impact of the COVID-19 Pandemic. Forty-five percent of high schools did not document any attempts made to contact their school’s SY 2020-2021 leavers. The data collected during this reporting period were collected by school staff who teleworked from their homes and not at the school buildings. The remote and rural locations of schools, staff and students may have also impacted the data. Additionally, high speed internet, broad band connectivity and lack of internet services may have impacted this data collection. The BIE utilized a new data collection tool for the second year and some school staff have been unable to attend the scheduled training or could not access the webinar due to internet connectivity. Additionally, a number of students either started education or employment but did not meet criteria to be included. As the nation, including tribal communities, experienced an economic downfall and recession during the reporting period, the SY 2020-2021 may have also experienced these challenges.

**Section B: Implementation, Analysis and Evaluation**

**Please provide a link to the State’s current evaluation plan.**

https://www.bie.edu/sites/default/files/documents/BIE\_State\_Systemic\_Improvement\_Plan\_Evaluation\_Plan.pdf

**Is the State’s evaluation plan new or revised since the previous submission? (yes/no)**

NO

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

To improve BIE’s data process on post-school outcomes (PSO), a new process to collect PSO data was utilized for the FFY 2021 submission. The process allows for the analysis of data and disaggregation by school and student characteristics. As part of BIE’s general supervision updates, the Division of Performance and Accountability (DPA) is working to improve communication, collaboration and coordination with Education Resource Center (ERC) school leadership teams by presenting special education updates and establishing office hours. It opened the doors for ERCs to discuss various issues schools, provided monthly targeted technical assistance, and connected DPA staff with schools who are points of contact for specific responsibilities.

Specifically related to activities that impact the SiMR, during the FFY 2021 SSIP reporting period the DPA continued to invest in improvements to its secondary transition process, working to improve its schools’ performance on post-secondary transition planning, as measured by indicator SPP/APR Indicator 13. DPA staff has designed other professional development activities intended for high school-level special education staff to connect and network, engage in professional learning, problem solve, and share strategies supporting secondary transition and PSO.

The BIE Strategic Direction is a BIE-wide improvement plan focused on improving student outcomes for all BIE-funded schools. Goal 4 of the Strategic Direction focuses on post-secondary milestone actions. In FFY 2021, Goal 4 was changed to become more focused on secondary transition planning and services to reflect the current work in the SSIP and to improve compliance with secondary transition IDEA requirements. Below are examples of the specific actions (Milestones 4.2.2, 4.3.1, and 4.3.2) related to Goal 4 implemented in the reporting period:

Action 1: Ensuring compliant secondary transition, IEP planning, processes and services for BIE students pursuing college, career technical training using Southwestern Indian Polytechnic Institute (SIPI), Haskell Indian Nations University (HINU) and Tribal Colleges.
Action 2: Secondary students transitioning to HINU, SIPI or Tribal Colleges will be encouraged to reach out to Disability Support Services at the college they will attend to set up reasonable accommodations in advance, to support successful transition.
Action 3: Hosting informational webinars for ADDs and ERCs on available resources for students at HINU, SIPI and Tribal Colleges.
Action 4: Improve information sharing between BIE-funded High Schools and BIE operated colleges HINU, SIPI, and Tribal Colleges to recruit and transition high school students interested in attending SIPI, HINU or Tribal Colleges.
Action 5: Use of webinars, Team Meetings and Zoom on scholarships, admission requirements, costs to attend, selecting a degree or other topics related to transitioning from high school to college.

The planned evaluation activities including data collection, measures, and expected outcomes related to evaluation questions identified and outlined in SSIP Phase II remain the same. This will provide further information on how DPA will collect data for the evaluation of SSIP and Strategic Direction activities

The plans also include stakeholders identifying expected outcomes for each tier (universal, targeted, intensive) of technical assistance and evaluating the actual outcomes whether met or not. Each tier of the technical assistance would be customized with a focus of keeping the end result in mind.

The DPA developed and implemented a secondary transition community of practice (CoP) for BIE-funded high school special educators to support secondary transition for students with disabilities. The CoP connects high schools to network with one another, engage in high quality professional learning, collaboratively problem solve, and share improvement strategies around successfully supporting secondary transition for students with disabilities.

DPA Special Education and Supplemental Education Programs established office hours to place strategically throughout the school year. This was a way for ERC staff and Education Program Administrators to meet with DPA staff to discuss various issues schools are having. Two or three specific topics (including timely special education and related services, contracting issues, extended school year, compensatory education services, evaluations, reopening schools) were discussed and targeted technical assistance was provided.

DPA has taken the lead to strengthen collaboration with ADDs, Education Program Administrators (EPA), ERC staff, School Operations, and the Chief Academic Office by developing a proposed BIE Framework for Differentiated, Coordinated Accountability and Support. The draft framework was used to begin conversation on how various departments and divisions can provide technical assistance and support by defining roles and responsibilities that leverage with the BIE Strategic Direction.

A series of technical assistance development activities (quality secondary transition IEPs, PSO) continues to be provided including sharing transition data, community of practices, correction of noncompliance, disseminated NSTAAC form to high schools, and offering two new asynchronous professional development opportunities for high school special education teachers and staff. These activities helped strengthen partnerships between DPA Special Education and ERC offices for positive student outcomes—a shared responsibility. The purpose is to increase knowledge and self-efficacy of ERC staff and relevant high school level staff. DPA is continuing to collaborate with WestEd to plan, develop, and implement improvement activities.

The BIE developed a needs assessment survey, which has been approved by the Office of Management and Budget (OMB). The needs assessment survey was designed to collect information from high school special education staff on professional development and evidence-based practices. The survey is being deployed in this current year and the information collected will inform strategies to be implemented in the next SSIP.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

In supporting BIE-funded high schools, BIE continues to make progress implementing infrastructure improvement activities through short-term and intermediates outcomes.

Short-Term Outcomes:

Communication with ERCs continues to increase and strengthen. Monthly technical assistance (TA) calls with ERC staff and school leadership teams are continuing to provide relevant information on IDEA (i.e., postsecondary planning data, learning about needs to provide targeted support in areas directly impacting the SiMR). Additional high school staff, ERC staff, Associate Deputy Director (ADD) staff, and members of the Tribal communities have been added to the listserv and they are now regularly receiving communication. The TA calls will continue in SY 2022-23 with an emphasis on providing targeted support to ERC staff.

Intermediate outcomes:

The BIE continues to align the SSIP work with the BIE Strategic Direction Goal 4 (post-secondary and career readiness) to improve post-school outcomes for students with disabilities. The Strategic Direction milestone action 4.2.5 focuses on improving secondary transition planning and services.

In order for the BIE SSIP to sustain its successes and efforts, the following are some considerations to carry out the continued implementation of improvement strategies and evidence-based strategies to achieve the SiMR:

1. Ensure stable BIE SSIP leadership and ongoing communication to keep BIE Senior Leadership team and other SSIP stakeholders informed about SSIP activities and progress.
2. Continue to merge and leverage the BIE SSIP and the BIE Strategic Director improvement activities and milestone actions.
3. Make the best use of people resources to achieve the SSIP SiMR and strategies and disseminate a list of resources related to for BIE-funded high schools.
4. Document and organize the information and data collected—list of strategies and activities.
5. Ensure that BIE staff and stakeholders are ready to respond to a changing environment (i.e., national emergencies, COVID-19, school closures, educational opportunities).
6. Provide ongoing technical assistance and guidance to 60 BIE-funded high schools in 20 states to build the capacity of BIE-funded high schools to improve post-school outcomes and secondary transition planning and services for students with disabilities.
7. Collect ongoing progress monitoring data to support on-going use of evidence-based practices and inform decision-making for the next year of SSIP implementation.
8. Continue strong partnerships with OSEP-funded technical assistance providers (i.e., National Technical Assistance Center on Transition, IDEA Data Center, National Center for Systemic Improvement).
9. Continue commitment to achieving the SSIP SiMR that support students with disabilities.

DPA’s Cooperative Agreement with WestEd and collaboration with other TA centers provides support, guidance, technical assistance, and professional development at the Education Resource Center (ERC) and local school levels in the areas of secondary transition and postschool outcomes. Our ability to disseminate information on graduation data, dropout data, secondary transition, PSO, guidance documents, and resources continues to increase more widely through the use of electronic communication and direct contact via webinars and communities of practice. We have added additional support to this effort by drafting a guidance document to support to high school transition planning and services.

Despite the lingering challenges of the impact of the pandemic in Tribal communities across the country, BIE continues to make progress toward achieving and implementing some of the intended improvements including filling vacant special education staff positions to support the work in PSO and secondary transition. Our capacity to continue implementing improvement strategies to promote youth with disabilities engagement after high school shows progress towards the targets for SPP/APR Indicator 14.

**Did the State implement any new (newly identified) infrastructure improvement strategies during the reporting period? (yes/no)**

NO

**Provide a summary of the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next reporting period.**

BIE anticipates additional SSIP activities to be implemented in SY 2022-2023 to provide support to 60 BIE-funded high schools. The plans for next year include continued training of ERC staff in completing the tasks with timelines for completion and continued communication with stakeholders regarding leveraging SSIP and BIE Strategic Direction activities. The planned evaluation activities including data collection, measures, and expected outcomes will remain the same. This will provide further information on how DPA will collect data for the evaluation of SSIP and BIE Strategic Direction activities.

The plans will also include stakeholders identifying expected outcomes for each tier (universal, targeted, intensive) of technical assistance and evaluating the actual outcomes. Each tier of the technical assistance would focus of keeping the end result in mind.

The DPA continues to implement a secondary transition community of practice (CoP) for BIE- funded high school special educators to support secondary transition for students with disabilities. The CoP connects high schools to network with one another, engage in high quality professional learning, collaboratively problem solve, and share improvement strategies around successfully supporting secondary transition for students with disabilities. For the SY 2022-2023, the CoP has shifted the focus to include more discussion on evidence-based practices and supporting students who are at risk of dropping out as well as capturing their post-school outcomes as part of Indicator 14.

DPA Special Education and Supplemental Education Programs are proposing to establish office hours to occur each month. This would be a way for ERC staff, Associate Deputy Directors, Education Program Administrators to meet with DPA staff to discuss various issues schools are having. Two or three specific topics (including timely special education and related services, contracting issues, extended school year, compensatory education services, evaluations, reopening schools) could be discussed and would provide targeted technical assistance.

DPA will continue to strengthen collaboration with Associate Deputy Directors, Education Program Administrators (EPA), ERC staff, School Operations, and the Chief Academic Office by continuing to communicate the proposed BIE Framework for Differentiated, Coordinated Accountability and Support and how various departments and divisions can provide technical assistance and support by defining roles and responsibilities that leverage with the BIE Strategic Direction. Conversations will continue during the next SSIP reporting period.

A needs assessment was signed and received OMB approval and will be used to collect information from high school special education staff on professional development and evidence-based practices.

Annually, DPA provides training to BIE-funded schools on completing the summary of performance for students and supporting secondary students transitioning higher education. Within the Strategic Direction, BIE has a focus on transitioning to HINU, SIPI or Tribal Colleges and encouraging them reach out to Disability Support Services at the college they will attend to set up reasonable accommodations in advance, to support successful transition.

With the updates to NASIS and including the Post-School Outcomes module to increase staff capacity to use the data collected including the number of surveys and results of the surveys across multiple indicators (Post-School Outcomes, secondary transition, graduation, dropout). Ways of getting the special education programs to look at their data, to look at areas for improvement. BIE-funded schools also complete annual Local School Performance Plans (LSPP) to highlight improvement activities for growth areas. A summary of the improvement areas identified by BIE-funded schools related to Post-School Outcomes within the BIE-funded schools’ LSPPs includes the following:
• Maintaining an ongoing record of the number of students in post-secondary education and employed after graduation
• Analyzing the percentage of responses from leavers during Post-School Outcomes data collection
• Developing and maintaining student database utilized by special education staff
• Maintaining contact with leavers through social media
• Staying in contact with recent graduates and soon-to-be graduates about plans to be employed, pursue further education and updating contact information
• Utilizing specific staff to maintain contact with Leavers
• Collaborating with community based organizations, agencies and other support systems (e.g. Alamo Community Services WIOA program)
• Setting up schedules in advance with graduates to reconnect with Leavers
• Utilizing online learning and other lessons for students to explore careers, post-secondary options and their interests (e.g. Oregon Career Information Systems)
• Ensuring each graduate has a completed Summary of Performance which is provided to the student prior to graduation
• Developing a system to update the results of the Post-School Outcomes data on a monthly basis
• Establishing job shadowing and vocational opportunities on and off campus
• Holding weekly meetings with students to discuss post-secondary issues and student concerns prior to graduation
• Working with students accepted to college to advocate for accommodations
• Collaborating with Vocational Rehabilitation for IEP meetings, implementing paid work programs, gathering information on college visits, and determining the student’s eligibility for VR services
• Utilizing Tribal Community Internships for Juniors and Seniors to explore careers within the Tribe and encourage college/career interests

**List the selected evidence-based practices implement in the reporting period:**

Several evidence-based practices to teach self-determination and student participation in the IEP process have been disseminated to 60 high schools Several for (e.g., ChoiceMaker Curriculum, Steps to Self-Determination Curriculum, The Self-Directed IEP). BIE also provides recommendations on evidence-based practices supporting the SiMR through What Works Clearinghouse and the NTACT:C website. The BIE continued to collaborate with LRP Publications for three web-based education resources, tools and research-based online training for all BIE staff and all BIE-funded schools during the reporting period.

**Provide a summary of each evidence-based practices.**

The BIE is continuing to support BIE-funded high schools in implementing evidence-based improvement strategies that result in improved post-school outcomes for youth with disabilities. A tiered model (universal, targeted, intensive) provided technical assistance and professional development to schools.

In order to achieve the SIMR, a theory of action has activities in each of the three strands that include analysis, building the capacity of the schools, and specific school-based activities that impact the overall improvement in PSO.

A logic model also depicts linkages between the inputs, outputs, and outcomes. The inputs support the implementation of existing activities and resources (Native Star, NASIS, IDEA Part B funds) that are leveraged to ensure maximum impact of the SSIP work. During this reporting period, extensive focus has been on improving secondary transition compliance and developing data protocols for secondary transition and PSO. A student interview protocol was incorporated into and utilized within the NASIS special education module.

Ten DPA special education staff members continued to provide coaching, mentoring, technical assistance, and guidance to 60 high schools in the correction of findings of noncompliance identified during the annual review of transition IEPs and fiscal/programmatic reviews.

As DPA continues to improve the percentage and schools focus on transition planning and services, DPA continues to see an increase in the number of youth engaged one year out of high school. DPA will continue to ensure valid, reliable, and quality PSO data for reporting and improving evidence-based practices (self-determination curriculum, self-advocacy, self-directed IEP process, ChoiceMaker Curriculum, NTACT newsletter, LRP Publication) to promote youth with disabilities engagement after leaving high school.

**Provide a summary of how each evidence-based practice and activities or strategies that support its use, is intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g. behaviors), parent/caregiver outcomes, and/or child /outcomes.**

In order to achieve the SIMR, the BIE, in partnership with SSIP stakeholders, developed and continues to utilize a theory of action with three major strands of improvement:
1. Marketing the value of staying in school,
2. Providing professional development in improving transition planning and services, and
3. Increasing school’s use of data for program improvement.

Each of the three improvement strategy strands has multiple strategies and activities to support and result in improved outcomes. For example, if the BIE does this, then schools will do this, then teachers will do this, then students will do this, then the result will be an increase in the percentage of students engaged in post-secondary activities including education, training, and/or employment as measured by the post-school outcomes survey. Activities occur in each strand to include analysis, building the capacity of the schools, and specific school-based activities. While each activity has some impact on a component of post-school outcomes, the entirety of the set of strands and activities result in overall improvement in post-school outcomes by the completion of the SSIP.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

The DPA has designed a needs assessment data collection protocol to gather information on fidelity and implementation of evidence-based practices and to identify priorities for professional development. It will provide DPA with information to evaluate and monitor fidelity of implementation of evidence-based practices. The assessment tool was approved by The Office of Management and Budget (OMB). Due to COVID disruptions, the survey was not implemented in FFY 2020 as originally planned.

The DPA is also exploring, in partnership with the DPA Supplemental Education Program (SEP), the implementation of a software that allows schools to automate the improvement plan process and the management and documentation of federal programs. Within this process, schools will be able to manage and document formative and summative review of processes including evidence-based practices. This is in the planning stages at this time.

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

The BIE is looking at the graduation data, dropout data, secondary transition data, and all other SPP/APR indicators. As demonstrated by the tree of influence, all indicators contribute to post-school outcomes for students with disabilities.

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

During the next reporting period, DPA plans to collect information on each evidence-based practice that have been implemented by school-based staff. DPA will also collect the level of fidelity of implementation as measured by the approved needs assessment survey. The DPA special education and supplemental education programs will continue to provide technical assistance on selection and implementation of evidence-based practices related to improving postschool outcomes. Additionally, the BIE will continue to implement the Strategic Direction which also includes a focus on implementing evidence-based practices across all of BIE-funded schools nationwide. The anticipated outcomes of BIE’s support and technical assistance to school-based staff in implementing the evidence-based practices will positively impact the SiMR, postschool outcomes for all students and the BIE Strategic Direction.

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

YES

**If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.**

BIE worked to review and revise its Strategic Direction and Goal 4 (postsecondary and career readiness: All students will graduate high school ready to think globally and succeed in postsecondary study and careers) continues to be aligned with BIE's SiMR. Additionally, the FFY 2021 data indicates progress for students with disabilities who left BIE-funded schools. COVID-19 continues to impact Indian Country as evidenced through Indicator 14a showing a decline while 14b and 14c, which is the SiMR increased. Recent meetings with key stakeholders reinforced their desire to continue implementation of the SSIP as planned.

**Section C: Stakeholder Engagement**

Description of Stakeholder Input

BIE stakeholders are an integral part of State Performance Plan/Annual Performance Report (SPP/APR). The stakeholders include representation from parents of students with disabilities in BIE-funded schools, BIA Advisory Board for Exceptional Children members, BIE-funded schools, ADD region staff, Education Resource Center staff, national Native American parent organization, supplemental education program, Tribal enterprises, Vocational Rehabilitation programs including Tribal Vocational Rehabilitation, Tribal education departments, Tribal college, and the Indian Health Service. The BIE provides annual training and orientation to all members of the BIA’s Advisory Board for Exceptional Children to advise DPA-IDEA on special education programs including the SPP/APR.

The stakeholders review and analyze SPP/APR indicator data to support the BIE in determining baselines, establishing targets when appropriate, based on the review of data and information provided by the BIE. In FFY 2021, stakeholders decided to maintain the results indicators' targets as they were set in FFY 2020 except for indicator 3A and 8. The BIE set new baseline and targets for indicator 8 and new targets for indicator 3A. Stakeholder input and guidance is obtained through their participation in virtual or face-to-face meetings. In the meetings, they engage in questions and answers regarding quantitative and qualitative data. During the meetings, stakeholders reach consensus about targets, baselines, data, and scaling up efforts. Meeting notes are emailed out to the stakeholders for their review to provide stakeholders an additional opportunity to provide clarifications or make further recommendations. This iterative feedback process allows each member of the stakeholder group to be heard and ensures that what is included in the SPP/APR (including the SSIP) represents decisions and recommendations made by the group. The BIE regularly seeks their feedback through these activities.

 **Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

The BIE stakeholders, including the BIA Advisory Board for Exceptional Children and the BIE Strategic Direction Goal 4 milestone leads, are an integral part of the SPP/APR for improvement efforts in secondary transition and post-school outcomes. They are selected for their knowledge of strategies related to secondary transition and post-school outcomes programs for students with disabilities at the high school level, knowledge of evaluation methods, knowledge of general education, and knowledge of Tribal colleges and universities. Part of their work includes advising on collaboration, asking others what they think about issues, and listening to what they have to say during public comment sessions.

The BIE invited stakeholders to be involved on a transformative partnership as part of the implementation of SSIP strategies. This includes inviting stakeholders to general supervision meetings to help increase communication, strengthen collaboration, and assist in defining roles and responsibilities at all levels across the BIE, which directly impacts DPA work with schools and the SSIP implementation. Their engagement included working with DPA and the SSIP team in general supervision meetings connected with improving post-secondary transition and post-school outcomes. These activities allowed stakeholders to discuss common objectives targeting the improvement efforts toward positive outcomes for students with disabilities. Other improvements were based on suggestions in how BIE departments and divisions communicate and collaborate. As an example, BIE DPA staff meetings have been planned and implemented jointly between the two DPA offices (IDEA and Supplemental Education Program – SEP). These meetings include common strategies between the two DPA offices with a goal of improving data and performance for all students on graduation and dropout rates.

Through a cooperative agreement, DPA has prioritized evidence-based practices and experiences at BIE-funded high schools through a specifically designed Community of Practice. The Community of Practice was focused on supporting secondary transition during SY 2021-2022 and for SY 2022-2023 has shifted to focus on the implementation of evidence-based practices supporting post-school outcomes for students with disabilities in BIE-funded schools. The BIE invites staff and administrators from all BIE-funded high schools to the monthly convenings. During SY 2022-2023, participants were engaged in what are evidence-based practices, how to select evidence-based practices for high school students and a focus on self-determination. An improvement from last year and of specific importance regarding the Community of Practice and its sustainability within the BIE, for SY 2022-2023 the Community of Practice has been co-facilitated by DPA staff as well as outside partners.

Strategies were discussed that will continue to contribute to improvement of the SiMR performance and improving secondary transition planning and services, graduation and dropout data for students with disabilities in BIE-funded high schools. To achieve this BIE designed and implemented targeted webinars to BIE-funded high schools as a strategy to engage and inform a broader group of stakeholders.

Other BIE stakeholders (Associate Deputy Directors, ERC staff, Education Program Administrators, Chief Academic Office) have been invited as partners to review and update the DPA Framework for Differentiated, Coordinated Accountability and Support.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

NO

**Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

Not Applicable.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

Not applicable.

**Describe any newly identified barriers and include steps to address these barriers.**

Not applicable.

**Provide additional information about this indicator (optional).**

## 17 - Prior FFY Required Actions

None

## 17 - OSEP Response

## 17 - Required Actions

# Certification

**Instructions**

**Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.**

**Certify**

**I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.**

**Select the certifier’s role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

**Name:**

Eugene Thompson

**Title:**

Supervisory Education Specialist

**Email:**

eugene.thompson@bie.edu

**Phone:**

202-860-5812

**Submitted on:**

04/26/23 2:38:42 PM

# Determination Enclosures

## RDA Matrix

**Bureau of Indian Education**

2023 Part B Results-Driven Accountability Matrix

**Results-Driven Accountability Percentage and Determination[[12]](#footnote-13)**

| **Percentage (%)** | **Determination** |
| --- | --- |
| 50.00% | Needs Intervention |

**Results and Compliance Overall Scoring**

|  | **Total Points Available** | **Points Earned** | **Score (%)** |
| --- | --- | --- | --- |
| **Results** | 8 | 4 | 50.00% |
| **Compliance** | 10 | 5 | 50.00% |

**2023 Part B Results Matrix**

**Reading Assessment Elements**

| **Reading Assessment Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Average Percentage of 3rd through 8th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 92% | 2 |
| **Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | N/A | N/A |

**Math Assessment Elements**

| **Math Assessment Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Average Percentage of 3rd through 8th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 92% | 2 |
| **Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | N/A | N/A |
| **Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | N/A | N/A |

**Exiting Data Elements**

| **Exiting Data Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Percentage of Children with Disabilities who Dropped Out Over Previous 3 Years** | 29 | 0 |
| **Percentage of Children with Disabilities who Graduated with a Regular High School Diploma Over Previous 3 Years\*\*** | 69 | 0 |

\*\*When providing exiting data under section 618 of the IDEA, States are required to report on the number of students with disabilities who exited an educational program through receipt of a regular high school diploma. These students meet the same standards for graduation as those for students without disabilities. As explained in 34 C.F.R. § 300.102(a)(3)(iv), in effect June 30, 2017, “the term regular high school diploma means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.”

**2023 Part B Compliance Matrix**

| **Part B Compliance Indicator[[13]](#footnote-14)** | **Performance (%)**  | **Full Correction of Findings of Noncompliance Identified in FFY 2020** | **Score** |
| --- | --- | --- | --- |
| **Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.** | N/A | N/A | N/A |
| **Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.** | N/A | N/A | N/A |
| **Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.** | N/A | N/A | N/A |
| **Indicator 11: Timely initial evaluation** | 82.19% | YES | 1 |
| **Indicator 12: IEP developed and implemented by third birthday** | N/A | N/A | N/A |
| **Indicator 13: Secondary transition** | 46.75% | YES | 0 |
| **Timely and Accurate State-Reported Data** | 97.31% |  | 2 |
| **Timely State Complaint Decisions** | 100.00% |  | 2 |
| **Timely Due Process Hearing Decisions** | N/A |  | N/A |
| **Longstanding Noncompliance** |  |  | 0 |
| **Specific Conditions** | Yes, 3 or more years |  |  |
| **Uncorrected identified noncompliance** | None |  |  |

## Data Rubric

**Bureau of Indian Education**

FFY 2021 APR[[14]](#footnote-15)

|   | **Part B Timely and Accurate Data -- SPP/APR Data** |  |
| --- | --- | --- |
| **APR Indicator** | **Valid and Reliable** | **Total** |
| **1** | 1 | 1 |
| **2** | 1 | 1 |
| **3A** | 1 | 1 |
| **3B** | 1 | 1 |
| **3C** | 1 | 1 |
| **3D** | 1 | 1 |
| **4A** | 1 | 1 |
| **4B** | N/A | 0 |
| **5** | 1 | 1 |
| **6** | N/A | 0 |
| **7** | N/A | 0 |
| **8** | 1 | 1 |
| **9** | N/A | 0 |
| **10** | N/A | 0 |
| **11** | 1 | 1 |
| **12** | N/A | 0 |
| **13** | 1 | 1 |
| **14** | 1 | 1 |
| **15** | 1 | 1 |
| **16** | 1 | 1 |
| **17** | 1 | 1 |
|  | **Subtotal** | 15 |
| **APR Score Calculation** | **Timely Submission Points** - If the FFY 2021 APR was submitted on-time, place the number 5 in the cell on the right. | 5 |
|  | **Grand Total** - (Sum of Subtotal and Timely Submission Points) = | 20 |

|  |  | **618 Data[[15]](#footnote-16)** |  |  |
| --- | --- | --- | --- | --- |
| **Table** | **Timely** | **Complete Data** | **Passed Edit Check** | **Total** |
| **Child Count/****Ed Envs** **Due Date: 4/6/22** | 1 | 1 | 1 | 3 |
| **Personnel Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **Exiting Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **Discipline Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **State Assessment Due Date: 12/21/2022** | 1 | 1 | 0 | 2 |
| **Dispute Resolution Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **MOE/CEIS Due Date: 5/4/22** | 1 | 1 | 1 | 3 |
|  |  |  | **Subtotal** | 20 |
| **618 Score Calculation** |  |  | **Grand Total** (Subtotal X 1.23809524) = | 24.76 |

| **Indicator Calculation** |  |
| --- | --- |
| A. APR Grand Total | 20 |
| B. 618 Grand Total | 24.76 |
| C. APR Grand Total (A) + 618 Grand Total (B) = | 44.76 |
| Total N/A Points in APR Data Table Subtracted from Denominator | 6 |
| Total N/A Points in 618 Data Table Subtracted from Denominator | 0.00 |
| **Denominator** | 46.00 |
| D. Subtotal (C divided by Denominator\*) = | 0.9731 |
| E. Indicator Score (Subtotal D x 100) = | 97.31 |

**\*Note that any cell marked as N/A in the APR Data Table will decrease the denominator by 1, and any cell marked as N/A in the 618 Data Table will decrease the denominator by 1.23809524.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**APR and 618 -Timely and Accurate State Reported Data**

**DATE: February 2023 Submission**

**SPP/APR Data**

**1) Valid and Reliable Data** - Data provided are from the correct time period, are consistent with 618 (when appropriate) and the measurement, and are consistent with previous indicator data (unless explained).

**Part B 618 Data**

**1) Timely** – A State will receive one point if it submits all EDFacts files or the entire EMAPS survey associated with the IDEA Section 618 data collection to ED by the initial due date for that collection (as described the table below).

|  |  |  |
| --- | --- | --- |
| **618 Data Collection** | **EDFacts Files/ EMAPS Survey** | **Due Date** |
| Part B Child Count and Educational Environments | C002 & C089 | 1st Wednesday in April |
| Part B Personnel  | C070, C099, C112 | 1st Wednesday in November |
| Part B Exiting | C009 | 1st Wednesday in November |
| Part B Discipline  | C005, C006, C007, C088, C143, C144 | 1st Wednesday in November |
| Part B Assessment | C175, C178, C185, C188 | Wednesday in the 3rd week of December (aligned with CSPR data due date) |
| Part B Dispute Resolution  | Part B Dispute Resolution Survey in EMAPS | 1st Wednesday in November |
| Part B LEA Maintenance of Effort Reduction and Coordinated Early Intervening Services | Part B MOE Reduction and CEIS Survey in EMAPS | 1st Wednesday in May |

**2) Complete Data** – A State will receive one point if it submits data for all files, permitted values, category sets, subtotals, and totals associated with a specific data collection by the initial due date. No data is reported as missing. No placeholder data is submitted. The data submitted to EDFacts aligns with the metadata survey responses provided by the state in the State Supplemental Survey IDEA (SSS IDEA) and Assessment Metadata survey in EMAPS. State-level data include data from all districts or agencies.

**3) Passed Edit Check –** A State will receive one point if it submits data that meets all the edit checks related to the specific data collection by the initial due date. The counts included in 618 data submissions are internally consistent within a data collection

## Dispute Resolution



## How the Department Made Determinations

Below is the location of How the Department Made Determinations (HTDMD) on OSEP’s IDEA Website.  How the Department Made Determinations in 2023 will be posted in June 2023. Copy and paste the link below into a browser to view.

[https://sites.ed.gov/idea/how-the-department-made-determinations/](https://nam10.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsites.ed.gov%2Fidea%2Fhow-the-department-made-determinations%2F&data=05%7C01%7Cdan.royal%40aemcorp.com%7C56561a053eed4e4dffea08db4cd0ea7f%7C7a41925ef6974f7cbec30470887ac752%7C0%7C0%7C638188232405320922%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=REJfNg%2BRs0Gk73rS2KzO2SIVRCUhHLglGd6vbm9wEwc%3D&reserved=0)

1. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-2)
2. Percentage blurred due to privacy protection. [↑](#footnote-ref-3)
3. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-4)
4. Data suppressed due to small cell size. [↑](#footnote-ref-5)
5. Data suppressed due to small cell size. [↑](#footnote-ref-6)
6. Data suppressed due to small cell size. [↑](#footnote-ref-7)
7. Data suppressed due to small cell size. [↑](#footnote-ref-8)
8. Data suppressed due to small cell size. [↑](#footnote-ref-9)
9. Data suppressed due to small cell size. [↑](#footnote-ref-10)
10. Data suppressed due to small cell size. [↑](#footnote-ref-11)
11. Data suppressed due to small cell size. [↑](#footnote-ref-12)
12. For a detailed explanation of how the Compliance Score, Results Score, and the Results-Driven Accountability Percentage and Determination were calculated, review "How the Department Made Determinations under Section 616(d) of the *Individuals with Disabilities Education Act* in 2023: Part B." [↑](#footnote-ref-13)
13. The complete language for each indicator is located in the Part B SPP/APR Indicator Measurement Table at: <https://sites.ed.gov/idea/files/2023_Part-B_SPP-APR_Measurement_Table.pdf> [↑](#footnote-ref-14)
14. In the SPP/APR Data table, where there is an N/A in the Valid and Reliable column, the Total column will display a 0. This is a change from prior years in display only; all calculation methods are unchanged. An N/A does not negatively affect a State's score; this is because 1 point is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the SPP/APR Data table. [↑](#footnote-ref-15)
15. In the 618 Data table, when calculating the value in the Total column, any N/As in the Timely, Complete Data, or Passed Edit Checks columns are treated as a ‘0’. An N/A does not negatively affect a State's score; this is because 1.23809524 points is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the 618 Data table. [↑](#footnote-ref-16)