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

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

**For reporting on
FFY 2020**

**Virginia**



**PART B DUE February 1, 2022**

**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**

Not applicable

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

In response to the spread of COVID-19, the Virginia Department of Education (VDOE) has been working closely with the Governor’s Office, the Virginia Department of Health, and other state agencies to ensure our schools and communities have the most up-to-date information and resources. The health and safety of our children and staff are our top priorities. The latest news and resources regarding COVID-19 and Virginia schools can be located at https://www.doe.virginia.gov/support/health\_medical/office/covid-19.shtml.

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

132

**General Supervision System:**

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

The Virginia Department of Education’s (VDOE's) general supervision system to identify noncompliance in special education programs consists of multi-faceted monitoring processes based on a model released by the U.S. Department of Education, Office of Special Education Programs (OSEP). The State’s system includes stakeholder involvement; applications for funding; review of policies and procedures; data collection, reporting, and verification; self-assessments and on-site monitoring with parent involvement; and dispute resolution. On-site monitoring includes visits to school districts; regional special education programs, local and regional jails, and nursing homes; state-operated programs including hospital programs, schools for the deaf and blind, rehabilitation centers, state training schools, state mental health centers, and juvenile detention and adult correctional facilities; and VDOE- licensed private day and residential schools. Visits of LEAs and other facilities are conducted on-site or using various virtual strategies such as Zoom meetings, telephone conference calls, virtual use of the LEAs’ student record computer system or the Virginia IEP system, and record scanning.

Virginia’s comprehensive monitoring system for continuous improvement is designed to ensure continuous examination of performance for compliance and results. All districts participate in some level of Virginia’s comprehensive monitoring system annually. The components of Virginia’s comprehensive monitoring system include compliance indicator reviews; on-site focused reviews; and targeted reviews (i.e., self-assessments, audit findings, complaints, and investigations).

The VDOE analyzes year-end data for all compliance indicators to identify school districts with performance rates indicating noncompliance. Whenever a finding of noncompliance is identified, the district is required to develop corrective action that addresses all identified areas of noncompliance to include improvement strategies and timelines to ensure correction. Timelines for correction are set, ranging from immediately to one year. The VDOE may require periodic progress reports as necessary and also follow-up through frequent visits and/or telephone contacts. For final closure, the district must demonstrate correction according to OSEP’s “two-pronged test” for correction. Districts must demonstrate individual and systemic correction as soon as possible, but no later than one year from the notification of noncompliance.

The VDOE's approach to monitoring adherence by all school districts in the Commonwealth to the Regulations Governing Special Education Programs for Children with Disabilities in Virginia includes a five-year cyclical approach. This cyclical process allows a rotation of the 132 school districts to be monitored no less than every five years. Each year, between the months of September and December, school districts within that current year’s cohort utilize the Core Special Education Assessment (CSEA) to assess its special education programs and services. The assessment process requires the LEA to use the district’s special education documents and special education student records, and involves multiple staff to answer the regulatory questions. Following a cohort district’s completion and submission to the VDOE of this assessment, assigned monitors conduct a desk audit of the documentation. Subsequently, the monitor conducts a review and validation process with the district by probing/discussing reported noncompliance as well as compliance. This review and validation process also consists of a reassessment by the monitor of randomly selected items in the CSEA and associated district policies, procedures, practices, and student records. A final report is developed to summarize the findings from each area of the review and sent to the district leadership. The summary report identifies strengths and weaknesses of the Special Education Programs, emerging improvements, areas for program improvements, and areas of individual and general supervision noncompliance with IDEA regulations.

The VDOE monitors districts’ compliance for children with disabilities who have been publicly placed in regional special education programs; local and regional jails; nursing homes; state-operated programs including hospital programs, the school for the deaf and blind, rehabilitation centers, state training schools, state mental health centers, and juvenile detention and adult correctional facilities; and private day and residential schools. Services provided to children with disabilities in these school districts and facilities are monitored in three ways: 1) each must review compliance for children and youth as part of its self-assessment; 2) VDOE reviews the files for children and youth when it conducts its on-site visit to the school district or facility; and 3) VDOE monitors to ensure the provision of free appropriate public education (FAPE) to these students by making on-site visits to the school districts and facilities to ensure compliance and to make recommendations for program improvement, as appropriate.

To ensure that all school districts correct any identified compliance deficiencies within a reasonable period of time, not to exceed one year from identification, VDOE has implemented a tracking system to monitor the correction of the noncompliance findings that were identified through local district self-assessments and the State’s on-site reviews. Tracking of noncompliant findings in the self-assessment begins following receipt of the self-assessment reports and program improvement plans. Tracking of noncompliant findings resulting from VDOE’s reviews begins from the issue date of the report findings.

The VDOE continually enhances its IDEA fiscal supervision and monitoring procedures to comply with related distribution and use of IDEA Part B funds and ensure school districts are being fiscally prudent and compliant with Federal regulations. The supervision of school districts is structured according to tiered levels of risk and need. Virginia’s system of general supervision includes several mechanisms to provide oversight in the distribution and use of IDEA funds at the state level. Some of these mechanisms are reached through the VDOE Single Sign-on Web (SSWS) secure internet portal. The applications are designed and embedded with information and instruction on fiscal regulations to assist school districts in maintaining compliance

Virginia’s Regulations Governing Special Education Programs for Children with Disabilities set forth three special education dispute resolution options to address disagreements regarding the identification, evaluation, educational placement, and services of their child, or the provision of a FAPE. These options include: 1) parents and the local school district entering into mediation to resolve the dispute; 2) the filing of a complaint that the school district has erred in meeting its special education obligations; and 3) the parent or local school district filing a request for a due process hearing to have a hearing officer determine the appropriate outcome for the child.

The Office of Dispute Resolution and Administrative Services (ODRAS) within VDOE’s Department of Special Education and Student Services: 1) administers the three Federally-mandated special education dispute resolution options; 2) provides technical assistance to parents and school districts regarding special education laws and regulations; 3) develops and updates various special education resource materials; 4) provides training to school districts regarding regulatory compliance; 5) assists in the development and revision of Board of Education regulations as may be requested; and 6) works collaboratively with other offices within the Department of Special Education and Student Services, as appropriate.

**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.**

The purpose of the VDOE’s special education technical assistance is to provide evidence-based professional development for quality educational opportunities for children and youth with disabilities. The focus of the activities is access to the general education curriculum and effective practices that lead to successful school achievement and post-school outcomes for students with disabilities from ages 2-21, inclusive. There are ongoing regularly scheduled activities as well as new initiatives that are field-tested to determine their effectiveness. Staff members provide leadership for activities and initiatives addressing the educational needs of students identified with specific disabilities in all disability categories and specialized processes or procedures including: accessible instructional materials, assistive technology, behavior management, special education eligibility and individualized education program development, special education administration, and related services.

Activities are driven by demographic and achievement-related data analyses. Initiatives are derived from research findings or from systems that have been proven to be effective for students with disabilities through evidence-based practices.

The VDOE also funds regional centers supported by the Department of Special Education and Student Services, known as Training and Technical Assistance Centers (TTACs). The TTACs deliver direct technical assistance and support to local educational agencies. Their mission is to improve educational opportunities and contribute to the success of children and youth with disabilities. The services are designed to increase the capacity of school personnel, service providers, and families to meet the needs of children and youth with disabilities. The Centers’ focus is on educators in schools designated by the VDOE as needing improvement on behalf of students with disabilities. Their offices and libraries are located in universities based in the eight Superintendent of Public Instruction’s regions in Virginia.

Additional centers and networks include:

Accessible Instructional Materials Center of Virginia (AIM-VA): The AIM-VA produces and delivers accessible instructional materials for local educational agencies in Virginia who have students with an individualized education program indicating a need for alternate formats of printed materials. The Center also provides training and technical assistance on the use of these accessible instructional materials.

Assistive Technology (AT) Network: The AT Network is a group of assistive technology specialists from regional TTACs. This group plans and provides statewide technical assistance and professional development regarding AT consideration, evaluation, and implementation. Additionally, members of the AT Network build capacity within districts by assisting with the creation of AT Teams within individual school districts.

Virginia Commonwealth University’s Autism Center for Excellence (VCU-ACE): The VCU-ACE offers a variety of training opportunities through online and face-to-face training as well as embedded technical assistance in school districts. The VCU-ACE strives to meet the needs of all learners across the state of Virginia by providing training activities and resources for the emergent learner, developing learner, as well as district leaders who provide professional development activities and resources that will assist with systematic change and fidelity of evidence-based practices in autism spectrum disorder (ASD). The VCU-ACE offers a variety of training opportunities through online coursework and many on-demand options such as videos and presentations.

Community of Leaders in Autism (CoLA): The CoLA is a responsive network of autism leaders from participating districts. The CoLA Teams participate in two regional meetings per year and one statewide summer institute. The CoLA represents a partnership between school districts, Virginia Commonwealth University’s Autism Center for Excellence (VCU-ACE), regional Training and Technical Assistance Centers (TTAC), and the Virginia Department of Education. The CoLA members share a common interest in the improvement of service delivery and use of evidence-based practice for students with ASD and create a strong community that fosters trust and encourages collaboration and sharing.

Technical Assistance Center for Children Who Are Deaf and Hard of Hearing: The Technical Assistance Center for Children Who Are Deaf and Hard of Hearing is funded by the VDOE to provide training and technical assistance in the areas of deafness and hearing impairment. Assistance is available to local public school systems as well as state-operated programs, including early intervention through the Virginia Network of Consultants for Professionals Working with Children Who Are Deaf and Hard of Hearing (VNOC).

Virginia Project for Children and Young Adults with Deaf-Blindness (VDBP): The VDBP is a statewide program designed to provide technical assistance, training, distance education, and networking information to families, teachers, and service providers of individuals, birth through 21, who have both a hearing loss and a vision loss. The Virginia Deaf-Blind Project is committed to supporting families, teachers, and service providers in their endeavors to improve outcomes for children and youth who experience both vision and hearing loss.

Center on Transition Innovations: The Center provides resources for professionals, individuals with disabilities, and their representatives, and is committed to developing and advancing evidence-based practices to increase the hiring and retention of individuals with disabilities. The Center is designed to research and spotlight the strategies and circumstances that produce optimal employment and career achievement for youth with disabilities and provide knowledge transfer with a variety of information (via webinars, white papers, fact sheets, and online classes). Staff assist school districts with implementation of a variety of programs such as Project Search, Start on Success, Customized Employment, and Supported Employment.

Center for Family Involvement: The Center works with families to increase their skills as decision-makers, mentors, and leaders so that their family members with disabilities can lead the lives they want. Through self-advocacy activities, youth and adults with disabilities have information and support to speak for themselves and be leaders in their home communities and in state-level activities. The Center is committed to helping agencies and organizations deliver person-centered and user-friendly services and supports in neighborhoods and communities.

Parent Education Advocacy Training Center (PEATC): The PEATC is an independent Center funded by the United States Department of Education and serves at Virginia's Federally Funded Parent Training and Information Center (PTI). The PEATC’s information, resources, and training promote respectful, collaborative partnerships between parents, schools, professionals, and the community that increase the possibilities of success for children with disabilities.

Virginia’s Parent Resource Centers (PRCs) are committed to a positive relationship between parents and schools. The PRCs assist parents with questions and planning as well as provide resources and training sessions.

Virginia Tiered Systems of Supports Research and Implementation Center (VTSS-RIC): The VTSS-RIC’s mission is to build state and local capacity for a sustained tiered system of academic, behavioral, and social-emotional supports that are responsive to the needs of all students. The VTSS-RIC assists VDOE with the evaluation of participating LEAs through their participation in both the Response to Intervention (RTI) and Positive Behavioral Interventions and Supports (PBIS) components of VTSS.

**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.**

Professional development and related resources are developed to provide support and professional development to parents, school personnel, and other consumers. All resources are intended to provide guidance for addressing the regulatory requirements and instructional elements needed for a student’s FAPE that is linked directly to the indicators and improvement activities established in the State Performance Plan/Annual Performance Report (SPP/APR). Through this model, the VDOE uses a variety of means, at varying levels of intensity, to build capacity throughout the State. Virginia’s Regulations Governing Special Education Programs for Children with Disabilities in Virginia provide state-operating standards for districts along with the following accompanying guidance documents: 1) Implementation of the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, 2009; 2) Developing Local Policies and Procedures Required for Implementation of Special Education Regulations in Virginia's Public Schools; and 3) the Parents’ Guide to the Virginia Regulations.

The VDOE's Department of Special Education and Student Services staff members are assigned to regional teams to provide technical assistance and professional development, including one representative from each of the following offices on each team: Special Education Instructional Services (SEIS); Dispute Resolution and Administrative Services (ODRAS); Special Education Program Improvement (SEPI); and Specialized Education Facilities and Family Engagement (FFE). The regional teams provide guidance for addressing the regulatory requirements and instructional elements needed for a student’s FAPE.

In addition, the VDOE’s Department of Special Education and Student Services e-learning modules provide an opportunity for individuals to increase knowledge and skills in a variety of areas such as: Special Education Evaluation and Services, Prior Written Notice, Calculating and Reporting Placement and Services, and Back to Basics modules focused on compliance with Federal law and state regulations.

The Virginia Tiered Systems of Supports (VTSS) is a data-informed, decision-making framework for establishing the academic, behavioral, and social-emotional supports needed for a school to be an effective learning environment for all students. The VTSS systemic approach allows districts, schools, and communities to provide multiple levels of supports to students in a more effective, efficient, and clearly defined process. Implementing the VTSS requires the use of evidence-based, system-wide practices with fidelity to provide a quick response to academic, behavioral, social, and emotional needs. The practices are progress-monitored frequently to enable educators to make sound, data-based instructional decisions for students.

Two leadership academies provide professional development for administrators. The Aspiring Special Education Leaders Academy is a program established to assist school districts and state-operated programs with succession planning and is designed to help prepare potential leaders for future administrative positions in special education. This yearlong program includes workshops, seminars, observations, assignments, and field experiences. Participants have opportunities to gain knowledge, skills, and experiences that will help them excel in positions of special educational leadership. The New Special Education Directors Academy provides orientation to the various VDOE offices, critical technical assistance resources, regulatory information, dispute resolution, and a mentor for newly appointed administrators.

The VDOE supports seven TTACs, located at universities across the Commonwealth, to improve educational opportunities and contribute to the success of children and youth with disabilities (birth through 22 years). The VDOE determines the scope of work for the TTACs, which is outlined in an annual cooperative agreement holding TTACs responsible for the regional delivery of school improvement, special education, early learning, and school readiness services. The cooperative agreement details specific responsibilities in the work of TTACs with local districts and community schools, organized by priority areas. The TTACs provide varying levels of technical assistance and professional development in these areas, based on LEA’s SPP/APR performance and compliance indicator data. The TTACs use multiple years of SPP/APR data to identify patterns of strengths and weaknesses within each LEA and across LEAs located in their regions. The TTACs also provide information and services regarding IDEA to parents and families of children with disabilities and those at risk of being identified as disabled.

The VDOE’s TTAC Online is a resource for professionals and family members of children and youth with disabilities (birth through 22 years). The website offers a wide range of resources, events (trainings, conferences, and webinars/webcasts), and free online training opportunities. Online trainings cover a wide range of topics, such as assistive technology, behavior, curriculum and instruction, and transition.

**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).**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

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

YES

**Number of Parent Members:**

86

**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.**

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. As explained above, we held numerous opportunities to gather stakeholder input that spanned an eight-month period from May through December 2021. Following each event, a survey link was disseminated to the participants in an effort to ensure all stakeholders had an equal opportunity to be heard and has led to additional initiatives and resources. In addition to the 86 parents that provided input via the survey, we had nine students with disabilities participate as well. Together, these two populations represented more than 33 percent of all returned surveys related to the FFY 2020-2025 stakeholder involvement—a milestone to celebrate.

**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.**

The Virginia Department of Education staff made a deliberate attempt to be more inclusive across Virginia’s vast geographic regions to capture a more representative population of the State’s diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities. For example, one of the many activities that staff conducted was an evening session (6:00-8:30 p.m.) that included multiple local special education advisory committees (SEACs) from all eight geographic regions in the State. In all, we had approximately 100 participants actively engaged throughout the process.

**Soliciting Public Input:**

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

Over the course of eight months, from May through December 2021, staff members from the VDOE organized and led numerous stakeholder groups, including multiple times with the State Special Education Advisory Board (SSEAC). Staff served as indicator chairs by topical area with a focus on analyzing the data, developing improvement strategies, and evaluating progress.

**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.**

As a culminating activity, the results of the vast stakeholder outreach were presented to the SSEAC during their December 2021 public meeting.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2019 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 2019 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 2019 APR in 2021, is available.**

The Virginia Department of Education (VDOE) has developed its State Performance Plan (SPP) with input from stakeholders and with the expectation that the SPP would be disseminated to the public following the submission of the Annual Performance Report (APR) each February. The SPP is available at https://sites.ed.gov/idea/spp-apr-letters?selected-category=&selected-year=&state=Virginia.

The VDOE reports to the public on the progress or slippage in meeting the measurable and rigorous targets found in the SPP each June of the same year and refers to this as the Special Education Performance Report to the Public. Additionally, the VDOE reports to the public on the performance of each local educational agency located in the state on the targets in the SPP. The Special Education Performance Report to the Public is disseminated to all school districts in the State, to members of the State Special Education Advisory Committee (SSEAC), and is also available online at https://www.doe.virginia.gov/special\_ed/reports\_plans\_stats/special\_ed\_performance/division/2019-2020/index.shtml.

## Intro - Prior FFY Required Actions

None

## Intro - OSEP Response

OSEP issued a monitoring report to the State on June 23, 2020 and is currently reviewing the State's response submitted on June 10, 2022 and will respond under separate cover.

## 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 2020 SPP/APR, use data from 2019-2020), 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 | 70.74% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 57.84% | 52.00% | 56.00% | 56.00% | 61.00% |
| Data | 52.61% | 53.86% | 59.80% | 61.24% | 62.9%[[2]](#footnote-3) |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 70.74% | 71.24% | 71.74% | 72.24% | 72.74% | 73.24% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

In addition, during the FFY 2020 Annual Performance Report (APR) cycle, secondary transition stakeholder input was received from: youth with disabilities, parents, Parent Education Advocacy and Training Center (PEATC), Disability Resource Center, resources for Independent Living, LEA staff members, Virginia Commonwealth University-Center on Transition Innovations, Virginia Board for People with Disabilities, Department of Social Services, Department for Aging and Rehabilitative Services, Wilson Workforce Rehabilitation Center, and other state agencies. Stakeholders learned about the State Performance Plan requirements and reviewed data that included student attendance, testing, graduation, dropout, and post-school outcomes. In addition, they discussed issues/descriptions of systems or processes related to secondary transition and made recommendations to the Virginia Department of Education. Numerous resources were shared with and among the stakeholders.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 8,707 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 0 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 2,777 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 5 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 820 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 8,707 | 12,309 | 62.9%[[3]](#footnote-4) | 70.74% | 70.74% | N/A | N/A |

**Graduation Conditions**

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

To have graduated in 2019-2020 with a regular diploma (Standard Diploma) in Virginia, a student earned at least 22 standard units of credit by passing required courses and electives. The minimum course requirements included: English (4); Math (3); Laboratory Science (3); History and Social Sciences (3); Health and Physical Education (2); Foreign Language, Fine Arts, or Career and Technical Education (2); Economics and Personal Finance (1); and electives (4). Beginning with students entering ninth grade for the first time in 2013-2014, a student must also have earned a board-approved career and technical education credential and successfully completed one virtual course, which may have been noncredit bearing.

In addition, all recipients of the Standard Diploma earned at least six verified credits by passing end-of-course Standards of Learning (SOL) tests (i.e., statewide assessments) or other assessments approved by the State Board of Education. The minimum verified units of credit include: English (2), Math (1), Laboratory Science (1), History and Social Sciences (1), and student-selected assessment (1). Additional information pertaining to the minimum course and credit requirements for the Standard Diploma can be found at http://www.doe.virginia.gov/instruction/graduation/standard.shtml.

The conditions to graduate with a regular high school diploma in Virginia are the same for all students, including students with IEPs.

**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)**

The baseline data was revised due to a change in the data source for the indicator that impacts comparability of the data. The new baseline year is FFY 2020.

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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**

OPTION 1:

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.

OPTION 2 (For FFY 2020 ONLY):

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**

OPTION 1:

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.

OPTION 2 (For FFY 2020 ONLY):

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.

**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 2020 SPP/APR, use data from 2019-2020), and compare the results to the target.

With the FFY 2020 SPP/APR, due February 1, 2022, States may use either option 1 or 2. States using Option 2 must provide the actual numbers used in the calculation.

OPTION 1:

**Use 618 exiting data** for the year before the reporting year (e.g., for the FFY 2020 SPP/APR, use data from 2019-2020). 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.

OPTION 2:

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.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

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.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023**, States must report data using Option 1 (i.e., the same data as used for reporting to the Department under section 618 of the IDEA). Option 2 will not be available beginning with the FFY 2021 SPP/APR.

## 2 - Indicator Data

**Historical Data[[4]](#footnote-5)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 6.66% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target <= | 1.70% | 1.60% | 1.50% | 1.40% | 1.40% |
| Data | 1.30% | 1.65% | 1.70% | 1.51% | 1.42% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 6.66% | 6.41% | 6.16% | 5.91% | 5.66% | 5.41% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

In addition, during the FFY 2020 APR cycle, secondary transition stakeholder input was received from: youth with disabilities, parents, Parent Education Advocacy and Training Center (PEATC), Disability Resource Center, resources for Independent Living, local education agency staff members, Virginia Commonwealth University-Center on Transition Innovations, Virginia Board for People with Disabilities, Department of Social Services, Department for Aging and Rehabilitative Services, Wilson Workforce Rehabilitation Center, and other state agencies. Stakeholders learned about the State Performance Plan requirements and reviewed data that included student attendance, testing, graduation, dropout, and post-school outcomes. In addition, they discussed issues/descriptions of systems or processes related to secondary transition, and made recommendations to the Virginia Department of Education. Numerous resources were shared with and among the stakeholders.

**Please indicate the reporting option used on this indicator**

Option 1

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 8,707 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 0 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 2,777 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 5 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 820 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 820 | 12,309 | 1.42% | 6.66% | 6.66% | N/A | N/A |

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

Consistent with the National Center for Education Statistics Common Core of Data, the Virginia Department of Education defines a dropout as a student who was enrolled at any time during the previous school year but is not enrolled at the beginning of the current school year, has not graduated from high school or completed an approved educational program, and does not meet any of the following exclusionary conditions: 1) Enrolled in another public school district, private school, or approved education program; 2) Temporarily absent due to suspension or illness; or 3) Deceased.

**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)**

The baseline data was revised due to a change in the data source for the indicator that impacts comparability of the data. The new baseline year is FFY 2020.

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 | 81.66% |
| Reading | B | Grade 8 | 2020 | 67.48% |
| Reading | C | Grade HS | 2020 | 82.75% |
| Math | A | Grade 4 | 2020 | 81.05% |
| Math | B | Grade 8 | 2020 | 68.48% |
| Math | C | Grade HS | 2020 | 80.26% |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 95.00% | 95.00%  | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | A >= | Grade 4 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

03/30/2022

**Reading Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 12,006 | 12,488 | 11,156 |
| b. Children with IEPs in regular assessment with no accommodations | 4,786 | 4,739 | 6,406 |
| c. Children with IEPs in regular assessment with accommodations | 4,165 | 2,771 | 1,949 |
| d. Children with IEPs in alternate assessment against alternate standards | 856 | 920 | 877 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

03/30/2022

**Math Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 12,034 | 12,559 | 14,661 |
| b. Children with IEPs in regular assessment with no accommodations | 2,976 | 2,920 | 4,642 |
| c. Children with IEPs in regular assessment with accommodations | 5,919 | 4,762 | 6,227 |
| d. Children with IEPs in alternate assessment against alternate standards | 859 | 919 | 898 |

\*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 2020 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 9,807 | 12,006 |  | 95.00% | 81.68% | N/A | N/A |
| **B** | Grade 8 | 8,430 | 12,488 |  | 95.00% | 67.50% | N/A | N/A |
| **C** | Grade HS | 9,232 | 11,156 |  | 95.00% | 82.75% | N/A | N/A |

**FFY 2020 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 9,754 | 12,034 |  | 95.00% | 81.05% | N/A | N/A |
| **B** | Grade 8 | 8,601 | 12,559 |  | 95.00% | 68.48% | N/A | N/A |
| **C** | Grade HS | 11,767 | 14,661 |  | 95.00% | 80.26% | N/A | N/A |

**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.**

1. Reporting of the Measures of Academic Success data in accordance with 34 CFR §300.160(f) can be found at: https://www.doe.virginia.gov/special\_ed/reports\_plans\_stats/index.shtml (scroll to 2020-2021 at bottom of the page)
 - Part B Assessment - Table 6
 - Part B Assessment - State, Division, and School Levels

2. In addition, Virginia’s State Quality Profile provides information about student achievement for all children, including children with disabilities, across all subjects, proficiency levels, and participation rates at Student achievement
 http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-2 and ESSA - http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-8.

3. Further disaggregation of the assessment data can be obtained by using the Build-A-Table to create reports on student performance by student subgroup (including students with disabilities) taking regular assessments, and alternate
 assessments based on alternate academic achievement standards at the State, district and school levels. https://p1pe.doe.virginia.gov/buildatable/testresults

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

The baseline data was revised due to a change in the methodology (measurement table) for the indicator that impacts comparability of the data. The new baseline year is FFY 2020.

## 3A - Prior FFY Required Actions

None

## 3A - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 | \*[[5]](#footnote-6)1 |
| Reading | B | Grade 8 | 2020 | \*[[6]](#footnote-7)1 |
| Reading | C | Grade HS | 2020 | \*[[7]](#footnote-8)1 |
| Math | A | Grade 4 | 2020 | \*[[8]](#footnote-9)1 |
| Math | B | Grade 8 | 2020 | \*[[9]](#footnote-10)1 |
| Math | C | Grade HS | 2020 | \*[[10]](#footnote-11)1 |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | \*[[11]](#footnote-12)1 | 38.55% | 39.05% | 39.55% | 40.05% | 40.55% |
| Reading | B >= | Grade 8 | \*[[12]](#footnote-13)1 | 31.18% | 31.68% | 32.18% | 32.68% | 33.18% |
| Reading | C >= | Grade HS | \*[[13]](#footnote-14)1 | 48.45% | 48.95% | 49.45% | 49.95% | 50.45% |
| Math | A >= | Grade 4 | \*[[14]](#footnote-15)1 | 28.45% | 28.95% | 29.45% | 29.95% | 30.45% |
| Math | B >= | Grade 8 | \*[[15]](#footnote-16)1 | 22.25% | 22.75% | 23.25% | 23.75% | 24.25% |
| Math | C >= | Grade HS | \*[[16]](#footnote-17)1 | 38.10% | 38.60% | 39.10% | 39.60% | 40.10% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | \*[[17]](#footnote-18)1 | \*[[18]](#footnote-19)1 | \*[[19]](#footnote-20)1 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | \*[[20]](#footnote-21)1 | \*[[21]](#footnote-22)1 | \*[[22]](#footnote-23)1 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | \*[[23]](#footnote-24)1 | \*[[24]](#footnote-25)1 | \*[[25]](#footnote-26)1 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**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 | 8,895 | 7,682 | 10,869 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 1,343 | 931 | 1,932 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 1,143 | 740 | 2,155 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | \*[[26]](#footnote-27)1 | \*[[27]](#footnote-28)1 |  | \*[[28]](#footnote-29)1 | \*[[29]](#footnote-30)1 | N/A | N/A |
| **B** | Grade 8 | \*[[30]](#footnote-31)1 | \*[[31]](#footnote-32)1 |  | \*[[32]](#footnote-33)1 | \*[[33]](#footnote-34)1 | N/A | N/A |
| **C** | Grade HS | \*[[34]](#footnote-35)1 | \*[[35]](#footnote-36)1 |  | \*[[36]](#footnote-37)1 | \*[[37]](#footnote-38)1 | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 2,486 | 8,895 |  | \*[[38]](#footnote-39)1 | 27.95% | N/A | N/A |
| **B** | Grade 8 | 1,671 | 7,682 |  | \*[[39]](#footnote-40)1 | 21.75% | N/A | N/A |
| **C** | Grade HS | 4,087 | 10,869 |  | \*[[40]](#footnote-41)1 | 37.60% | N/A | N/A |

**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.**

1. Reporting of the Measures of Academic Success data in accordance with 34 CFR §300.160(f) can be found at: https://www.doe.virginia.gov/special\_ed/reports\_plans\_stats/index.shtml (scroll to 2020-2021 at bottom of the page)
 - Part B Assessment - Table 6
 - Part B Assessment - State, Division, and School Levels

2. In addition, Virginia’s State Quality Profile provides information about student achievement for all children, including children with disabilities, across all subjects, proficiency levels, and participation rates at Student achievement
 http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-2 and ESSA - http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-8.

3. Further disaggregation of the assessment data can be obtained by using the Build-A-Table to create reports on student performance by student subgroup (including students with disabilities) taking regular assessments, and alternate
 assessments based on alternate academic achievement standards at the State, district and school levels. https://p1pe.doe.virginia.gov/buildatable/testresults

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

The baseline data was revised due to a change in the methodology (measurement table) for the indicator that impacts comparability of the data. The new baseline year is FFY 2020.

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State reported that zero children with IEPs received a valid score and a proficiency level for the regular RLA assessment for grades 4, 8, and HS for this indicator. However, the State reported participation rates for these children in Indicator 3A and provided FFY 2020 data in the Historical Table.

## 3B - Required Actions

The State reported that zero children with IEPs received a valid score and a proficiency level for the regular RLA assessment for grades 4, 8, and HS for this indicator. However, the State reported participation rates for these children in Indicator 3A and provided FFY 2020 data in the Historical Table. With the FFY 2021 SPP/APR, the State must explain this discrepancy and include accurate data for this indicator.

# 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 | \*[[41]](#footnote-42)1 |
| Reading | B | Grade 8 | 2020 | \*[[42]](#footnote-43)1 |
| Reading | C | Grade HS | 2020 | \*[[43]](#footnote-44)1 |
| Math | A | Grade 4 | 2020 | \*[[44]](#footnote-45)1 |
| Math | B | Grade 8 | 2020 | \*[[45]](#footnote-46)1 |
| Math | C | Grade HS | 2020 | \*[[46]](#footnote-47)1 |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | \*[[47]](#footnote-48)1 | 87.30% | 87.80% | 88.30% | 88.80% | 89.30% |
| Reading | B >= | Grade 8 | \*[[48]](#footnote-49)1 | 81.59% | 82.09% | 82.59% | 83.09% | 83.59% |
| Reading | C >= | Grade HS | \*[[49]](#footnote-50)1 | 81.80% | 82.30% | 82.80% | 83.30% | 83.80% |
| Math | A >= | Grade 4 | \*[[50]](#footnote-51)1 | 89.67% | 90.17% | 90.67% | 91.17% | 91.67% |
| Math | B >= | Grade 8 | \*[[51]](#footnote-52)1 | 82.44% | 82.94% | 83.44% | 83.94% | 84.44% |
| Math | C >= | Grade HS | \*[[52]](#footnote-53)1 | 78.01% | 78.51% | 79.01% | 79.51% | 80.01% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | \*[[53]](#footnote-54)1 | \*[[54]](#footnote-55)1 | \*[[55]](#footnote-56)1 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | \*[[56]](#footnote-57)1 | \*[[57]](#footnote-58)1 | \*[[58]](#footnote-59)1 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**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 | 859 | 919 | 898 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 766 | 753 | 696 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | \*[[59]](#footnote-60)1 | \*[[60]](#footnote-61)1 |  | \*[[61]](#footnote-62)1 | \*[[62]](#footnote-63)1 | N/A | N/A |
| **B** | Grade 8 | \*[[63]](#footnote-64)1 | \*[[64]](#footnote-65)1 |  | \*[[65]](#footnote-66)1 | \*[[66]](#footnote-67)1 | N/A | N/A |
| **C** | Grade HS | \*[[67]](#footnote-68)1 | \*[[68]](#footnote-69)1 |  | \*[[69]](#footnote-70)1 | \*[[70]](#footnote-71)1 | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 766 | 859 |  | \*[[71]](#footnote-72)1 | 89.17% | N/A | N/A |
| **B** | Grade 8 | 753 | 919 |  | \*[[72]](#footnote-73)1 | 81.94% | N/A | N/A |
| **C** | Grade HS | 696 | 898 |  | \*[[73]](#footnote-74)1 | 77.51% | N/A | N/A |

**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.**

1. Reporting of the Measures of Academic Success data in accordance with 34 CFR §300.160(f) can be found at: https://www.doe.virginia.gov/special\_ed/reports\_plans\_stats/index.shtml (scroll to 2020-2021 at bottom of the page)
 - Part B Assessment - Table 6
 - Part B Assessment - State, Division, and School Levels

2. In addition, Virginia’s State Quality Profile provides information about student achievement for all children, including children with disabilities, across all subjects, proficiency levels, and participation rates at Student achievement
 http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-2 and ESSA - http://schoolquality.virginia.gov/virginia-state-quality-profile#desktopTabs-8.

3. Further disaggregation of the assessment data can be obtained by using the Build-A-Table to create reports on student performance by student subgroup (including students with disabilities) taking regular assessments, and alternate
 assessments based on alternate academic achievement standards at the State, district and school levels. https://p1pe.doe.virginia.gov/buildatable/testresults

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

The baseline data was revised due to a change in the methodology (measurement table) for the indicator that impacts comparability of the data. The new baseline year is FFY 2020.

## 3C - Prior FFY Required Actions

None

## 3C - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State reported that zero children with IEPs received a valid score and a proficiency level for the alternate RLA assessment for grades 4, 8, and HS for this indicator. However, the State reported participation rates for these children in Indicator 3A and provided FFY 2020 data in the Historical Table.

## 3C - Required Actions

The State reported that zero children with IEPs received a valid score and a proficiency level for the alternate RLA assessment for grades 4, 8, and HS for this indicator. However, the State reported participation rates for these children in Indicator 3A and provided FFY 2020 data in the Historical Table. With the FFY 2021 SPP/APR, the State must explain this discrepancy and include accurate data for this indicator.

# 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 2020-2021 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2020-2021 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 2020-2021 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2020-2021 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 | 29.67 |
| Reading | B | Grade 8 | 2020 | 38.53 |
| Reading | C | Grade HS | 2020 | 33.54 |
| Math | A | Grade 4 | 2020 | 27.34 |
| Math | B | Grade 8 | 2020 | 34.21 |
| Math | C | Grade HS | 2020 | 22.27 |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A <= | Grade 4 | 29.67 | 29.17  | 28.67 | 28.17 | 27.67 | 27.17 |
| Reading | B <= | Grade 8 | 38.53 | 38.03 | 37.53 | 37.03 | 36.53 | 36.03 |
| Reading | C <= | Grade HS | 33.54 | 33.04 | 32.54 | 32.04 | 31.54 | 31.04 |
| Math | A <= | Grade 4 | 27.34 | 26.84 | 26.34 | 25.84 | 25.34 | 24.84 |
| Math | B <= | Grade 8 | 34.21 | 33.71 | 33.21 | 32.71 | 32.21 | 31.71 |
| Math | C <= | Grade HS | 22.27 | 21.77 | 21.27 | 20.77 | 20.27 | 19.77 |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | \*[[74]](#footnote-75)1 | \*[[75]](#footnote-76)1 | \*[[76]](#footnote-77)1 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | \*[[77]](#footnote-78)1 | \*[[78]](#footnote-79)1 | \*[[79]](#footnote-80)1 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | \*[[80]](#footnote-81)1 | \*[[81]](#footnote-82)1 | \*[[82]](#footnote-83)1 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | \*[[83]](#footnote-84)1 | \*[[84]](#footnote-85)1 | \*[[85]](#footnote-86)1 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | \*[[86]](#footnote-87)1 | \*[[87]](#footnote-88)1 | \*[[88]](#footnote-89)1 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | \*[[89]](#footnote-90)1 | \*[[90]](#footnote-91)1 | \*[[91]](#footnote-92)1 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**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 | 71,960 | 68,936 | 86,848 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 8,895 | 7,682 | 10,869 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 36,379 | 37,380 | 48,448 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | 3,408 | 1,195 | 3,551 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 1,343 | 931 | 1,932 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 1,143 | 740 | 2,155 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | \*[[92]](#footnote-93)1 | \*[[93]](#footnote-94)1 |  | 29.67 | \*[[94]](#footnote-95)1 | N/A | N/A |
| **B** | Grade 8 | \*[[95]](#footnote-96)1 | \*[[96]](#footnote-97)1 |  | 38.53 | \*[[97]](#footnote-98)1 | N/A | N/A |
| **C** | Grade HS | \*[[98]](#footnote-99)1 | \*[[99]](#footnote-100)1 |  | 33.54 | \*[[100]](#footnote-101)1 | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 27.95% | 55.29% |  | 27.34 | 27.34 | N/A | N/A |
| **B** | Grade 8 | 21.75% | 55.96% |  | 34.21 | 34.21 | N/A | N/A |
| **C** | Grade HS | 37.60% | 59.87% |  | 22.27 | 22.27 | N/A | N/A |

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

Indicator B3D is a new indicator requiring initial baseline to be set. The initial baseline year is FFY 2020.

## 3D - Prior FFY Required Actions

None

## 3D - OSEP Response

The State has established the baseline for this indicator, using data from FFY 2020, and OSEP accepts that baseline.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 3D - Required Actions

The State reported that zero children with IEPs received a valid score and a proficiency level for the regular RLA assessment for grades 4, 8, and HS for this indicator and that zero out of all children who took the regular RLA assessment received a valid score and a proficiency level. However, the State reported FFY 2020 data for RLA in the Historical Table. With the FFY 2021 SPP/APR, the State must explain this discrepancy and provide accurate data for this indicator.

# 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 2020 SPP/APR, use data from 2019-2020), 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 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 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 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 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 2020 SPP/APR, the data for FFY 2019), 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** |
| --- | --- |
| 2016 | 46.34% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target <= | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Data | 33.33% | 46.34% | 39.13% | 49.37% | 41.57% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 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.**

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 28 | 38 | 41.57% | 0.00% | 73.68% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

Virginia schools were closed by executive order during the 2019-2020 school year. Education was offered in a virtual mode, in-person mode, or a hybrid of both. Due to the closing of schools and during the various instructional model offerings, statewide attendance for students with and without disabilities was significantly impacted. Additionally, student enrollment went down significantly due to parents choosing other educational opportunities rather than the public schools. Thus, with fewer students participating in Virginia's hybrid education and fewer students physically attending schools, fewer students were involved in disciplinary infractions, thus causing slippage. The number of districts that had a significant discrepancy for FFY 2020 was fewer (28) when compared to FFY 2019 (37). Additionally, the districts meeting the n/cell size was higher (89) for FFY 2019 when compared to FFY 2020 (38). Thus, mathematically, the rate for suspending or expelling students for more than ten days in a school year would be higher during this fiscal reporting period. Additionally, the number of school districts which met the n/cell size was less than the prior year reporting for multiple reasons.

**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**

To determine significant discrepancy, the VDOE evaluated the degree to which students with disabilities may or may not be at higher risk for being suspended or expelled compared to students without disabilities by computing risk ratios depicting the proportion of students with disabilities in the rate of suspensions and expulsions greater than ten cumulative days in a school year compared to their non-disabled peers in the same district. Risk ratios were computed for districts with a minimum cell size (numerator) of ten students with disabilities suspended or expelled more than ten cumulative days in a school year, an n-size (denominator) of at least more than ten students with disabilities, and a minimum cell size of at least more than ten students in the comparison group. Districts that met the minimum cell size/n-size with risk ratios 2.0 or greater were deemed to have a significant discrepancy and required to determine if the significant discrepancy was due to policies, procedures, and/or practices related to the development and implementation of individualized education programs (IEPs), the use of positive behavioral interventions and supports, and/or procedural safeguards by completing a self-assessment. (34 CFR §300.170(a))

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

The Virginia Department of Education (VDOE) uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator.

Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit the data accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

**Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 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.**

Using 2019-2020 data, 28 districts were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for students with disabilities in FFY 2020. The VDOE directed each of the 28 districts to create a district-based team and complete a formalized self-assessment. The components of the self-assessment tool required the teams to do the following: 1) examine the reasons for high suspensions by analyzing the root cause of suspensions and expulsions; 2) review the school's use of positive behavior interventions and supports; 3) determine if the school district is developing and implementing appropriate IEPs based on a sampling of IEPs of students who were suspended, or expelled, ten or more days cumulative; 4) assess if policies, procedures, and practices comply with Procedural Safeguards; 5) provide more training for individuals responsible for discipline; and 6) review the disability impact prior to disciplinary action.

The teams also had to determine if specific attention was required to improve the implementation of Functional Behavior Assessments and Behavior Intervention Plans as components of Positive Behavior Interventions and Supports (PBIS). Alternatives to suspension, such as restorative justice practices and Virginia's Tiered Systems of Support, are offered as tools to reduce suspensions and to align with other efforts to improve outcomes for students with disabilities. Culturally responsive practices and school climate are emphasized as a focus when reviewing policies, procedures, and practices.

The VDOE reviewed each self-assessment and concluded that 2 of the 28 districts had noncompliance with one or more of the requirements of 34 CFR §300.170(b).

The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).

**If YES, select one of the following:**

The State DID ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**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*.***

The VDOE directed the districts to revise its policies, procedures, and practices; the use of PBIS; and/or procedural safeguards as soon as possible, but no later than within one year of the date of original notification. The VDOE directed the districts to determine if its policies, procedures, and practices contributed to or had an impact on IEP noncompliance. If required, the district submitted an acceptable corrective action plan (CAP). The VDOE monitoring staff members are following up with the districts to ensure the following: 1) they have corrected any individual case of noncompliance, and 2) they are correctly implementing the specific regulatory requirements at 100 percent compliance. The status of compliance will be reported in the next APR report.

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1 | 1 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

The VDOE staff directed the district that reported less than 100 percent compliance to revise its policy, procedures, and practices; the use of positive behavioral interventions and supports; and procedural safeguards, if necessary. Additionally, VDOE staff verified if the failure to have a compliant policy, procedures, and practices resulted in IEP noncompliance. Though the school division was late in meeting the regulatory timeline, the VDOE verified correction of the individual case of noncompliance (Prong 1) by reassessing the student's record in completing the discipline process. For Prong 2, the district found no student IEP noncompliance based on the IEP sampling (verified by the VDOE staff member through Prong 2 activities). The district found student IEP noncompliance based on the IEP sampling (verified by the VDOE staff member through Prong 1 activities). The monitor required the district to submit, in writing, how changes to the policy, procedures, and practices were made. The monitor verified the changes by reviewing the appropriate documents and forms. The VDOE has determined that the district identified as having noncompliance specific to Indicator 4A, identified in FFY 2019, is now correctly implementing the regulatory requirements at 100 percent compliance with OSEP Memorandum 09-02.

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

Specifically, written notification of noncompliance was mailed to the district superintendent, a VDOE monitor was assigned, and a corrective action plan (CAP) was written by the district. The VDOE determined that the school district had individual cases of noncompliance specific to Indicator 4A, identified in FFY2019. To ensure that the revised policy, procedures, and practices had no continued impact on student IEP compliance, student records were reviewed to ensure correction and to meet Prong 1 standards consistent with OSEP Memorandum 09-02. Though the school division was late in meeting the regulatory timeline, the VDOE verified correction of the individual case of noncompliance (Prong 1) by reassessing the student's record in completing the discipline process.

For Prong 2, the district found no student IEP noncompliance based on the IEP sampling (verified by the VDOE staff member through Prong 2 activities). To satisfy Prong 2 standards consistent with OSEP Memorandum 09-02, the district revised its policy, procedures, and practices (e.g., documentation of trainings, meetings, handbook updates, guidance documents) that had been implemented since noncompliance was identified. The VDOE monitor then randomly selected new student files for review that were completed following changes to policies, procedures, and practices reviewing for evidence of corrections in the part or parts of the process that could cause noncompliance. All tracking activities and reviews of student records were compliant with Discipline Procedures 8VAC20-81-160. Prong 2, Set 1 resulted in 100 percent compliance with the district. Additional corrective steps were not required by the district. All steps in the monitoring process took place within one calendar year of the date the district was notified of noncompliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4A - Prior FFY Required Actions

The State must report, in the FFY 2020 SPP/APR, on the correction of noncompliance that the State identified in FFY 2019 as a result of the review it conducted pursuant to 34 C.F.R. § 300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each district with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

**Response to actions required in FFY 2019 SPP/APR**

## 4A - OSEP Response

## 4A - Required Actions

The State must report, in the FFY 2021 SPP/APR, on the correction of noncompliance that the State identified in FFY 2020 as a result of the review it conducted pursuant to 34 C.F.R. § 300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each district with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

# 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 2020 SPP/APR, use data from 2019-2020), 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 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 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 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 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 2020 SPP/APR, the data for FFY 2019), 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.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2016 | 0.76% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 1.52% | 0.76% | 0.76% | 0.00% | 0.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 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.**

118

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy, by race or ethnicity** | **Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 10 | 0 | 14 | 0.00% | 0% | 0.00% | Met target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

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

To determine significant discrepancy, the VDOE evaluated the degree to which students with disabilities in specific racial/ethnic groups may or may not be at higher risk for being suspended or expelled compared to their peers with disabilities in all other racial/ethnic groups by computing risk ratios depicting the proportion of students with disabilities in specific racial/ethnic groups in the rate of suspensions and expulsions greater than ten cumulative days in a school year compared to their peers with disabilities in all other racial/ethnic groups in the same school district. Risk ratios were computed for districts with a minimum cell size (numerator) of more than ten students with disabilities in specific racial/ethnic groups suspended or expelled more than ten cumulative days in a school year, an n-size (denominator) of at least more than ten students with disabilities in the racial/ethnic groups, and a minimum cell size of at least more than ten students in the comparison racial/ethnic groups. Districts that met the minimum cell size/n-size with risk ratios greater than 2.0 were deemed to have a significant discrepancy and required to determine if the significant discrepancy was due to policies, procedures, and practices related to the development and implementation of individualized education programs (IEPs), the use of positive behavioral interventions and supports, and/or procedural safeguards by completing a self-assessment. (34 CFR §300.170(a)).

One hundred eighteen (118) districts were totally excluded from the significant discrepancy calculation because they did not meet the minimum cell size/n-size for students with disabilities, by race/ethnicity, suspended or expelled greater than ten days in a school year in all racial/ethnic areas.

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

The VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator.

Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

**Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 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.**

Using 2019-2020 data, ten districts were identified as having a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than ten days in a school year for students with disabilities in FFY 2020. The VDOE directed each of the ten districts to create a school-based team and complete a formalized self-assessment. The components of the self-assessment tool required each team to do the following: 1) examine the reasons for high suspensions by analyzing the root cause of suspensions and expulsions; 2) review the school's use of positive behavior interventions and supports; 3) determine if the school district is developing and implementing appropriate IEPs based on a sampling of IEPs of students who were suspended or expelled ten or more days cumulative; 4) assess if policies, procedures, and practices comply with Procedural Safeguards; 5) provide more training for individuals responsible for discipline; and 6) review the disability impact prior to disciplinary action. The teams also had to determine if specific attention was required to improve the implementation of Functional Behavior Assessments and Behavior Intervention Plans as components of positive behavioral interventions and supports (PBIS). Alternatives to suspension, such as restorative justice practices and Virginia's Tiered Systems of Support, are offered as tools to reduce suspensions and to align with other efforts to improve outcomes for students with disabilities. Culturally responsive practices and school climate are emphasized as a focus when reviewing policies, procedures, and practices. The VDOE reviewed each self-assessment and concluded that none of the ten districts had noncompliance with one or more of the requirements of 34 CFR 300.170(b).

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 2019**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4B - Prior FFY Required Actions

None

## 4B - OSEP Response

## 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A | 2020 | Target >= | 69.00% | 69.00% | 70.00% | 70.00% | 70.00% |
| A | 71.60% | Data | 63.36% | 64.01% | 65.07% | 67.60% | 67.78% |
| B | 2020 | Target <= | 10.00% | 10.00% | 8.00% | 8.00% | 8.00% |
| B | 8.40% | Data | 11.15% | 10.87% | 10.16% | 9.30% | 9.15% |
| C | 2020 | Target <= | 3.00% | 3.00% | 2.50% | 2.50% | 2.50% |
| C | 3.91% | Data | 4.16% | 4.26% | 4.32% | 4.39% | 4.51% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 71.60% | 72.10% | 72.60% | 73.10% | 73.60% | 74.10% |
| Target B <= | 8.40% | 8.15% | 7.90% | 7.65% | 7.40% | 7.15% |
| Target C <= | 3.91% | 3.81% | 3.71% | 3.61% | 3.51% | 3.41% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

Finally, to ensure that stakeholders, including special education and general education teachers were aware of the current data and trends for specific indicators, such as indicator 5, data was shared at several statewide professional development conferences and the attending teachers were given an opportunity to have input into the target setting process.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | Total number of children with IEPs aged 5 (kindergarten) through 21 | 163,459 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 117,040 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 13,730 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools | 5,190 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities | 548 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements | 652 |

**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 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 117,040 | 163,459 | 67.78% | 71.60% | 71.60% | N/A | N/A |
| B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 13,730 | 163,459 | 9.15% | 8.40% | 8.40% | N/A | N/A |
| C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 6,390 | 163,459 | 4.51% | 3.91% | 3.91% | N/A | N/A |

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

The baseline data was revised due to a change in the methodology (measurement table) for the indicator that impacts comparability of the data. Specifically, the addition of children with IEPs aged 5 (kindergarten) included in the calculation. The new baseline year is FFY2020.

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

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

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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.**

NO

**Historical Data – 6A, 6B**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Part** | **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| **A** | Target >= | 32.00% | 33.00% | 34.00% | 35.00% | 34.00% |
| **A** | Data | 26.79% | 32.14% | 34.48% | 31.44% | 33.95% |
| **B** | Target <= | 23.00% | 21.00% | 19.00% | 17.00% | 26.00% |
| **B** | Data | 29.30% | 26.93% | 25.43% | 29.34% | 28.92% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**Targets**

**Please select if the State wants to set baseline and targets based on individual age ranges (i.e. separate baseline and targets for each age), or inclusive of all children ages 3, 4, and 5.**

Inclusive Targets

**Please select if the State wants to use target ranges for 6C.**

Target Range not used

Baselines for Inclusive Targets option (A, B, C)

| **Part** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- |
| **A** | 2020 | 24.65% |
| **B** | 2020 | 38.85% |
| **C** | 2020 | 6.27% |

**Inclusive Targets – 6A, 6B**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 24.65% | 24.90% | 25.15% | 25.40% | 25.65% | 25.90% |
| Target B <= | 38.85% | 38.60% | 38.35% | 38.10% | 37.85% | 37.60% |

**Inclusive Targets – 6C**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target C <= | 6.27% | 6.00% | 5.75% | 5.50% | 5.25% | 5.00% |

**Prepopulated Data**

**Data Source:**

SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/07/2021

| **Description** | **3** | **4** | **5** | **3 through 5 - Total** |
| --- | --- | --- | --- | --- |
| Total number of children with IEPs | 3,244 | 5,906 | 1,434 | 10,584 |
| a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 529 | 1,577 | 503 | 2,609 |
| b1. Number of children attending separate special education class | 1,503 | 2,162 | 429 | 4,094 |
| b2. Number of children attending separate school | 6 | 7 | 1 | 14 |
| b3. Number of children attending residential facility | 2 | 1 | 1 | 4 |
| c1**.** Numberof children receiving special education and related services in the home | 288 | 314 | 62 | 664 |

**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 2020 SPP/APR Data - Aged 3 through 5**

| **Preschool Environments** | **Number of children with IEPs aged 3 through 5 served** | **Total number of children with IEPs aged 3 through 5** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 2,609 | 10,584 | 33.95% | 24.65% | 24.65% | N/A | N/A |
| B. Separate special education class, separate school or residential facility | 4,112 | 10,584 | 28.92% | 38.85% | 38.85% | N/A | N/A |
| C. Home | 664 | 10,584 |  | 6.27% | 6.27% | N/A | N/A |

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

Students with disabilities, age 5, in kindergarten are no longer reported in Indicators B6A and B6B necessitating an update to the baseline year. The revised baseline year is FFY 2020 for both B6A and B6B. In addition, indicator B6C is a new indicator requiring initial baseline to be set. The initial baseline year is FFY 2020.

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

The State has revised the baseline for 6A and 6B and established the baseline for 6C, using data from FFY 2020, and OSEP accepts those baselines.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A1 | 2008 | Target >= | 89.80% | 89.90% | 90.00% | 90.10% | 90.10% |
| A1 | 82.00% | Data | 91.58% | 92.39% | 92.59% | 93.08% | 93.17% |
| A2 | 2008 | Target >= | 57.60% | 57.70% | 57.80% | 57.90% | 56.00% |
| A2 | 55.00% | Data | 56.63% | 54.92% | 52.88% | 51.32% | 46.91% |
| B1 | 2008 | Target >= | 93.70% | 93.80% | 93.90% | 94.00% | 94.00% |
| B1 | 83.00% | Data | 94.24% | 94.65% | 94.74% | 94.84% | 94.87% |
| B2 | 2008 | Target >= | 46.70% | 46.80% | 46.90% | 47.00% | 43.06% |
| B2 | 38.00% | Data | 46.23% | 46.71% | 44.36% | 43.06% | 40.12% |
| C1 | 2008 | Target >= | 90.70% | 90.80% | 90.90% | 91.00% | 91.00% |
| C1 | 82.00% | Data | 91.92% | 92.25% | 91.71% | 92.52% | 92.97% |
| C2 | 2008 | Target >= | 65.00% | 65.10% | 65.20% | 65.30% | 62.00% |
| C2 | 61.00% | Data | 62.53% | 61.26% | 60.04% | 58.19% | 55.26% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A1 >= | 91.25% | 91.50% | 91.75% | 92.00% | 92.25% | 92.50% |
| Target A2 >= | 55.00% | 55.25% | 55.50% | 55.75% | 56.00% | 56.25% |
| Target B1 >= | 94.25% | 94.50% | 94.75% | 95.00% | 95.25% | 95.50% |
| Target B2 >= | 38.00% | 38.25% | 38.50% | 38.75% | 39.00% | 39.25% |
| Target C1 >= | 91.25% | 91.50% | 91.75% | 92.00% | 92.25% | 92.50% |
| Target C2 >= | 61.00% | 61.25% | 61.50% | 61.75% | 62.00% | 62.25% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**FFY 2020 SPP/APR Data**

**Number of preschool children aged 3 through 5 with IEPs assessed**

5,806

**Outcome A: Positive social-emotional skills (including social relationships)**

| **Outcome A Progress Category** | **Number of children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 23 | 0.40% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 370 | 6.37% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 2,821 | 48.59% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 2,066 | 35.58% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 526 | 9.06% |

| **Outcome A** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation:(c+d)/(a+b+c+d)* | 4,887 | 5,280 | 93.17% | 91.25% | 92.56% | Met target | No Slippage |
| A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 2,592 | 5,806 | 46.91% | 55.00% | 44.64% | Did not meet target | Slippage |

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

| **Outcome B Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 19 | 0.33% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 304 | 5.24% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 3,322 | 57.22% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 2,008 | 34.58% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 153 | 2.64% |

| **Outcome B** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation: (c+d)/(a+b+c+d)* | 5,330 | 5,653 | 94.87% | 94.25% | 94.29% | Met target | No Slippage |
| B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 2,161 | 5,806 | 40.12% | 38.00% | 37.22% | Did not meet target | Slippage |

**Outcome C: Use of appropriate behaviors to meet their needs**

| **Outcome C Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 31 | 0.53% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 406 | 6.99% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 2,325 | 40.04% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 2,281 | 39.29% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 763 | 13.14% |

| **Outcome C** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.*Calculation:(c+d)/(a+b+c+d)*  | 4,606 | 5,043 | 92.97% | 91.25% | 91.33% | Met target | No Slippage |
| C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 3,044 | 5,806 | 55.26% | 61.00% | 52.43% | Did not meet target | Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **A2** | Slippage from FFY 2019 can be associated with a continued intensive and ongoing efforts by the Virginia Department of Education to improve the process used to determine ratings for indicator 7. Resources have been developed and professional development provided. Specifically, a focus has been placed on using the Child Outcomes Summary process to determine the child's abilities at program entry and exit, making the process objective and team based. The Virginia Department of Education anticipated slippage of data given the efforts to improve the process and accuracy of ratings. |
| **B2** | Slippage from FFY 2019 can be associated with a continued intensive and ongoing efforts by the Virginia Department of Education to improve the process used to determine ratings for indicator 7. Resources have been developed and professional development provided. Specifically, a focus has been placed on using the Child Outcomes Summary process to determine the child's abilities at program entry and exit, making the process objective and team based. The Virginia Department of Education anticipated slippage of data given the efforts to improve the process and accuracy of ratings. |
| **C2** | Slippage from FFY 2019 can be associated with a continued intensive and ongoing efforts by the Virginia Department of Education to improve the process used to determine ratings for indicator 7. Resources have been developed and professional development provided. Specifically, a focus has been placed on using the Child Outcomes Summary process to determine the child's abilities at program entry and exit, making the process objective and team based. The Virginia Department of Education anticipated slippage of data given the efforts to improve the process and accuracy of ratings. |

**Does the State 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? (yes/no)**

YES

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

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

YES

**List the instruments and procedures used to gather data for this indicator.**

All school districts submitted placement upon entry data and placement upon exit data gathered through the Child Outcomes Summary (COS) process through a secure web-based application developed by VDOE. All components of Indicator 7 are included in the application and data entered reflect children, age three through five, that received special education and related services for at least six months and exited during the reporting period July 1, 2020-June 30, 2021. The process includes edit checks to ensure consistency and accuracy in reporting. Staff members from VDOE provided information related to data required for Indicator 7 and on procedures for submitting data to the VDOE through statewide training sessions. Data submitted by school districts were reviewed for accuracy, and school districts were notified when there appeared to be inaccurate reporting.

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

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 response rate) and describe strategies that will be implemented which are expected to increase the response rate, 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 parents of children with disabilities.

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 should consider categories such as race/ethnicity, age of student, disability category, and geographic location in the State.

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.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** when reporting 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 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.

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**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 64.30% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 70.00% | 72.00% | 74.00% | 76.00% | 78.00% |
| Data | 79.22% | 80.28% | 85.52% | 89.48% | 86.68% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 80.00% | 82.00% | 84.00% | 86.00% | 88.00% | 90.00% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 12,951 | 15,129 | 86.68% | 80.00% | 85.60% | Met target | No Slippage |

**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.**

For the FFY 2020 data collection, the survey was made available to all parents, including parents of preschool-age children, in both an online format and hard copy format in both English and Spanish versions. Copies of the survey were printed and mailed to local school districts based on the child count (110 percent) by the Virginia Department of Education. Information announcing the distribution of the survey was sent to local special education administrators, members of the State Special Education Advisory Committee (SSEAC), Virginia's Parent Educational Advocacy Training Center (PEATC), and other community stakeholder groups/associations in positions to identify and encourage parents of students with disabilities to complete and return the survey. The results of the survey were combined to include preschool, elementary, middle, and high school for one analysis.

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

174,605

**Percentage of respondent parents**

8.66%

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2019** | **2020** |
| Response Rate  | 5.00% | 8.66% |

**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 Virginia Department of Education (VDOE) continues to provide broad access to the parent survey. The VDOE has implemented multiple survey dissemination processes and survey awareness-building activities which have increased the response rate year after year, from 5.0 percent in FFY 2019 to 8.7 percent in FFY 2020. To address equitable access to the survey, the online and paper versions of the survey are made available in English and Spanish and distribution of the paper version of the survey by school districts or schools includes a postage-paid return envelope. A QR code for both the English and Spanish versions of the survey was added to all correspondence and documents about the parent survey. Scanning the QR code sent the person scanning the code to the online parent survey that was formatted to be compatible with both computers and mobile devices. The mobile device compatibility provides better access to the survey for a broader group of potential respondents than a survey that is only formatted for access via computer. The VDOE will continue work with our State Special Education Advisory Committee (SSEAC) and Parent Training and Information Center (PTI) as well as the school districts’ Parent Resource Center (PRC) and special education local advisory committees to further ensure that parents of all students with disabilities across all demographic areas not only have access to the survey but are aware of the importance of their feedback to encourage them to complete the survey.

To build awareness about the survey and improve both parent response rates and representativeness, VDOE’s Family Engagement Specialist presented information about the parent survey to the Special Education Council, including discussions about ways to improve both response rates and representativeness. The VDOE’s Special Education Council members are special education directors who represent the geographic regions in the Commonwealth. Members are responsible for hosting meetings for all special education directors in their respective regions to distribute information from the VDOE Special Education Council meetings. The VDOE Family Engagement Specialist also presented information about the parent survey to SSEAC and local special education advisory committees, and provided suggestions for ways to improve both response rates and representativeness, including suggesting that school districts post the survey information and link on the districts’ websites and/or email the survey link to all parents of their students with disabilities. In addition, VDOE’s Family Engagement Specialist provided to the Family Engagement Network (FEN), composed of 40 members from various community organizations, a recorded training session including a script that FEN members could utilize to train families in their region of the State about the parent survey.

The VDOE added a downloadable one-page document about the survey and the direct links to the English and Spanish online versions of the parent survey on the State website from July through early January. Information about the parent survey was also posted to the internal message board in the statewide IEP/special education data system that is used by over 50,000 special education and related services personnel in 110 of the 132 school divisions in Virginia plus the Virginia School for Deaf and Blind (VSDB), Department if Juvenile Justice (DJJ), and State Operated Programs.

**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.**

The response rate was analyzed for unit nonresponse bias by comparing the survey results to the known population parameters. More specifically, this analysis was completed by comparing the race/ethnicity and primary disability category representation of FFY 2020 parent survey responses to the race/ethnicity and primary disability category makeup of the state population of all children with disabilities from the VDOE school year 2020-2021 IDEA child count.

Based on the seven race/ethnicity categories used to report IDEA data, three of the seven categories (American Indian/Alaska Native, Asian, and Native Hawaiian/Pacific Islander) for survey respondents were within the +/- 3 percentage points of the proportion of the state population of children in those three race/ethnicity categories who are receiving special education services. The two or more races and White race/ethnicity categories were overrepresented by 5.42 and 9.70 percentage points, respectively. The Black and Hispanic or Latino race/ethnicity categories were underrepresented by 10.41 and 7.83 percentage points, respectively.

Based on the 13 disability categories used to report IDEA data, 9 of the 13 categories for survey respondents were within the +/- 3 percentage points of the proportion of the state population of children in those 9 disability categories who are receiving special education services (Deaf-Blindness, Developmental Delay, Emotional Disability, Hearing Impaired, Intellectual Disability, Orthopedic Impairment, Speech/Language Impairment, Traumatic Brain Injury, and Vision Impairment). The Autism and Multiple Disabilities categories were overrepresented by 5.60 and 15.56 percentage points, respectively. The Other Health Impairment and Specific Learning Disability categories were underrepresented by 12.33 and 9.97 percentage points, respectively.

The VDOE took multiple steps to reduce identified nonresponse bias and promote response from a broad cross section of parents of children with disabilities. To build awareness about the parent survey and improve parent response rate, VDOE’s Family Engagement Specialist presented information about the parent survey to the Special Education Council, including discussions about ways to improve the response rates of parents of children in the underrepresented demographic groups. The VDOE Family Engagement Specialist also presented information about the parent survey to SSEAC and local special education advisory committees, providing suggestions for ways to improve both response rates and representativeness, including suggesting that school districts post the survey information and link on the districts’ websites and/or email the survey link to all parents of their students with disabilities.

In FFY 2021, VDOE is focusing on reducing nonresponse bias by reducing the non-response rate (91.3%).

**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 should consider categories such as race/ethnicity, age of student, disability category, and geographic location in the State.**

The table below shows the counts and percentages for the two demographic categories that VDOE used in analyzing the percentage point differences between the VDOE child count data and the parent survey responses. The VDOE considered parent survey responses to be representative of the demographics of children receiving special education services if the difference between the percentages by each race/ethnicity category and primary disability category are within +/- 3 percentage points. Three of the seven race/ethnicity categories and nine of the thirteen disability categories were found to be representative of the demographics of children receiving special education services.

Race/Ethnicity………………..Child Count Total……Percentage......Survey Responses……Percentage……Percentage Point Difference
American Indian…........................525…………...…....0.30%.........................46………….....……..0.70%...........................0.20
Asian…………………...…......…………6,655………..….......3.81%.......................181………....………..2.76%............................1.22
Black…….................................….45,123……….......…25.84%......................1,946………...………29.68%.........................-10.41
Pacific Islander…..........................241…………........…0.14%..........................8…………....………0.12%...........................-0.01
Hispanic / Latino………..………….29,378………......…16.82%.......................742………..…..…….11.32%..........................-7.83
White (not Hispanic)……………...82,360……......……47.16%......................3,339…………....……50.92%..........................9.70
Two or more races…………..……10,356………....…...5.93%.........................248…………....………3.78%..........................5.42

Disability……………….....………Child Count Total……Percentage......Survey Responses……Percentage……Percentage Point Difference
Autism…...………………………….......…24,202…......………13.86%.....................3,284……….……….19.46%............................5.06
Deaf-blindness…………………...…………23……..........…….0.01%........................15…………...……….0.09%............................0.08
Developmental delay……….……..…13,015…......……....7.45%......................1,388………….…….…8.22%............................0.77
Emotional disability……………...….…9,463……......……..5.42%........................670…………..…….…3.97%...........................-1.45
Hearing impairment……………..…....1,263…….......…….0.72%.......................157…………...……….0.93%.............................0.21
Intellectual disability…………...………8,783……........……5.03%........................776…………..….……4.60%............................-0.43
Multiple disabilities……………...….….2,907……......…….1.66%.......................2,907…………………17.22%...........................15.56
Orthopedic impairment………..…..….519……….......…..0.30%.........................66……….......……….0.39%.............................0.09
Other health impairment…….……..35,980….....……....20.60%....................1,397…………......…….8.28%.........................-12.33
Specific learning disability……...…..54,136……....…....31.00%..................…3,549………........…….21.03%..........................-9.97
Speech or language impairment...23,411……....….…13.41%....................2,499……...…..………..14.81%...........................1.40
Traumatic brain injury………….……….377……….........…0.22%……...………......57………....…….……..0.34%.............................0.12
Visual impairment…………………...……559….......……..…0.32%.......................112……..……………...0.66%.............................0.34

**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.**

To continue to improve representativeness of responses to the parent survey, VDOE’s Family Engagement Specialist will continue to present information about the parent survey to the VDOE Special Education Council and lead focused discussions about ways to improve response rates from the currently underrepresented groups described above. The VDOE Family Engagement Specialist will continue working with SSEAC and local special education advisory committees to provide suggestions for ways to improve both response rates and representativeness, including encouraging school districts to post the survey information and link on the districts’ websites and/or email the survey link to all parents of their students with disabilities. In addition, VDOE’s Family Engagement Specialist will continue communicating with FEN members and work more directly with those community organizations to train families in their region of the State about the parent survey, with a specific emphasis on outreach to families of children with disabilities in the underrepresented racial/ethnic and primary disability demographic groups.

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

The measure used to determine representativeness was +/- 3 percentage point difference in the proportion of responders as compared to the target population.

| **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? | NO |
| If yes, provide a copy of the survey. |  |

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

## 8 - Prior FFY Required Actions

In the FFY 2020 SPP/APR, the State must report whether its FFY 2020 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State 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.

**Response to actions required in FFY 2019 SPP/APR**

## 8 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 8 - Required Actions

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State 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 2020 reporting period (i.e., after June 30, 2021).

**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 2020 SPP/APR, the data for FFY 2019), 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.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 0.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 SPP/APR Data**

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

YES

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

0

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial/ethnic groups in special education and related services** | **Number of districts with disproportionate representation of racial/ethnic groups in special education and related services that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 5 | 0 | 132 | 0.00% | 0% | 0.00% | N/A | N/A |

**Were all races and ethnicities included in the review?**

YES

**Define “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).**

The VDOE’s definition of “disproportionate representation” for Indicator 9 is as follows: 1) disproportionate representation of racial and ethnic groups in special education and related services occurs when the percent of a particular racial or ethnic group identified in the school district’s special education population is disproportionate to the percent of that racial or ethnic group in the school district’s general population using a risk ratio; 2) the threshold at which disproportionate representation is identified is a risk ratio of 2.0 or greater; 3) a single year of data is used in the calculation; and 4) a minimum cell size of more than ten (numerator) and minimum n-size of more than ten (denominator) were utilized.

**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.**

Level One: Data Analysis

The VDOE used a risk ratio model to calculate and determine if districts had disproportionate representation. The VDOE evaluated the degree to which students in specific racial and ethnic groups may or may not be at higher risk for being identified as having a disability compared to students not in those racial and ethnic groups. This is accomplished by computing risk ratios depicting the proportion of students with disabilities (SWD) in each specific racial and ethnic group relative to the proportion of SWD in all other racial and ethnic groups. The computation was done at the district level and a minimum cell size of more than ten (numerator) and minimum n-size of more than ten (denominator) was applied as a control for very small populations.

Risk ratios were computed for districts that met the minimum cell size/n-size requirements of more than ten students with disabilities in a specific racial or ethnic group and more than ten students in the comparison group. Data from FFY 2020 includes calculations from all 132 school districts in the State resulting in no districts being totally excluded from the disproportionate calculation. Using the calculation criteria above and applying it to all races/ethnicities effectively created a response group representative of the populations in each district.

Districts with racial and ethnic group(s) that met the minimum cell size/n-size with risk ratios greater than 2.0 were considered to have disproportionate representation. Subsequently, they were required to complete the level two analysis to determine if the disproportionate representation found was due to procedural violations during the eligibility and/or evaluation processes found at 8VAC20-81-80 and 8VAC20-81-70 of the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (Regulations), respectively.

Level Two: Review of Superintendents’ Assurances of Policies, Procedures, and Practices that Prevent Disproportionate Representation and Individual Student Records

Annually, each school district is required to provide the VDOE a written assurance, certified by signature of the superintendent/designee of the school district, that policies and procedures are in effect which are designed to prevent disproportionate representation by race and ethnicity in special education and related services (refer to FFY 2019 Part B State Performance Plan/Annual Performance Report).

Additionally, if a school district was identified in the level one analysis for disproportionate representation, the district was required to review individual student records for the racial and ethnic groups identified in the level one analysis. This record review required the use of a checklist that allowed the school district to identify, by documented evidence only, any violations of procedural or regulatory requirements related to the identification of students as a student with a disability. If there was no documented evidence found in a student’s record to support “appropriate identification” as defined by the VDOE, this counted as a procedural or regulatory violation. School districts submitted a written summary of their student record review to the VDOE, and a final determination was made as to which districts had disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. For 2020-2021, zero of the five districts identified in the level one analysis and subjected to this level two analysis were determined to have violations of regulatory or procedural requirements related to the identification of students as students with disabilities in that racial or ethnic group.

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

The VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator.

Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

**Correction of Findings of Noncompliance Identified in FFY 2019**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

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

## 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 FFY 2020, 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 2020 reporting period (i.e., after June 30, 2021).

**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 2020 SPP/APR, the data for FFY 2019), 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.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 1.72% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.76% | 1.72% | 1.72% | 0.86% | 1.71% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 SPP/APR Data**

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

YES

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

17

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories** | **Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 59 | 1 | 115 | 1.71% | 0% | 0.87% | N/A | N/A |

**Were all races and ethnicities included in the review?**

YES

**Define “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).**

The VDOE’s definition of “disproportionate representation” for Indicator 10 is as follows: 1) disproportionate representation of racial and ethnic groups in specific disability categories occurs when the percent of a particular racial or ethnic group in the disability categories of intellectual disability, specific learning disability, emotional disability, other health impairment, autism, or speech or language impairment is disproportionate to the percent of that racial or ethnic group relative to the percent of students with disabilities (SWD) in these disability categories in all other racial or ethnic groups using a risk ratio; 2) the threshold at which disproportionate representation is identified as a risk ratio of 2.0 or greater; 3) a single year of data is used in the calculation; and 4) a minimum cell size of more than ten (numerator) and/or minimum n-size of more than ten (denominator) were utilized.

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

Level One: Data Analysis

The VDOE used a risk ratio model to calculate and determine if districts had disproportionate representation. The VDOE evaluated the degree to which students in specific racial and ethnic groups may or may not be at higher risk for being identified as having a disability in a specific disability category compared to students not in that racial or ethnic group. This is accomplished by computing risk ratios depicting the proportion of SWD in a specific disability category in each racial and ethnic group relative to the proportion of SWD in the specific disability category in all other racial and ethnic groups. The computation was done at the district level and a minimum cell size of more than ten (numerator) and minimum n-size of more than ten (denominator) was applied to control very small populations.

Risk ratios were computed for districts that met the minimum cell size/n-size requirements of more than ten students with disabilities in the racial or ethnic group and more than ten students in the comparison group. Districts with racial and ethnic group(s) that met the minimum cell size/n-size with risk ratios 2.0 or greater were considered to have disproportionate representation and required to complete the level two analysis to determine if the disproportionate representation found was due to procedural violations during the eligibility and/or evaluation processes found at 8VAC20-81-80 and 8VAC20-81-70 of the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (Regulations), respectively.

In 2020-2021, 17 districts were totally excluded from the calculation due to not meeting the minimum cell size requirements for any racial or ethnic group within specific disability categories. Fifty-nine districts were identified in the level one analysis and subjected to level two analysis. The FFY 2020 data includes calculations from 115 school districts and captures all races and ethnicities as well as all six specific disability categories, creating a response group representative of the populations in each district.

Level Two: Review of Superintendents’ Assurances of Policies, Procedures, and Practices that Prevent Disproportionate Representation and Individual Student Records

Annually, each school district is required to provide the VDOE a written assurance, certified by signature of the superintendent/designee of the school district, that policies and procedures are in effect which are designed to prevent disproportionate representation in special education and related services by race and ethnicity within specific disability categories (refer to FFY 2019 Part B State Performance Plan/Annual Performance Report).

Additionally, if a district was identified in the level one analysis for disproportionate representation, the district was required to review individual student records for the racial and ethnic group(s) and special education category(ies) identified in the level one analysis. This record review required the use of a checklist that allowed the district to identify, by documented evidence only, any violations of procedural or regulatory requirements related to the identification of a student as a student with a disability. If there was no documented evidence found in a student’s record to support “appropriate identification” as defined by the VDOE, this counted as a procedural or regulatory violation. School districts submitted a written summary of their student record review to VDOE, and a final determination was made as to which districts had disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification. For 2020-2021, one of the fifty-nine districts identified in the level one analysis and subjected to this level two analysis was determined to have violations of regulatory or procedural requirements related to the identification of students as students with disabilities in that racial and ethnic group and specific disability category(ies).

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

The VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator.

Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 2 | 2 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

The VDOE contacted the two districts that reported less than 100 percent compliance for FFY 2019. The districts reviewed their procedures and practices for compliance. Finding zero noncompliance in the aforementioned areas, the districts then provided training/technical assistance to applicable staff members. Additionally, the VDOE verified correction of the six individual cases of noncompliance (Prong 1) by reassessing the students’ records in the area(s)/question(s) originally reported as noncompliant. Subsequent Indicator 10 file assessments were conducted by VDOE monitoring staff of a sampling of each of the two noncompliant district’s newly developed student records (Prong 2). Specifically, the monitors randomly reviewed new student files for the identified disproportionately represented race/ethnicity and disability for each district reviewing for evidence of corrections in the part or parts of the process that caused the noncompliance. The Prong 2, Set 1 record review resulted in 100 percent compliance in both districts. Therefore, it was determined that no additional corrective steps were required by the districts. The two FFY 2019 districts that reported noncompliance specific to Indicator 10 are now at 100 percent compliance and are correctly implementing the regulatory requirements consistent with OSEP Memorandum 09-02.

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

The VDOE has verified that the six incidents of student level noncompliance specific to Indicator 10 from the two school districts identified in FFY 2019 were corrected consistent with OSEP Memorandum 09-02. The districts with noncompliance have corrected their individual cases of noncompliance and are correctly implementing the specific regulatory requirements associated with Indicator 10. Specifically, written notification of the noncompliance was mailed to the two district superintendents. Subsequently, one VDOE monitor per district was assigned to ensure Prong 1 and Prong 2 corrections.
Prior to conducting Prong 1, the VDOE monitors reviewed the processes used by the two districts to identify students under IDEA, more specifically the six specific disability categories captured under Indicator 10, to determine if they were compliant. This review also included an assessment as to whether there was racial/ethnic and/or cultural bias in the districts’ evaluation processes. Additionally, in each of the identified districts, the eligibility and evaluation processes were reviewed to discern if the identified noncompliance was a districtwide problem, a school-based problem, or an isolated occurrence. It was determined that the school districts’ identification processes were compliant, and that the identified cases of noncompliance were isolated.

To complete the Prong 1 process, the VDOE monitors reassessed the records of the six individual cases of noncompliance and verified that all six records were corrected, and therefore 100 percent compliant. To satisfy Prong 2, the VDOE monitors reviewed the districts’ policies and procedures (e.g., documentation of training, meetings, guidance documents, procedural updates) implemented since noncompliance was identified. The monitors then randomly reviewed new student files (Prong 2) for the identified disproportionately represented race/ethnicity and disability in the two noncompliant districts, reviewing for evidence of corrections in the part or parts of their processes that caused the noncompliance. The Prong 2, Set 1 record reviews resulted in 100 percent compliance, and it was determined that no additional corrective steps were required by either of the districts. All steps took place within one calendar year of the date the districts were notified of noncompliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 10 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. The State must demonstrate, in the FFY 2020 SPP/APR, that the 2 districts identified in FFY 2019 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification [is/are] in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

None

## 10 - OSEP Response

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

## 10 - Required Actions

Because the State reported less than 100% compliance for FFY 2020 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. The State must demonstrate, in the FFY 2021 SPP/APR, that the district identified in FFY 2020 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

# 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 2020 SPP/APR, the data for FFY 2019), 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 | 92.70% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 98.95% | 99.36% | 99.25% | 98.85% | 97.45% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 19,962 | 18,696 | 97.45% | 100% | 93.66% | Did not meet target | Slippage |

**Provide reasons for slippage**

School districts continued to be impacted by the effects of COVID-19 during the 2020-2021 school year. School districts determined the format(s) of instruction offered to students to include an in-person instruction, a fully virtual instruction option, and a hybrid option in which students participated in a combination of in-person and virtual instruction. The VDOE issued guidance that reinforced the requirement that school districts must continue to accept referrals for evaluations for special education and timelines still applied. The VDOE also shared similar guidance from the U. S. Department of Education with school districts as available. Some school districts met challenges with the logistics of completing evaluations and conducting eligibility meetings on time. These challenges included: gaining access to students either in person or virtually in order to conduct evaluations; access to evaluation instruments that could be conducted in a virtual setting while meeting test instrument standardization; and frequent student and staff absences due to illness and/or quarantine impacted both the staff's ability to conduct evaluations in a timely manner and to conduct meetings with the required team participants. These challenges negatively impacted the number of children whose evaluations and eligibility determinations were completed within the State-established timeline.

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

1,266

**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.**

Number of students / (Range of business days beyond required timeline)
- 102 students (1-5 days)
- 136 students (6-15 days)
- 78 students (16-25 days)
- 57 students (26-35 days)
- 48 students (36-45 days)
- 845 students (46+ days)

Number of students / (Reason for the delay)
- 16 students (Inclement weather)
- 75 students (Paperwork errors)
- 3 students (Inconclusive testing results)
- 0 students (Late referral due to Part B/C issues)
- 14 students (Child not available: not parent failure/child refusal)
- 1,158 students (Other) - Specifically, 877 meeting delays related school closures due to COVID; 227 meeting delays due to scheduling errors on behalf of the school district

**Indicate the evaluation timeline used:**

The State established a timeline within which the evaluation must be conducted

**What is the State’s timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).**

According to Virginia Regulations, 8VAC20-81-60 referral for initial evaluation, the district must ensure that all evaluations are completed and that decisions about eligibility are made within 65 business days of the receipt of the referral by the special education administrator or designee, including if the special education administrator or designee routes the referral to the school-based committee for review and action.

The time frame shall not apply to the local school district if:
(1) The parent(s) of the child repeatedly fails or refuses to produce the child for the evaluation; or
(2) If the child enrolls in a school served by the local school district after the required 65 business days has begun and prior to a determination by the child’s previous local school district as to whether the child is a child with a disability. This exception only applies if the local school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent(s) and the local school district where the child is enrolled in school agree to a specific time when the evaluation will be completed.

In addition, the parent and eligibility group may agree in writing to extend the 65-day timeline to obtain additional data that cannot be obtained within the 65 business days.

**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.**

All school districts submitted data for Indicator 11 through a secure web-based application developed by VDOE. All components of Indicator 11 are included in the application, and data entered reflect the reporting period July 1, 2020-June 30, 2021, including edit checks to ensure consistency and accuracy in reporting. The VDOE staff members provided information to school district staff members regarding the data required for Indicator 11 and on procedures for submitting data to the VDOE through statewide training sessions. Data submitted by school districts were reviewed for accuracy, and school districts were notified when there appeared to be inaccurate reporting. In addition, numerous student records were reviewed remotely to verify accurate reporting.

In addition, numerous verification visits were made to ensure accurate reporting. Specifically, the VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator. Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 596 | 596 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

The assigned VDOE monitor contacted each of the 30 school districts that reported less than 100 percent compliance for FFY 2019. A discussion of activities, strategies, and barriers causing noncompliance was held with the director of special education, or the designee, for each of the 30 school districts. Directors of special education followed up with school administrators and other staff members integral to the evaluation and eligibility process to ensure the implementation of activities and strategies discussed with the VDOE monitor. Through in-person or remote desk reviews of each of the 596 individual student records identified as noncompliant for Indicator 11 in FFY 2019, VDOE monitoring staff verified that, albeit late, all 596 initial eligibility meetings had been held (Prong 1). Additionally, a random sampling of newly completed Indicator 11 records (Prong 2) were reviewed by the VDOE in each of the 30 districts identified as noncompliant for this indicator in FFY 2019. The results of these Prong 1 and Prong 2 reviews revealed that all 30 districts previously identified as noncompliant in FFY 2019 for Indicator 11 are now at 100 percent compliance and are correctly implementing the regulatory requirements consistent with OSEP Memorandum 09-02.

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

The VDOE has determined that all of the 596 items of student-level noncompliance specific to Indicator 11, identified in FFY 2019, were corrected consistent with OSEP Memorandum 09-02. Each of the 30 districts with noncompliance: 1) has completed the evaluation (including eligibility), although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the district; and 2) is correctly implementing the specific regulatory requirements.

Specifically, written notification of the noncompliance was sent to each of the 30 district superintendents, a VDOE monitor was assigned to each district, and corrective action plans were written by the district if deemed appropriate by the VDOE monitor. To satisfy Prong 1, in-person or remote desk reviews were completed for each of the 596 individual student records in the 30 districts that were identified as noncompliant for Indicator 11 in FFY 2019. The VDOE monitoring staff verified that, albeit late, all 596 initial eligibility meetings had been held, unless the child is no longer in the jurisdiction of the district. Local directors were reminded of their obligation to consider compensatory service for eligible students in instances where the timeline was not met. To satisfy Prong 2, the monitors reviewed revised policies, procedures, and practices (e.g., documentation of training, meetings, handbook update, guidance documents) the districts have implemented since noncompliance was identified. A random sampling of newly completed Indicator 11 records were reviewed by the VDOE in each of the 30 districts identified as noncompliant for this indicator in FFY 2019. The results of these reviews revealed that all 30 districts previously identified as noncompliant in FFY 2019 for Indicator 11, are now at 100 percent compliance and are correctly implementing the regulatory requirements consistent with OSEP Memorandum 09-02. All steps took place within one calendar year of the date each district was notified of noncompliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
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|  |  |  |  |

## 11 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 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 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

## 11 - OSEP Response

## 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State 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 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 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State 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 State did not identify any findings of noncompliance in FFY 2020.

# 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 2020 SPP/APR, the data for FFY 2019), 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.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 89.30% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 99.46% | 99.53% | 99.56% | 99.70% | 99.47% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 SPP/APR Data**

|  |  |
| --- | --- |
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.  | 3,683 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.  | 360 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.  | 2,213 |
| d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.  | 709 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays.  | 291 |
| f. Number 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. | 0 |

| **Measure** | **Numerator (c)** | **Denominator (a-b-d-e-f)** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 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. | 2,213 | 2,323 | 99.47% | 100% | 95.26% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

School districts continued to be impacted by the effects of COVID-19 during the 2020-2021 school year. The VDOE issued guidance that reinforced the requirement that school districts must continue to accept referrals for evaluations for special education and timelines still applied. The VDOE also shared similar guidance from the U. S. Department of Education with school districts as available. Some school districts met challenges with the logistics of completing evaluations and conducting eligibility and IEP meetings on time. These challenges included gaining access to students either in-person or virtually in order to conduct evaluations; access to evaluation instruments that could be conducted in a virtual setting while meeting test instrument standardization; and frequent student and staff absences due to illness and/or quarantine impacted both the staff's ability to conduct evaluations in a timely manner and to conduct meetings with the required team participants. These challenges negatively impacted the number of children whose evaluations and eligibility determinations were completed within the State-established timeline.

**Number of children who served in Part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

110

**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.**

Number of students with disabilities / (Range of business days beyond required timeline)
- 8 students (1-5 days)
- 13 students (6-15 days)
- 8 students (16-25 days)
- 2 students (26-35 days)
- 3 students (36-45 days)
- 76 students (46+ days)

Number of students with disabilities / (Reason for the delay)
- 0 students (Inclement weather)
- 11 students (Paperwork errors)
- 0 students (Inconclusive testing results)
- 4 students (Late referral due to Part B/C issues)
- 2 students (Child not available: not parent failure/child refusal)
- 93 students (Other) - Specifically, 86 meeting delays related school closures due to COVID; 7 meeting delays due to scheduling errors on behalf of the school district

**Attach PDF table (optional)**

**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.**

All school districts submitted data for Indicator 12 through a secure web-based application developed by VDOE. All components of Indicator 12 are included in the application and data entered reflect the reporting period July 1, 2020-June 30, 2021, and include all children referred by Part C prior to age three, who are found eligible for Part B, and who have an IEP developed and implemented by the beginning of the school year if they turn age two by September 30 of that school year or by their third birthday. Staff members from VDOE provided information related to data required for Indicator 12 and on procedures for submitting data to VDOE through statewide training sessions. Data submitted by school districts were reviewed for accuracy, and school districts were notified when there appeared to be inaccurate reporting. In addition, numerous on-site verification visits were made to ensure accurate reporting.

In addition, numerous verification visits were made to ensure accurate reporting. Specifically, the VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator. Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 10 | 10 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

The FFY 2019 data reflected ten total instances of noncompliance in eight school districts. The assigned VDOE monitor contacted each of the eight school districts that reported less than 100 percent compliance for FFY 2019. A discussion of activities, strategies, and barriers causing noncompliance was held with the director of special education, or the designee, for each of the eight school districts. Directors of special education followed up with school administrators and other staff members integral to the evaluation, eligibility, and IEP processes to ensure the implementation of activities and strategies discussed with the VDOE monitor. Through in-person or remote desk reviews of each of the ten individual student records identified as noncompliant for Indicator 12 in FFY 2019, VDOE monitoring staff verified that, albeit late, all ten initial eligibility meetings had been held and all ten IEPs were developed (Prong 1). Additionally, a random sampling of newly completed Indicator 12 records (Prong 2) in each of the eight districts identified as noncompliant for this indicator in FFY 2019 were reviewed by the VDOE. The results of these Prong 1 and Prong 2 reviews revealed that all eight districts previously identified as noncompliant in FFY 2019 for Indicator 12 are now at 100 percent compliance and are correctly implementing the regulatory requirements consistent with OSEP Memorandum 09-02.

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

The VDOE has determined that all ten instances of student-level noncompliance specific to Indicator 12 identified in FFY 2019 were corrected consistent with OSEP Memorandum 09-02. Each of the eight districts with noncompliance: 1) has completed the eligibility and developed an initial IEP, although late, for any child whose initial eligibility and subsequent IEP was not timely, unless the child is no longer within the jurisdiction of the district; and 2) the VDOE has verified that the district is now correctly implementing the specific regulatory requirements with 100 percent compliance.

Specifically, written notification of the noncompliance was sent to each of the eight district superintendents, a VDOE monitor was assigned to each district, and corrective action plans were written by the district, if deemed appropriate by the VDOE monitor. To satisfy Prong 1, in-person or remote desk reviews were completed for each of the ten individual student records in the eight districts that were identified as noncompliant for Indicator 12 in FFY 2019. The VDOE monitor reviewed the eligibility determinations and IEP for each of the ten individual cases of noncompliance and has determined that the LEA has completed the eligibility and IEP, although late, for any child whose initial eligibility and subsequent IEP was not timely, unless the child is no longer within the jurisdiction of the district, resulting in 100 percent compliance with the regulatory requirement. At the time of this review, monitors reminded local directors of their obligation to consider compensatory time in instances where the timeline was not met. To satisfy Prong 2, the VDOE monitors reviewed revised policies, procedures, and practices (e.g., documentation of training, meetings, handbook update, guidance documents) the districts have implemented since noncompliance was identified. A random sampling of newly completed Indicator 12 records in each of the eight districts identified as noncompliant for this indicator in FFY 2019 were reviewed by the VDOE. The results of these reviews revealed that all eight districts previously identified as noncompliant in FFY 2019 for Indicator 12, are now at 100 percent compliance and are correctly implementing the regulatory requirements consistent with OSEP Memorandum 09-02. All steps took place within one calendar year of the date each district was notified of noncompliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 12 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 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 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

## 12 - OSEP Response

## 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State 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 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 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State 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 State did not identify any findings of noncompliance in FFY 2020.

# 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 2020 SPP/APR, the data for FFY 2019), 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 | 98.09% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 99.17% | 99.37% | 99.71% | 99.25% | 98.41% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 8,378 | 8,624 | 98.41% | 100% | 97.15% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

School districts continued to be impacted by the effects of COVID-19 during the 2020-2021 school year. As with other states, the ongoing pandemic has greatly impacted staffing. This impact may account for the slippage experienced in this indicator. The VDOE is aligning funding priorities to the U. S. Department of Education’s COVID-19 Resources for Schools, Students and Families including the utilization of pandemic relief funds as a way to address concerns regarding staffing. The VDOE is also working to expand and increase district level support and assistance in the areas of planning, assessing, and developing IEPs focused on secondary transition.

**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.**

All school districts complete an eight question checklist developed by VDOE that incorporates technical assistance provided by the National Technical Assistance Center on Transition (NTACT). The data is submitted through a secure web-based application developed by VDOE. All required components of Indicator 13 are included in the application, and data entered reflect the reporting period July 1, 2020-June 30, 2021, including edit checks to ensure consistency and accuracy in reporting. Staff members from VDOE provided information related to data required for Indicator 13 and on procedures for submitting data to the VDOE through statewide training sessions. Data submitted by school districts were reviewed for accuracy, and school districts were notified when there appeared to be inaccurate reporting.

In addition, numerous verification visits were made to ensure accurate reporting. Specifically, the VDOE uses a five-year cyclical approach to review special education data for all school districts in the Commonwealth, as recommended by OSEP. In doing so, the VDOE has a process for systematically auditing and validating school districts’ self-determinations of compliance with all Individuals with Disabilities Education Act (IDEA) compliance indicators submitted through its Single Sign-on for Web Systems (SSWS) Special Education Indicators application. The VDOE ensures, per OSEP guidance, all instances of noncompliance are reported as communicated by the LEAs to VDOE consistent with OSEP Memorandum 09-02.

Each year, approximately 20 percent of the school districts in Virginia are selected for data validation of compliance indicators. Specifically, between the months of September and December, the regional VDOE monitor assigned to school districts within that current year’s cohort reviews a random sample of individual student files and specific policies, procedures, and practices to ensure the accuracy of the indicator information submitted to VDOE. The number of files reviewed is based on the number of records submitted for each indicator. Local educational agencies (LEAs) self-reporting less than 100 percent receive written notification of noncompliance, develop a corrective action plan (CAP) as determined by the Lead Monitor, and undergo the Prong 1 and Prong 2 process within one year of written notification. If it is determined that LEAs self-reporting 100 percent submitted inaccurate information, the school district is required to resubmit accurately. Following data resubmission, the district superintendent receives written notification of noncompliance, a CAP is developed as determined by the Lead Monitor, and the Prong 1 and Prong 2 process is completed within one year of written notification. Closure of indicator corrections is finalized with an email to special education administrators.

| **Question** | **Yes / No** |
| --- | --- |
| Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?  | YES |
| If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age? | NO |

**If no, please explain**

Although State regulations require transition planning to start at age 14, Virginia staff members met with stakeholders and elected to align the Indicator 13 data submission with Federal regulations as required in the FFY 2020 Part B Measurement Table. This decision was made to align with Federal regulations in order to minimize the variables for benchmarking purposes when utilizing the SPP/APR Indicator Analysis Booklet released annually by OSEP. The National Technical Assistance Center on Transition (NTACT) analysis of Indicator 13 is very useful when meeting with stakeholders. However, federal program monitors ensure that students younger than 16 also meet these requirements as identified by Virginia Regulations in their monitoring activities conducted in local districts. Virginia will revisit the decision to not include children younger than age 16 in our stakeholder discussions for the FFY 2021 Part B SPP/APR and beyond.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 131 | 131 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

The VDOE contacted each school district that reported less than 100 percent compliance for FFY 2018. The VDOE verified correction of individual cases of noncompliance identified in FFY 2019 through on-site visits and/or internal desk reviews of school districts’ data for Indicator 13. School districts were required to provide verification of corrections for individual cases of noncompliance and evidence that updated or new records were 100 percent compliant for the indicator. A discussion of activities, strategies, and barriers causing noncompliance was held with directors of special education. Directors of special education followed up with school administrators to ensure the implementation of activities and strategies discussed with VDOE. The VDOE’s procedure for corrections of noncompliance and verification of implementation of the specific regulatory requirement is consistent with OSEP Memorandum 09-02.

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

The VDOE has determined that all of the 131 items of student-level noncompliance specific to Indicator 13, identified in FFY 2019, were corrected consistent with OSEP Memorandum 09-02. Each district with noncompliance findings: 1) has corrected each individual case of noncompliance, unless the student is no longer within the jurisdiction of the district; and 2) is correctly implementing the specific regulatory requirements.

Specifically, written notification of the noncompliance was sent to the district superintendent, a VDOE monitor was assigned, and corrective action plans were written by the districts if deemed appropriate by the VDOE monitor. To satisfy Prong 1, the VDOE monitor reviewed the IEP(s) that were out of compliance to make sure the noncompliance has been corrected. To satisfy Prong 2, the monitor reviewed revised policies, procedures, and practices (e.g., documentation of trainings, meetings, handbook update, guidance documents) the district has implemented since noncompliance was identified. Monitors then randomly selected new files for review that were completed following changes to policies, procedures, and practices reviewing for evidence of corrections in the part or parts of the process that caused the noncompliance. If Prong 2, Set 1 did not result in 100 percent compliance, additional corrective steps were implemented by the district, and Prong 2 is repeated as Set 2. This continued as necessary to result in 100 percent compliance. All steps took place within one calendar year of the date the district was notified of noncompliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 13 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 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 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

## 13 - OSEP Response

## 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State 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 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 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State 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 State did not identify any findings of noncompliance in FFY 2020.

# 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 2021 on students who left school during 2019-2020, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2019-2020 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 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 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.

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 should consider categories such as race/ethnicity, disability category, and geographic location in the State.

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.

**Beginning with the FFY 2021 SPP/APR, due Feb. 1, 2023,** when reporting the extent to which the demographics of respondents 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.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline**  | **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A | 2009 | Target >= | 35.00% | 35.00% | 36.00% | 36.00% | 35.00% |
| A | 31.93% | Data | 34.45% | 32.85% | 32.57% | 34.87% | 34.44% |
| B | 2009 | Target >= | 62.75% | 62.75% | 63.50% | 63.50% | 65.00% |
| B | 54.95% | Data | 64.81% | 63.10% | 64.08% | 66.11% | 65.87% |
| C | 2009 | Target >= | 71.50% | 71.50% | 72.00% | 72.00% | 72.00% |
| C | 63.32% | Data | 73.03% | 71.98% | 73.39% | 74.34% | 73.66% |

**FFY 2020 Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 35.50% | 36.00% | 36.50% | 37.00% | 37.50% | 38.00% |
| Target B >= | 65.50% | 66.00% | 66.50% | 67.00% | 67.50% | 68.00% |
| Target C >= | 72.50% | 73.00% | 73.50% | 74.00% | 74.50% | 75.00% |

**Targets: Description of Stakeholder Input**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

In addition, during the FFY 2020 APR cycle, secondary transition stakeholder input was received from: youth with disabilities, parents, Parent Education Advocacy and Training Center, Disability Resource Center, resources for Independent Living, local education agency staff members, Virginia Commonwealth University-Center on Transition Innovations, Virginia Board for People with Disabilities, Department of Social Services, Department for Aging and Rehabilitative Services, Wilson Workforce Rehabilitation Center, and other state agencies. Stakeholders learned about the State Performance Plan requirements and reviewed data that included student attendance, testing, graduation, dropout, and post school outcomes. In addition, they discussed issues/descriptions of systems or processes related to secondary transition, and made recommendations to the Virginia Department of Education. Numerous resources were shared with and among the stakeholders.

**FFY 2020 SPP/APR Data**

|  |  |
| --- | --- |
| Total number of targeted youth in the sample or census | 10,830 |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 6,557 |
| Response Rate | 60.54% |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school  | 2,185 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school  | 2,513 |
| 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) | 131 |
| 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). | 259 |

| **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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 2,185 | 6,557 | 34.44% | 35.50% | 33.32% | Did not meet target | Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 4,698 | 6,557 | 65.87% | 65.50% | 71.65% | 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) | 5,088 | 6,557 | 73.66% | 72.50% | 77.60% | Met target | No Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **A** | The impact of COVID-19 has been substantial on higher education in Virginia and across the nation. In a study published in October, 2021 the State Council of Higher Education for Virginia detailed the short term and long term impact of the pandemic on students accessing, enrolling and completing higher education programs and coursework. Youth, including recent graduates, continue to be impacted by the effects of COVID-19 in these areas. The VDOE believes, and is bolstered by state level data and reports, that these challenges negatively impacted the number of youth enrolled in higher education within one year of leaving high school in this period of data collection. |

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

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.

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2019** | **2020** |
| Response Rate  | 66.60% | 60.54% |

**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 of Virginia is using several strategies to increase the response rate year after year. The VDOE works closely with their State-funded transition center to distribute information and training through their website on collecting and utilizing Indicator 14 data. A webpage is devoted to Indicator 14, including recordings of question and answer sessions held through Zoom meetings for school districts to attend and to answer any questions they might have; tips are provided on how to increase a school district’s response rate; and information on implementing Indicator 14 and submitting follow-up data. Other strategies that are planned include revising a webinar on implementing Indicator 14 that will be available to school districts on demand and working directly with special education directors through trainings on using the data for transition planning. In addition, we will work directly with transition personnel on Indicator 14 (e.g. sharing information, providing training) through Communities of Practice that are being established in regions across the Commonwealth.

**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.**

To ensure minimal non-response bias, the school systems employed a variety of efforts to reach students and families. They reached out to community agencies for current contact information when needed; they made multiple attempts using all phone numbers on record to contact each family, calling at different days and different times. The Virginia sample demographics were so similar to the population (all exiters) demographics that no propensity matching or other statistical adjustments were needed.

**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.**

In order to deem 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, Virginia chose to analyze primary disability, race/ethnicity, and gender as the demographics using a +/- 3 percentage point discrepancy in the proportion of responders compared to the target group. The results of the analysis showed completed surveys were within a +/- less than 1.5 percentage point discrepancy in every primary disability and both genders, and a +/- less than 3 percentage point discrepancy in race/ethnicity when compared to all exiters in the census population, with exception of the White racial group which was slightly over represented at a 3.25 percentage point difference.

Disability………………………...............All Exiters…..Percentage.......Completed Surveys…..Percentage…...Percentage Point Difference
Autism......………………….....................1,201……...…11.09%........................768……........……….11.71%.......................0.62%
Deaf/blindness.......……………...............<…….....…….0.04%..........................<……...........……….0.02%.......................0.02%
Emotional disability…………….......…1,040…….……..9.60%........................581……......……………8.86%......................-0.74%
Hearing impairment………….............74……..……….0.68%........................48………..........……….0.73%.........................0.05%
Intellectual disability…………...........707….....………6.53%........................457……….........………6.97%.........................0.44%
Multiple disabilities……………..........178….......…….1.64%.......................107………….......………1.63%.........................-0.01%
Orthopedic impairment……........….48………....…..0.44%.........................31………….......……….0.47%........................0.03%
Other health impairment….......….2,674….……....24.69%........…….…….1,687……........………….25.73%.......................1.04%
Specific learning disability….....…..4,704….....…....43.43%....................2,760…….........………….42.09%.....................-1.34%
Speech or language impairment….96……....………0.89%........................47……….......…………..0.72%.......................-0.17%
Traumatic brain injury……….....…….43…….......……0.40% ….......…..……..25……………..........…..0.38%.......................-0.02%
Visual impairment……......................46…….…………0.42%........................32…………......………...0.49%.........................0.07%

Gender ………All Exiters……Percentage…....Completed Surveys……Percentage…..Percentage Point Difference
Female…........……3868………….35.72%.....................2326……............………35.47%....................-0.25%
Male………….........6962…...…….64.28%.....................4231……….........………64.53%.....................0.25%

Race/Ethnicity............All Exiters……Percentage…...Completed Surveys…....Percentage…..Prrcentage Point Difference
American Indian…..........69………....……0.64%........................46……….............…..0.70%.......................0.06%
Asian………......................364……...……...3.36%........................181……….......……..2.76%.......................-0.60%
Black...........….........…….3,317……...……30.63%......................1,946……....…………29.68%.......................-0.95%
Pacific Islander...........….15……....………0.14%..........................<……….....…………0.12%........................-0.02%
Hispanic / Latino……….1,391…............12.84%.......................742…….....………….11.32%......................-1.52%
White (not Hispanic)….5,163……...……47.67%......................3,339…........……...…50.92%......................3.25%
Two or more races….…424….........…...3.92%........................248…….........…..……3.78%.....................-0.14%

< = cell size of less than 10

**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)**

YES

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

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

Virginia chose to use a discrepancy model with a +/- 3 percentage point difference in the proportion of responders (completed surveys) compared to the target group (all exiters) across the demographic areas of primary disability, race/ethnicity, and gender as the primary metric. Additional statistical analysis methods were also applied to support representativeness of the demographics. Specifically, because of the dichotomous and categorical variables, the phi coefficient was used to determine any differences in the demographics of responders and non-responders. The phi value can range from 1 to -1. If the value is close to zero (0) (as in this dataset), we know that the demographic variables of primary disability, race/ethnicity, and gender are not statistically different between the two groups. Therefore, the sample of the responders is representative of the population.

| **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? | NO |

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

## 14 - Prior FFY Required Actions

None

## 14 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 14 - Required Actions

# 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 is used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/03/2021 | 3.1 Number of resolution sessions | 27 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/03/2021 | 3.1(a) Number resolution sessions resolved through settlement agreements | 14 |

**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**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

In addition, the VDOE utilizes a consumer survey that is provided to the participants in the hearing. Following a hearing, a survey is provided to each party for return to the VDOE office that reflects their experience in the hearing process, including resolution sessions. When VDOE receives the surveys, they are reviewed and areas of concern are investigated. Changes to targets, policies, and practices are based on input received. In addition, VDOE monitors the hearing process through the use of specially assigned former hearing officers. These hearing reviewers also receive useful input from the parties that is shared with VDOE staff members and the hearing officers. The ongoing review process assists VDOE in continuing to monitor any useful changes or updates.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 27.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 50.00% | 50.00% | 50.00% | 50.00% | 50.00% |
| Data | 61.76% | 60.29% | 32.26% | 13.79% | 40.43% |

**Targets**

| **FFY** | **2020 (low)** | **2020 (high)** | **2021 (low)** | **2021 (high)** | **2022 (low)** | **2022 (high)** | **2023 (low)** | **2023 (high)** | **2024 (low)** | **2024 (high)** | **2025 (low)** | **2025 (high)** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Target >= | 34.00% | 39.00% | 34.00% | 39.00% | 34.00% | 39.00% | 34.00% | 39.00% | 34.00% | 39.00% | 34.00% | 39.00% |

**FFY 2020 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2019 Data** | **FFY 2020 Target (low)** | **FFY 2020 Target (high)** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 14 | 27 | 40.43% | 34.00% | 39.00% | 51.85% | Met target | No Slippage |

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

Pursuant to a Corrective Action Plan from OSEP, due process procedures were updated in September 2020 to reflect that hearing officers must require parties to confirm when a resolution meeting occurs so that it may be documented on the record, with copy to VDOE. Hearing officers are required to delineate the end of the 30-day resolution period, any adjustments to the 30-day period, and the first day of the 45-day period on the record, with copy to VDOE. Fully adjudicated decisions are required to include a procedural history section that includes all relevant timeline information, including whether and when a resolution meeting occurred. Hearing officers are required to provide VDOE with a case closure report that outlines case timelines, including but not limited to resolution meeting and resolution period information, and any continuances or extensions of any period. The VDOE prepared a sample closure report for hearing officers to be attached to VDOE’s guidance document for hearing officers. For expedited cases, hearing officers must outline the case timeline and decision due date in a Pre-Hearing Report or Order, with copy to VDOE; the report should include the hearing officer’s factual findings regarding which days are “school days” for purposes of calculating expedited timelines (this determination is often relevant during the summer and when holidays fall during the relevant period).

The VDOE updated its hearing officer guidance document with emphasis on documenting adjustments to the 30-day resolution period and 45-day period in non-expedited cases, documenting when and whether a resolution meeting occurred, and on clearly documenting how the expedited timeline was calculated (including documenting days determined to be “school days”).

The VDOE is also tracking, inter alia, the resolution meeting due date (7 days in expedited cases, 15 days in non-expedited cases); original resolution period end date (15 days in expedited cases, 30 days in non-expedited cases); adjusted end of resolution period (if applicable); first day of 45-day period (adjusted as necessary); resolution meeting held (yes/no); date of resolution meeting; written agreement reached at resolution meeting (yes/no); resolution meeting timely (yes/no); and the original decision due date (45 days from end of final resolution period for non-expedited cases). For expedited cases, this will be case specific and based on hearing officer orders calculating filing date, school days, hearing date, and decision date; continued decision due date (non-expedited cases in which a continuance to the 45-day period was granted); date final decision issued; whether the final decision was within the original timeline; and whether the final decision was within the extended timeline (there are no continuances in expedited cases).

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

The State provided targets for this indicator, and OSEP accepts those targets.

## 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 is used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1 Mediations held | 73 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1.a.i Mediations agreements related to due process complaints | 10 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1.b.i Mediations agreements not related to due process complaints | 44 |

**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**

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

Participants in mediation are always provided with consumer evaluations to complete and forward to the VDOE Coordinator of Mediation Services. The coordinator reviews the evaluations and addresses concerns. The coordinator considers changes in targets, policies, and practices based on the evaluations received. The comments, written and verbal, may be used by the coordinator with the mediators. Administration takes input from a variety of sources and determines where additional mediator training may be helpful.. Presenting at parent and educator conferences provides another means of stakeholders expressing their experiences with the mediation process.

Website: http://www.doe.virginia.gov/special\_ed/resolving\_disputes/mediation/index.shtml.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 75.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 76.00% - 80.00% | 76.00% - 80.00% | 76.00% - 80.00% | 76.00% - 80.00% | 76.00%-80.00% |
| Data | 82.30% | 76.15% | 77.01% | 71.03% | 75.34% |

**Targets**

| **FFY** | **2020 (low)** | **2020 (high)** | **2021 (low)** | **2021 (high)** | **2022 (low)** | **2022 (high)** | **2023 (low)** | **2023 (high)** | **2024 (low)** | **2024 (high)** | **2025 (low)** | **2025 (high)** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Target >= | 76.00% | 80.00% | 76.00% | 80.00% | 76.00% | 80.00% | 76.00% | 80.00% | 76.00% | 80.00% | 76.00% | 80.00% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target (low)** | **FFY 2020 Target (high)** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 10 | 44 | 73 | 75.34% | 76.00% | 80.00% | 73.97% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

The VDOE cites the reason for the slippage as twofold: 1) The parties involved are finding it more challenging to reach consensus due to the novel ideas being presented in response to the new, unique, and challenging issues in mediation resulting from the COVID-19 pandemic, virtual learning, and the return to school; and 2) The virtual nature of mediations may be impacting the success of allowing the parties to reach consensus.

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

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

The State provided targets for this indicator, and OSEP accepts those targets.

## 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 2020 SPP/APR, due February 1, 2022, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2020 through FFY 2025. The State’s FFY 2025 target must demonstrate improvement over the State’s baseline data.

**Updated Data:** In its FFYs 2020 through FFY 2025 SPPs/APRs, due February 2, 2022, 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 2020 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 2020 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 2021). 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 2020 APR, report on anticipated outcomes to be obtained during FFY 2021, i.e., July 1, 2021-June 30, 2022).

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 2020 APR, report on activities it intends to implement in FFY 2021, i.e., July 1, 2021-June 30, 2022) 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)?**

Virginia will focus on improving the graduation rate for students with disabilities identified with specific learning disabilities (SLD), other health impairment (OHI), emotional disability (ED), and/or intellectual disability (ID) by reducing the non-graduating rate with a regular high school diploma by ten percent from the previous year.

**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.doe.virginia.gov/special\_ed/reports\_plans\_stats/special\_ed\_performance/division/2019-2020/index.shtml (scroll to 2019-2020 State Performance Report) - Page 8; Appendix A

Current Theory of Action

The VDOE continues to utilize the Theory of Action to the State Systemic Improvement Plan (SSIP) as a conceptual approach to realizing Virginia's SIMR of an increased graduation rate for SWD with a standard or advanced studies diploma. The Theory of Action guides or frames behaviors within each layer of a cascading model of prevention and intervention supports in order to ensure long-term positive outcomes for greater numbers of SWD within the Commonwealth. A cascading model of supports is defined as a statewide system for effectively and efficiently promoting the application of data collection and analysis strategies, evidence-based practices (EBPs), and key systems to sustain change based on Implementation Science. In this model, the Commonwealth provides key resources to districts. The districts utilize these resources in ways that are contextually appropriate in order for teachers to apply new instructional habits for improved outcomes for students with disabilities. Across the VDOE, there has been much agreement or alignment on the outcomes of each layer of this cascade (provide, utilize, apply, and improve). A significant milestone for this year is the initial implementation of a cascading system aligned in process within each layer as well as through the cascade. While outcomes have been aligned, the “how” and “what” of accomplishing each outcome varied widely resulting in limited or inconsistent results for SWDs.

**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.**

The SiMR data supports that Virginia’s State Systemic Improvement Plan (SSIP) has been an tremendous success. There has been sustained marked improvement from the baseline year (Phase I) that resulted in a 25.04% increase in the statewide rate of graduation for students identified with a primary disability of ED, ID, OHI, or SLD who received a regular high school diploma from 54.9% in FFY 2013 (baseline) to 79.94% in FFY 2020.

Based on stakeholders’ discussion, there is overwhelming agreement that Virginia should continue to implement the SSIP, without modification, and continue to coordinate and align efforts under a singular framework of multi-tiered systems of support that is grounded in implementation science and focused on capacity building using data driven decision making.

**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** |
| --- | --- |
| 2013 | 54.90% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target>= | 77.23% | 79.51% | 81.56% | 83.40% | 85.06% | 86.55% |

**FFY 2020 SPP/APR Data**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Total Federal Graduation Indicator in ED, ID OHI, SLD** | **Total Exiters in ED, ID, OHI, SLD with a State Defined Diploma or Certificate** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 7,634 | 9,550 | 74.70% | 77.23% | 79.94% | Met target | No Slippage |

**Provide the data source for the FFY 2020 data.**

The data is extracted as a subset from Virginia’s End-of-Year and Summer Student Record Collection (SRC). It is the same data source that populates EDFacts File Specs FS040 (DG306)-Graduates/Completers v16.0

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

As described above, the data is extracted as a subset from the same data source that populates EDFacts File Specs FS040 (DG306)-Graduates/Completers v16.0. The data extracted from school districts are compiled into statewide number of students with disabilities identified with an emotional disability (ED), intellectual disability (ID), other health impairment (OHI), or a Specific Learning Disability (SLD) projected to receive a regular high school diploma (numerator). That number is divided by all exiters with the above listed primary disabilities that left school with a state-defined diploma or certificate (denominator) to generate a statewide rate of graduation for students identified with a primary disability of ED, ID, OHI, or SLD who receive a regular high school diploma.

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

YES

**Describe any additional data collected by the State to assess progress toward the SiMR.**

The Virginia Department of Education (VDOE) continues to utilize the Theory of Action to the SSIP as a conceptual approach to realizing Virginia's SiMR of an increased graduation rate for students with disabilities with a standard or advanced studies diploma. The Theory of Action is guided by priority outcomes reached by stakeholder consensus using key data points. To assess these priority outcomes, the VDOE collects the percentage of students with disabilities that pass the eighth-grade English reading and math Standards of Learning (SOL) assessments, the number of disciplinary actions (i.e., office discipline referrals, in-school suspensions, and out-of-school suspensions) for students with disabilities, and the number of students with disabilities who miss more than ten days of instruction in a school year.

Specifically, the academic goal, set by VDOE stakeholders as a priority outcome, is to increase the number of students with disabilities who pass the eighth-grade English reading and math SOL assessments. These goals are based on the data that indicate students with emotional disabilities, intellectual disabilities, other health impairments, or specific learning disabilities who pass the eighth-grade English reading and/or math SOL assessments are more likely than their peers to graduate with a standard or advanced studies diploma. The academic goals are to: 1) increase the percentage of students with disabilities that pass the eighth-grade English reading SOL assessment; 2) increase the percentage of students with disabilities that pass the eighth-grade math SOL assessment; 3) increase the percentage of students with disabilities that pass either the eighth-grade English reading SOL or math SOL assessment; and 4) increase the percentage of students with disabilities that pass both eighth-grade English reading SOL and math SOL assessments.

The behavioral goal, set by VDOE stakeholders as a priority outcome, is to reduce the number of disciplinary actions for students with disabilities. This goal is based on the hypothesis that lower incidents of disciplinary actions for students with emotional disabilities, intellectual disabilities, other health impairments, or specific learning disabilities in a school year are likely to increase the rates of graduating with a standard or advanced studies diploma. The discipline goals are to: 1) reduce the average rate of office discipline referrals (ODRs) per ten students with disabilities; 2) reduce the average rate of in-school suspensions (ISSs) per ten students with disabilities; and 3) reduce the average rate of out-of-school suspensions (OSSs) per ten students with disabilities.

The attendance goal, set by VDOE stakeholders as a priority outcome, is to reduce the number of students with disabilities who miss more than ten days of instruction in a school year. This goal is based on the hypothesis that students with emotional disabilities, intellectual disabilities, other health impairments, or specific learning disabilities that miss less than ten days of school in a school year are more likely to graduate with a standard or advanced studies diploma.

**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)**

YES

**Describe any data quality issues, unrelated to COVID-19, specific to the SiMR data and include actions taken to address data quality concerns.**

Virginia is transitioning from the Discipline, Crime, and Violence data system to the Student Behavior and Administrative Response Collection system. Some districts have updated their student conduct policies to align with the new system while others are still in the process of updating. The changes in the student conduct policies may have impacted discipline data and will make future longitudinal comparisons difficult to interpret.

Additionally, some districts added a non-binary gender option while others have not implemented this change. This impacted the End-of-Year data collection and interpretation for student enrollment, office discipline referrals, in-school suspensions, and out-of-school suspensions data. To address this problem, Virginia Tiered Systems of Supports (VTSS) offered school districts a process to submit data inclusive of a non-binary gender category while maintaining the existing system for districts that have not added the non-binary option.

Although exacerbated by COVID-19, some districts and schools experienced typical obstacles with monitoring data including personnel turnover and transitions to different systems for tracking academic and discipline data. Districts and schools handled these obstacles internally, collaborating with VTSS for support and/or extensions as they worked to enter data into the VTSS Data Collection System.

During the reporting period, the VTSS personnel responsible for data collection associated with statewide professional learning events left their positions. Responsibility for collecting and maintaining this data was split among multiple team members. Those responsible for maintaining the data have worked to establish communication loops and refine data collection forms and processes.

**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.**

COVID-19 impacted implementation data, specifically District Capacity Assessment for districts and Tiered Fidelity Inventory (TFI) for schools, with regards to access to materials for support and method of scoring. Both instruments are scored by the respective leadership teams according to processes specified within the instruments, facilitated by a Virginia Tiered Systems of Supports (VTSS) Systems Coach, and require a collection of artifacts/data to review for scoring. Due to COVID-19, changes in scoring procedures were made including using virtual meeting platforms, which allowed VTSS Systems Coaches to help facilitate the scoring process, and using alternative data and artifacts to support scoring where needed. COVID-19 policies restricted visitors in schools and prevented walkthrough observations that support the scoring of three specific TFI items. In response to missing walkthrough data, VTSS provided School Leadership Teams guidance on how to use previous walkthrough data or alternative data and scoring procedures for the items.

During the 2020-2021 academic year, COVID-19 continued to disrupt learning for students as districts transitioned between virtual, hybrid, and in-person learning environments. Some students and staff experienced periodic quarantines, and parents used “opt-out” provisions when concerned about community spread of COVID-19. This impacted the completeness and trends seen in attendance, academic, and discipline data. Attendance data were still collected and monitored by schools, districts, and the State. The ability of students to attend and the way in which they attended were impacted by factors related to COVID-19. During the 2020-2021 academic year, Virginia administered Standards of Learning (SOL) tests; however, students were required to take the state assessments in school buildings to maintain testing security protocols, thus SOL test results for 2020-2021 reflect reduced student participation in state assessments due to COVID-19 and other pandemic-related factors. In addition, the Superintendent of Public Instruction issued a waiver of the sequential elective graduation requirement for certain students graduating in 2020-2021 who were unable to meet the requirement due to COVID-19. Discipline data were impacted by COVID-19 as schools altered how behavioral outcomes were characterized and processed. For the 2020-2021 academic year, fewer office discipline referrals, in-school suspensions, and out-of-school suspensions were reported than in previous years with approximately 20% of schools reporting zero disciplinary outcomes for the year. Additionally, VTSS updated discipline data collection forms to note any fields schools were unable to complete due to missing data. This process allowed schools to submit as much data as was available. The VTSS Systems Coaches collaborated with districts and schools to facilitate data collection and entry providing deadline extensions when needed.

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

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

https://www.doe.virginia.gov/special\_ed/reports\_plans\_stats/special\_ed\_performance/division/2019-2020/index.shtml - Page 49

Current Evaluation Plan

It was determined, through stakeholder input, to continue with the current evaluation activities for the year; including the use of multiple data sources and analyses that will allow the evaluation on progress made towards meeting the projected targets. State, district, and school data will be analyzed over time with comparisons made to their baseline measures to determine improvements. Using a discrepancy evaluation model will allow participating districts and schools to develop individualized goals and determine the degree to which they were accomplished.

Evaluation activities include professional learning event evaluations, implementation measures, and student outcomes (academic, discipline, attendance, and graduation). Professional learning evaluation data will be collected from attendees at the end of each training session. VTSS collects district and school data twice a year during Midyear and End-of-Year. Measures collected during Midyear are the DCA for districts and TFI for schools. Measures collected during End-of-Year are the Family Engagement Survey, Level of Satisfaction, and Value of Resources for districts and student enrollment and discipline (Office Discipline Referrals, In-School Suspensions, and Out-of-School Suspensions) for schools. Additionally, student behavioral and academic outcomes and school climate data will be collected at the end of each academic year by the state. Student behavioral and academic outcomes will be disaggregated by race/ethnicity and disability (SWD) to assess outcomes for high-need students.

Data will be analyzed and reports generated for state, district, and school leadership teams and VTSS Systems Coaches as part of the feedback loop. Outcomes will be evaluated to see if improvement/gains were made compared to baseline and longitudinally. Relative risks will be used to assess disparities for students with disabilities and ethnicity/race subgroups. Correlations will be used to determine if statistically significant relationships exist between student behavioral outcomes, student academic outcomes, school implementation fidelity, and school climate. Qualitative data such as training and technical assistance participant evaluations, coaching logs, focus group conversations, and social validity survey respondents will be examined to provide guidance in the refinement of the VTSS framework.

**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:**

Virginia continued to emphasize the use of implementation science as outlined by the National Implementation Research Network (NIRN). To implement and sustain the long-term changes that will create the necessary context for eliminating achievement gaps in attendance, discipline, and academics for students with disabilities, as outlined in the SSIP, both (i) coherent improvement strategies and (ii) subsequent principal activities were implemented at the systems level. It is important to note that all infrastructure improvement strategies during this reporting period were in response to the COVID-19 pandemic. The coherent system’s improvement strategies are categorized into those made to the three drivers of change: Leadership, Organization, and Competency, as outlined by NIRN, and each include the modification made in response to the pandemic.

LEADERSHIP DRIVER. Virginia Tiered Systems of Supports (VTSS) State Educational Agency Lead attended meetings with the Virginia Department of Education’s (VDOE’s) Office of School Quality (OSQ) to maximize understanding of the processes and procedures from each department as well as establish a communication loop to promote consistency and align the work to benefit the district. Due to the pandemic, teaming structures were adapted to conform to the new context. For example, at the district and school levels, individuals with technology expertise were asked to participate to support the adaptation. Communication loops had to be strengthened across districts, schools, and classroom teachers in order to maximize consistency in the delivery of appropriate learning strategies and competencies.

COMPETENCY DRIVER. Coaching staff provided an overview of VTSS Way of Work to the Office of School Quality and the Office of Student Services. These materials were adapted to support the needs and unique contexts of each Virginia Department of Education (VDOE) office, respectively. Due to the pandemic, all professional learning transitioned from in-person to virtual in Summer 2020. Additionally, content and presentation modalities were revised to include major changes to match the new virtual context in which learning was taking place across the state. Presentation modalities were all shifted to be conducted via Zoom Meetings and adult learning engagement strategies were adapted to fit within that context. Content modifications included adapting those same evidence-based practices to remain effective within a virtual learning environment in order to maintain integrity of quality instruction that was evident in in-person training. For example, modification of a schoolwide behavior matrix in a virtual context was revised to include norms such as having your camera on or off. Virtual student engagement strategies were modified to include examples such as talking with a partner through the Chatbox platform, sharing ideas on a Padlet, or in virtual breakout rooms. Major practices had to shift to returning to the basics of evidence-based practices that work. Communities of Practice events shifted to include topics that were relevant to the new learning contexts. For example, the inclusion of mental wellness, self-care, and relationship building were of greater emphasis.

Coaching practices also shifted from in-person to a virtual format. Additional time was needed with coaches and coordinators as districts may or may not have been adhering to their implementation plans as they were responding to a crisis and priorities needed to shift. For example, the focus prior to COVID-19 might have been the development of a data dashboard, whereas now the priority was ensuring students had access to food that was previously available through the school system and equitable access to the internet.

ORGANIZATIONAL DRIVER. The VDOE revised and introduced new policies and procedures to address the pandemic and revisited the selection of the practices and procedures utilized to ensure fit and feasibility. Extensive work was completed across departments and districts to create both Virginia Learns and Return to Learn documents. Additionally, collaboration took place with the VDOE’s Office of Instruction, districts, and various universities to provide guidance for English reading and math. Policies and procedures continued to be revised and updated as schools transitioned to include hybrid formats (virtual and in-person options) around February/March of 2021.

**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.**

The most significant milestone achieved in FFY 2020 was the continued alignment of the Virginia Tiered Systems of Supports (VTSS) to the State’s SiMR and Theory of Action while responding to the COVID-19 pandemic. Coherent improvement strategies categorized into the three drivers of change: Leadership, Organization, and Competency are outlined in all phases of the SSIP. Implementing VTSS requires systemic change and infrastructure improvement at the district, school, and classroom levels. Within VTSS, evidence-based, system-wide practices give educators the tools they need to address the academic, behavioral, and social-emotional needs of all students especially during the ongoing pandemic. Implementation of these practices include frequent progress monitoring that enables educators to make sound, data-based instructional decisions.

Building the VTSS framework is a complex and iterative process that includes the following: stakeholders are identified and consistently included in planning as partners; existing practices and instructional resources are studied, aligned, and organized for efficient delivery; gaps are identified and matched to evidence-based solutions; student progress is frequently and consistently monitored; relevant and actionable data are collected in ways that are readily accessible for decision-making; teams are established to analyze data and make decisions; and, ultimately, all students and adults are integral and valued contributors in a system that is responsive to their needs and seeks to ensure their success. This process requires extensive collaborative dialogue, ongoing and embedded professional learning, effective problem solving, and compromise. The technical assistance and professional development is designed to address the three areas identified in the Theory of Action and meet the short-term and long-term SSIP/SiMR objectives that were set in Phase I and Phase II. These areas include: graduation with standard and advanced studies diplomas, academic supports, behavior supports, and effective inclusive practices.

The Virginia Department of Education (VDOE) uses the District Capacity Assessment (DCA) to assess the capacity of districts to assist schools in implementing VTSS and measure systems change over time. The capacity of a district to facilitate building-level implementation refers to the systems, activities, and resources that are necessary for schools to successfully adopt and sustain VTSS. A DCA score of 60% or above is identified as the acquisition of district capacity. A DCA score of 80% or above is identified as fluency in district capacity. Version 7.7 of the DCA was published in October 2019.

Specifically, the purposes of the DCA are to (i) provide a District Implementation Team (DIT) with a structured process for the development of a District Capacity Action Plan; (ii) provide a DIT with information to monitor progress towards district, regional, and state capacity-building goals; (iii) support a common infrastructure for the implementation of VTSS to achieve desired outcomes for students; (iv) serve as a venue to orient new DIT members to strengths and needs of the district; and (v) provide district, regional, and state leadership with a consistent measure of capacity for implementation and sustainment for VTSS in districts. A copy of the DCA and supplemental documents can be viewed on the VTSS-RIC website (https://vtss-ric.vcu.edu/). Citation: Ward, C., St. Martin, K., Horner, R., Duda, M., Ingram-West, K., Tedesco, M., Putnam, D., Buenrostro, M., & Chaparro, E. (2015). District Capacity Assessment. University of North Carolina at Chapel Hill.
For the 2020-2021 academic year, the average DCA score for VTSS Cohort 1-2 districts was 74%, which is a 13% increase from the previous academic year. On average, VTSS Cohort 1-2 districts have acquired the capacity to support building-level implementation of VTSS. Specifically, ten VTSS 1-2 Cohort districts have DCA scores above 60% indicating the acquisition of the capacity to support building-level implementation. Of these ten districts, five districts have DCA scores above 80% indicating fluency in district capacity. These DCA scores support the district's capacity to sustain and scale-up systems improvement strategies categorized into the three drivers of change: Leadership, Organization, and Competency. The average Leadership Driver score was 90% (fluency). The Competency Driver is assessed by four subscales: Fidelity, Selection, Training, and Coaching with averages of 92% (fluency), 77% (acquisition), 66% (acquisition), and 44%, respectively. The Organizational Driver is assessed by three subscales: Decision Support Data Systems, Facilitative Administration, and Systems Intervention with averages of 83% (fluency), 61% (acquisition), and 70% (acquisition), respectively.

The VDOE uses the Tiered Fidelity Inventory (TFI) to assess school-level implementation of VTSS. The TFI is divided into three sections (Tier 1: Universal Features; Tier 2: Targeted Features; and Tier 3: Intensive Features) that can be used separately or in combination to assess the extent that core features of VTSS are in place. For the 2020-2021 academic year, the average Tier 1 TFI score for VTSS Cohort 1-2 schools was 77% indicating that, on average, schools are implementing Tier 1 with fidelity. Advanced Tiers scores indicate continued district support and professional development is needed to enable schools to reach fidelity.

**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.**

Virginia will continue infrastructure improvement through the use of implementation science as outlined by the National Implementation Research Network (NIRN). The Theory of Action will guide improvement through our Cascading Model, beginning with the macrocosm of the State to the microcosm of the classroom. Improvement will continue to be guided by the Leadership, Organization, and Competency Drivers that foster change processes across the cascaded model.

The LEADERSHIP DRIVER refers to the transformational leadership structures and activities that move an entrenched system through meaningful improvement. The primary leadership improvement strategy for the coming year will occur at the state and level in order to support implementation and evolve the project. Teaming structures and leadership approaches will be reviewed and enhanced to match the growing needs of this work, such as enhancing bi-directional communication by creating a more structured feedback loop throughout the implementation cascade. Purpose, function, and communication loops will be reinvisioned with each leadership team and will continue to include a diverse representation of stakeholders.

Current state teams include a Virginia Tiered Systems of Supports State Leadership Team (VTSS-SLT) that provides leadership, guidance, visibility, training, coaching, evaluation, and political support in the Commonwealth. The VTSS Implementation Team is the core group of Systems Coaches across the Commonwealth who provide technical assistance and coaching to districts and schools at the local and regional levels. Enhancements to state leadership structures will include the creation of a VTSS Project Management Team (VTSS-PMT) to monitor, review, and provide oversight of specific project objectives, coordinate training and coaching activities, and report/propose implementation processes to the VTSS-SLT—each in support of the sustained and broad scale implementation of VTSS. Membership will include representation from the VTSS-SLT and Implementation Team. Additionally, next steps are to continue work with State Implementation and Scaling-Up of Evidence-Based Practices (SISEP) to remove silos within the agency. This work is led by the SISEP State Management Team (SISEP-SMT). The team consists of leaders in the VDOE’s Department of Special Education and Student Services, Office of School Quality, and Office of Humanities, and coach/facilitators from SISEP. These changes to state leadership structures will continue to streamline processes and communication for efficient and effective decision-making.

The ORGANIZATIONAL DRIVER emphasizes internal and external processes and structures (e.g., alignment, leadership, policy, funding, removal of barriers, identification of opportunities) and a data system for decision-making. The newly formed VTSS-PMT will develop a vision for VTSS based on the values of the broader Implementation Team. From this vision, focus areas will ensue along with the identification of strategic objectives. Implementation activities will be guided by data-informed decision-making with an established process that examines varying data sources based upon the role of the enhanced state teaming structures. A benefit of the enhanced leadership teaming structure is facilitated by administration that will address current procedures for improved outcomes at the local level. This facilitated administration will include revising the current workgroups and training teams that lack cohesive membership and do not fully take advantage of the expertise of each team. The outcome for this revision is a more streamlined process that will build greater capacity for service delivery.

Additionally, systems interventions will continue to expand with increased interagency partnerships. In addition to Formed Families Forward, VDOE is partnering with Collaborative for Academic, Social, and Emotional Learning (CASEL) on their recently developed social-emotional learning framework as well as Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR) to integrate high-leverage practices for students with disabilities. Collaboration between VTSS and the Department of Juvenile Justice will begin with the intent of improving behavioral outcomes for students by utilizing the VTSS framework.

To develop competency within a cascading model of supports (COMPETENCY DRIVER), attention must be paid to the manner in which new ways of work are taught and learned through the training and coaching of implementers who have been selected at each level. The Competency Driver focuses on four areas: Fidelity, Selection, Training, and Coaching.

TRAINING. Professional development (PD) and technical assistance will continue to occur through three primary collaborative avenues: Virginia Department of Education, Virginia Tiered Systems of Supports Research and Implementation Center, and regional Training Technical Assistance and Centers. Given the trends in teacher retention and the onboarding of new instructional staff, districts need to both monitor existing data around the efficacy of the practices as well as continue to build systems around teacher support to maintain these competencies. The collaborative planning for high-quality pedagogy takes place at district-level meetings and training in the area of quality core instruction with representation from both general education and special education. The next step is to provide a blended Community of Practice for networking among districts in the areas of equity, family engagement, and social-emotional learning. The expected outcome is a broader base of learning for both districts and VTSS Systems Coaches during cooperative learning.

This year an important milestone in building competencies for districts was the extensive work to provide high-quality PD in a virtual format that included adjustments to address relevant instructional modifications due to COVID-19 as well as increased integration of viewing instruction through a social-emotional and self-care lens. A next step will be to pilot a hybrid version of PD in order to achieve both safe and equitable access to skill improvement.

SELECTION. The new state leadership teaming structures will include a process for selecting team members with diverse representation of role, expertise, and location. Additionally, a process for onboarding new VTSS Systems Coaches will be developed and followed. Both mentors and mentees will follow a procedure for deepening knowledge and setting individual coaching goals and PD plans through self-reflection.

TRAINING/COACHING. The VTSS-PMT will work on restructuring the Exploration and Installation process for new VTSS districts. The anticipated outcome is increased readiness to begin implementation using more explicit data-informed, decision-making processes and teaming structures. This readiness will lead to improvement in fidelity and capacity during the stages of implementation, offering a more strategic way in which to ensure the quality of coaching services. Additionally, the process for state-to-district coaching service delivery plans will be refined, strengthening the means for collaboration, problem solving, and reflection that informs training improvements and organizational supports.

FIDELITY. The NIRN defines fidelity assessment as the extent to which a practice/innovation is implemented as intended. The VTSS will continue to use fidelity data and look for ways to improve upon how fidelity data is analyzed for informing both strengths and opportunities for improvement at not only the district and school levels but coaching practices as well.

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

The Virginia Department of Education (VDOE) supports the alignment and integration of evidence-based practices (EBPs) within the improvement strategies and principal activities as well as assisting districts and their schools to do the same. Improvement in graduation rates continues to require attention to the intersection of attendance, behavior, academics, and social-emotional wellness as well as tiered supports. The following EBPs in practice during the reporting period include:

Behavior (developed within the framework of Positive Behavior Interventions and Supports (PBIS))
 - Development of a behavior curriculum (schoolwide and classroom-wide expectations and behaviors)
 - Explicit instruction of behaviors
 - Classroom routines and procedures
 - Systems of positive reinforcement
 - Corrective feedback
 - Check In-Check Out
 - Functional behavior assessments and behavior intervention plans

Integrated Tier 1 and Advanced Tiers
 - Explicit instruction routines
 - Increasing engagement through opportunities to respond
 - Formative assessment
 - Scaffolding
 - Behavior-specific praise
 - Feedback
 - Strategic Instruction Model
 - Fusion Reading
 - Concrete-Representational-Abstract (CRA) math instruction
 - Orton-Gillingham (OG) trainings
 - Hands-on activities for Algebra I

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

The Virginia Tiered Systems of Supports (VTSS) provides explicit training and coaching through New Team Training (behavior) for school teams to implement a behavioral curriculum with selected evidence-based practices (EBPs) that align with the Virginia Department of Education (VDOE) Student Code of Conduct. The Tiered Fidelity Inventory (TFI) is used as a roadmap for successful development of teams and systems for the use of EBPs within the framework. Both school-wide and class-wide positive expectations are defined according to the values of the school and explicitly taught through lesson plans crafted by the behavioral team and their coach. Within this structure, methods to support positive behavior through the use of routines, procedures, and corrective feedback are encouraged. Behaviors are defined and clarified so that there is an equitable process for managing behavior. Once a strong Tier 1 foundation is established (roughly determined by a score of 70% on Tier 1 of the TFI in addition to other indicators), the practice of Check In-Check Out is offered to students who have not responded to the Tier 1 supports. Through the use of customized intervention forms, students monitor their identified progress and receive feedback throughout the day from their teachers. For students experiencing more problematic behaviors, functional behavior assessments with ensuing plans are offered.

Integrated Tier 1 and Advanced Tiers
 - Explicit instruction routines
 - Increasing engagement through opportunities to respond
 - Formative assessment
 - Scaffolding
 - Behavior-specific praise
 - Feedback
 - Strategic Instruction Model
 - Fusion Reading
 - Concrete-Representational-Abstract (CRA) math instruction
 - Orton-Gillingham (OG) trainings
 - Hands-on activities for Algebra I

The practices of explicit instruction, engagement, opportunities to respond, formative assessment, behavior-specific praise, and feedback have been widely recognized as high-impact and high-leverage practices for all students, including students with disabilities and students impacted by trauma. Strategic Instruction Model, Fusion Reading, and Orton-Gillingham (OG) trainings embed the previously mentioned practices within a language-based, programmatic format. Similarly, Concrete-Representational-Abstract (CRA) math instruction and hands-on activities for Algebra I apply these practices within math.

The VTSS project recognizes the need for strong Tier 2 and Tier 3 interventions that are systematically connected to core instruction and implemented with fidelity in both academics and behavior to close the achievement gap for struggling students (Fuchs, Fuchs & Compton, 2012). The EBPs listed above have adaptations that are within advanced tiers for increasing the level or intensity of the practice. For example, a well-designed Tier 2 intervention would include an increased number of opportunities to respond.

Citation: Fuchs, D., Fuchs. L., & Compton, D. L. (2012). Smart RTI: A next-generation approach to multilevel prevention. Exceptional Children, 73, 263-279.

**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.**

The Cascading Model outlines the structure by which outcomes are improved for children and families. Collaboration with national centers such as the National Implementation Research Network (NIRN); Positive Behavioral Interventions and Supports (PBIS); and Collaborative for Academic, Social, and Emotional Learning (CASEL) make visible the research and guidance utilized by states, districts, and schools and provide “roadmaps” for support. The Virginia Department of Education (VDOE) then applies this knowledge not only by gaining political support but also through the use of a state leadership team that is responsible for both horizontal alignment across the agency as well as vertical support to regions, districts, and schools. Both state and regional support are provided through the Virginia Tiered Systems of Supports Research and Implementation Center (VTSS-RIC) and VDOE Training and Technical Assistance Centers (TTACs) that are funded for more granular support through training and coaching. These statewide coaches work directly with districts and schools to build competencies to implement and monitor the “way of work” as outlined by both the national centers and the VDOE; subsequently, support is provided to students and families by the districts.

The selected evidence-based practices that are coached need to be a usable innovation in order to impact the SiMR. As defined by NIRN, criteria for a usable innovation include clear description, essential functions, operational definitions of the functions, and a practical way to assess the performance of the practitioner. A procedure that will be enhanced by VTSS in upcoming months is the use of the Hexagon Tool (as provided by NIRN) and/or the Evidence Based Practice Selection Tool (as provided by VTSS). The use of a selection tool, either during adoption or to review existing practices, assists with the definition and functionality of the innovation. Another procedure at both the district and school level is the reinforcement of the use of a variety of resource maps, assessment maps, and/or defining of tiers and initiatives. This type of mapping provides clarity around the innovation as well as the data and systems for support. When practices are introduced in VTSS training, they are accompanied by an understanding of the research and value of the practice as well as the “looks like, sounds like” method for delivery (operational definition).

The Tiered Fidelity Inventory (TFI) and VTSS Academic-Tiered Fidelity Inventory TFI (A-TFI) measure the core features (teaming, implementation, and evaluation) of implementing tiered systems of supports for behavior and academics at the school level. Fidelity assessments are essential for analyzing and interpreting outcomes. Without fidelity, we cannot be sure that each practice or innovation was used as intended, that outcomes can be attributed to the use of the practice/innovation, or know where to improve. Fidelity assessments also are a reflection of how well the drivers of Competency, Organization, and Leadership are working to support districts and teachers in the usable innovations.

At Tier 1, Feature 1.4, of both inventories address teaching expectations, strategic selection of practices, and lesson design. Both behavioral and academic competencies are specifically planned, taught, and measured. Lesson design ensures criteria for success and task analysis of skills that impacts outcomes not only for general education students but also students with disabilities. Feature 1.8 emphasizes the quality core instruction of practices such as routines and procedures, feedback, explicit instruction, and scaffolding. Walkthrough data is stated as evidence of fidelity. Item 1.9 describes the positive feedback and acknowledgement delivered by staff as well as student involvement in their own learning goals and metacognitive reflection on learning.

The TFI and A-TFI are similarly used to measure the fidelity of Advanced Tiers. The level of use at Advanced Tiers indicates the degree to which resources are allocated across the continuum. This resource allocation and the need for increased support for some students impacts the SiMR goal by ensuring that all students, including those with disabilities, have the necessary supports to achieve the competencies for graduation.

The use of evidence-based practices that are supported by effective responses have been described as “protective factors” for students. Examples of protective factors are academic competencies, interpersonal skills, and self-management skills, which are all integrated into the above-mentioned practices. Examples of effective responses that transpire across the cascade mentioned earlier are tiered systems of support, coaching and professional development, prevention-based behavioral sciences, and high-fidelity implementation. Hence, the SiMR is impacted not only by effective practices but the procedures in place that foster an effective response to those at risk for graduation.

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

Congruent with the SSIP, Virginia Tiered Systems of Supports (VTSS) builds the capacity of the Virginia Department of Education (VDOE) to implement systems change at the SEA, district, and school levels. The VTSS project promotes a positive and restorative approach to student behavior and school climate and increased academic performance. The VTSS provides an aligned, contextualized support for the SSIP and sustainable improvements in outcomes for students with disabilities in Virginia by increasing the capacity of districts to employ effective and efficient strategies for academic achievement, reducing the number of discipline infractions, and addressing chronic absenteeism in order to improve graduation rates for students with disabilities, as measured by the SiMR.

To assess the effectiveness of the implementation plan, data are collected, analyzed, and reported back to participants (state, district, and school leadership teams) in order to monitor, refine, and improve the processes and outcomes necessary to address emerging needs or challenges associated with project implementation. Districts and schools participating in VTSS submit data on fidelity of implementation (e.g., District Capacity Assessment for capacity of districts to support VTSS, Tiered Fidelity Inventory for school fidelity) during Midyear data collection period.

The District Capacity Assessment (DCA) measures the capacity of a district to facilitate in building-level implementation including the systems, activities, and resources that are necessary for schools to successfully adopt and to sustain VTSS. The specific purposes of the DCA are to (i) provide a District Implementation Team (DIT) with a structured process for the development of a District Capacity Action Plan; (ii) provide a DIT with information to monitor progress towards district, regional, and state capacity building goals; (iii) support a common infrastructure for the implementation of Effective Innovations to achieve desired outcomes for students; (iv) serve as a venue to orient new DIT members to strengths and needs of the district; and (v) provide district, regional, and state leadership with a consistent measure of capacity for implementation and sustainment for Effective Innovations in districts. A DCA score of 60% or above is identified as the acquisition of district capacity, and a score of 80% or above is identified as fluency in district capacity.

The Tiered Fidelity Inventory (TFI) provides valid, reliable, and efficient measures to the extent to which school personnel are applying the core features of Universal School-Wide Positive Behavioral Interventions and Supports (SWPBIS) Features across the three tiers. The TFI is divided into three sections (Tier 1: Universal SWPBIS Features, Tier 2: Targeted SWPBIS Features, and Tier 3: Intensive SWPBIS Features) that can be used separately or in combination to assess the extent that core features of SWPBIS are in place. The purpose of the TFI is to provide one efficient, yet valid and reliable, instrument that can be used over time to guide both implementation and sustained use of SWPBIS. The TFI may be used: (a) for an initial assessment to determine if a school is using (or needs) SWPBIS; (b) as a guide for implementation for Tier 1, Tier 2, and Tier 3 practices; (c) as an index of sustained SWPBIS implementation; or (d) as a metric for identifying schools for recognition within their state implementation efforts. A TFI score of 70% or above is identified as implementing SWPBIS at each tier and, overall, with fidelity.

Additionally, stakeholder input at the district and school levels regarding the effectiveness of VTSS. District instruments include Family Engagement, Level of Satisfaction, and Value of Resources surveys that are collected during End-of-Year. Annually, VTSS administers the VTSS Perceptions of Impact survey to measure the perceptions of school administrators and staff on VTSS implementation and its impact on student outcomes. Professional development evaluations assess the events for components of high-quality professional learning, session content, and opportunities to apply learning in their districts and schools. Event Log data are continuously collected to monitor ongoing professional learning and coaching supports provided to VTSS districts and schools. Data collected in the Event Log include the number of training and technical assistance events along with specific event targets including phase of implementation, essential components, and targeted behavior and academic outcomes. This allows VTSS to assess implementation fidelity and practice change.

Performance data on student academic and behavioral outcomes, including attendance and graduation rates, are collected to assess the impact of implementation fidelity and practice change on student outcomes. During the End-of-Year data collection period, VTSS collects school discipline data (office discipline referrals, in-school suspensions, and out-of-school suspensions), which are disaggregated by race/ethnicity and student disability type. Student outcome data are submitted to the State (e.g., student assessments, graduation numbers, attendance, etc.) at the end of each academic year. Data from these measures are collected annually when made available by the State.

Using a “discrepancy evaluation model” to assess the gap between “ideal” and “real” as the foundation for the evaluation procedures, both formative and summative data are collected and analyzed. The data, once collected, are analyzed at the state, district, and school-levels and are shared with state, district, and school leadership teams as well as VTSS coaches to assure that districts and schools receive efficient and effective supports. Student academic and behavioral outcomes are disaggregated by race/ethnicity and student disability type to assess outcomes for high-need students. Data collected correlating fidelity with behavior and academic outcomes provide insight into the relationship between intervention fidelity and outcomes. Longitudinal data are used to document trends in the improvement of student outcomes and provide evidence as to the impact of the VTSS elements. Descriptive statistics are used in the analysis of survey data, including session evaluation data as well as surveys that seek to inform how elements of VTSS are being received and implemented in schools and districts. Qualitative data from professional development evaluations and event logs are examined to provide guidance in the refinement of the VTSS framework and implementation plan.

**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.**

In the Virginia Tiered Systems of Supports (VTSS), districts and schools use a data-informed, decision-making process to select each evidence-based practice (EBP) and determine its ongoing use. Specific data collected by each district and school varies based on the EBPs selected. School leadership teams, along with district team members who support them, build an integrated and aligned data system that allows “real time” access to data necessary for effective and efficient decision-making. Teams build routines to use data from existing systems as necessary for decision-making, including analyzing EBP implementation fidelity, root causes, and outcome data to evaluate implementation progress. When possible, district and school teams identify opportunities for enhancing the schoolwide system for aggregating data to inform instructional decisions.

Examples of behavior data that may be used by schools include office discipline referrals, suspensions, expulsions, attendance, nursing/counselor visits, minor incident reports, at-risk factors, and/or fidelity data. Examples of academic data that may be used by schools include universal screening data, benchmark data, common formative assessments (classroom performance), progress monitoring data, historical state assessment results (Virginia Standards of Learning), early warning systems, graduation data, and/or fidelity data. Examples of equity data that may be used by schools include disaggregated (by gender, race/ethnicity, socio-economic status, disability, and disability type) behavior and academic data; dropout rates; graduation rates and types of diplomas (standard versus advanced); enrollment in honors and advanced placement classes; and community data on poverty, unemployment, incarceration, etc. Examples of school climate data that may be used by schools include student/parent/staff climate surveys or focus groups, harassment/bullying, hot spots (environment), physical aggression/fighting, and attendance (staff and student). Examples of social-emotional wellness data that may be used by schools include school climate; school safety; nurse/counselor visits; student engagement; information gathered from families; and community data (statistics on prevalence of mental illnesses and trends in the use of mental health services). Examples of attendance data that may be used by schools include average daily attendance, truancy, tardies, chronic absenteeism (excused or unexcused), suspensions, expulsions, dropout rates, and absences due to health. Examples of family engagement data that may be used by schools include participation in events/programs, participation in creation of learning/behavior expectations, attendance at leadership meetings representative of the school community, parent teacher conference attendance, data on frequency and attempts to reach out to families, and delivery of supplies and supports to meet basic family needs. Examples of community engagement data that may be used by schools include two-way communication with community partners; support (e.g., funds, products, time, mentorships, etc.); and collaboration with Tier 2 and 3 service providers.

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

In addition to the current ongoing activities previously described, next steps will focus on three main areas: 1) deepening coaching practice, training, and knowledge specifically in implementation stages; 2) supporting districts to utilize the Implementation Drivers to support usable innovations; and 3) expanding the use of Advanced Tiers and High-Leverage Practices through professional development (PD) around evidence-based practices and Comprehensive Coordinated Early Intervening Services (CCEIS).

Change is impossible to circumvent in the field of education; it is an inevitable component that requires complex skills and abilities to implement at a large scale. While the Virginia Tiered Systems of Supports (VTSS) has used implementation stages since its inception, patterns are emerging, both qualitatively and quantitatively, that indicate there are clear gaps and/or inconsistencies in rates of improvement, implementation, and/or sustainable aspects required for systems change. Specifically, the next step is to begin with an envisioning of the current way in which Exploration and Installation (E&I) processes are provided for new cohorts in VTSS. Using implementation stages in a more contextualized approach ensures the opportunity to coach and facilitate stage-appropriate activities for implementation. Currently, the E&I process exists within a training structure as a primary mode and coaching between sessions as a secondary function. The intent is to create a hybrid structure that moves coaching to a primary mode for conducting E&I activities, and training as a secondary function to support knowledge development and communities of networking and practice. The intended goal is that districts will be able to successfully have built a solid infrastructure to support ongoing professional learning and implementation of selected practices.

It is critical to ensure that the transfer of this information generalizes at the local level. Improvement in the ability to utilize Implementation Drivers to support, implement, and evaluate usable innovations that will be replicable and sustain over time is the next step in delivering support to the district coaches, coordinators, and leadership teams. The Systems Coaching Institute 101, created for the district coaches and coordinators, has revised content to be presented in Winter 2022 and includes an understanding of managing complex change and core features of a multi-tiered system of supports. The Systems Coaching Institute 102 will add emphasis to establishment of a coaching service delivery plan and evaluation of coaching effectiveness (Competency Driver). The National Implementation Research Network describes four key criteria for usable innovation implementation as follows: 1) a clear description of the innovation, 2) description of the features needed to define the innovation, 3) operational definitions of the critical aspects, and 4) assessment. Implementation Drivers (i.e., Fidelity, Coaching, Training, Selection) steer the use and improvement of usable innovations. Each of which will be covered throughout professional learning opportunities in both knowledge development and coaching application. Decision support will be reintroduced in coaching activities across the implementation stages and strand trainings with emphasis on evaluation of evidence-based practices (Organizational Driver).

Knowledge development of Advanced Tiers will occur at the systems coach level both in general content and coaching applications. A “trainer of trainers” process is in place to onboard more staff who are knowledgeable and can deliver the content either in large group professional learning or support individual districts. The professional learning begins with an overview of all components with subsequent deeper learning into each area. Key components of Advanced Tiers have been organized in the following areas: teaming, screening and request for assistance, decision rules, continuum of support, alignment, progress monitoring, data-informed decision-making, and professional learning and coaching. Specific emphasis will be placed on using implementation stages through activities that build an infrastructure at the district and school levels to support Advanced Tier Systems, data, and practices that impact student outcomes for any instructional intervention.

Another next step is further integration of High-Leverage Practices (HLP) for inclusive classrooms into PD and coaching in the areas of equity, instruction, social-emotional wellness, etc. For example, a consistent, organized, and respectful learning environment falls within the the category of social/emotional/behavioral HLPs and is taught and coached in professional learning in New Team Training for behavior, Effective Classroom Practices, and the newly developed trauma modules. Another example relates to the instructional HLP of “teaching cognitive and metacognitive strategies to support learning and independence”; this instructional practice is reflected in Feature 1.9 of the Academic-Tiered Fidelity Inventory (A-TFI; 1.9c Metacognitive Reflection on Learning) and resources provided in the A-TFI professional learning. As explicit connections are drawn to both HLPs for inclusive classrooms and the data, systems, and EBPs for all students, the criteria for usable innovations are met.

At the state level, coordination of services within the VDOE’s Department of Student Services to meet the needs of districts identified for CCEIS will be aligned with implementation science as well as best practices at Advanced Tiers. Planning is underway to revisit the policies and procedures for districts with both mandatory and optional participation, and will be aligned with the VTSS way of work to provide deepening knowledge and consistency among participating districts. A series of brief videos will be developed to support learning in conjunction with the VDOE’s Office of Student Services.

Collectively, the outcomes for these next steps align with the Theory of Action to improve and increase use of EBPs and HLPs in order to improve student outcomes.

**Section C: Stakeholder Engagement**

Description of Stakeholder Input

During the development of Virginia’s FFY 2020 Part B State Performance Plan/Annual Performance Review (SPP/APR), multiple opportunities for stakeholder involvement were provided, including the following: presentations, meetings, focus groups, and conference calls. The focus of stakeholder involvement was to engage in setting FFY 2020-2025 targets, if applicable, analyzing data, developing improvement strategies, and evaluating progress. Stakeholders included the State Special Education Advisory Committee (SSEAC), parents, school district central office personnel, other state agencies, PEATC staff members, TTACs staff members, early childhood specialists, transition specialists, elementary and secondary principals, representatives of higher education, assessment specialists, VDOE staff members, and other community members as needed.

Staff members from the VDOE organized and led numerous stakeholder groups. Staff served as indicator chairs by topical area with a focus on the data, targets, and recommendations related to their specific indicator. Additional staff represented the broad spectrum of work done within the Department of Special Education and Student Services. Additionally, indicator chairs met regularly to gauge progress, share strategies, and suggestions. In some cases, surveys were administered to ensure all stakeholders have equal opportunity to be heard and have led to additional initiatives and resources.

In FFY 2020, stakeholders were informed, including the SSEAC, of the activities planned to deepen the alignment of the SSIP work across numerous VDOE offices. Specifically, stakeholders annually review and/or revise the activities described in previous submissions to ensure that they continue to be aligned with the Theory of Action.

Virginia continues to engage in work, with the support of OSEP-funded technical assistance providers, to increase stakeholder involvement across all phases of the SSIP. The National Technical Assistance Center on Transition (NTACT) collaborated with VDOE staff members to assist with building skills to facilitate data discussions among stakeholders in regions across the State. Virginia actively participated in the Graduation and Post School Outcomes (PSO) Cross State Learning Collaborative (CSLC) Writing Group hosted by the National Center for Systemic Improvement (NCSI). Moving forward, Virginia has joined the Results-Based Accountability and Supports (RBAS) CSLC Writing Group hosted by the NCSI. The group plans to offer a series of face-to-face and web-based CSLCs. The CSLCs provide an opportunity for state teams to come together to learn about evidence-based practices, stakeholder engagement, systems change, and evaluation. Teams are provided with opportunities to work together on their SSIP, learn from experts, and share experiences through cross-state conversations.

The VDOE has also implemented strategies and tools provided by the IDEA Partnership, in collaboration with the National Association of State Directors of Special Education (NASDSE) as part of their work around Leading by Convening: A Blueprint for Authentic Engagement.

 **Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

Stakeholders have input into how VTSS is implemented. Each VTSS activity is evaluated for components of high-quality professional learning, session content, and opportunities to apply learning in their districts and schools. Data are collected, analyzed, and reported back to participants (state, district, and school leadership teams) in order to monitor, refine, and improve the processes and outcomes necessary to address emerging needs or challenges associated with project implementation. Additionally, stakeholder input at the district and school levels regarding the effectiveness of VTSS are evaluated using multiple surveys (Family Engagement Survey, Level of Satisfaction, and Value of Resources by districts), focus groups, VTSS Perceptions of Impact Survey completed by school staff, and professional development evaluations. Event Log data are used to monitor ongoing coaching support provided to VTSS districts and schools.

Our family partner to the VTSS project, Formed Families Forward (FFF), works to engage local districts and schools as partners and collaborators. Recognizing the importance of building family engagement within a collaborative environment, FFF embraces an interactive approach that positions families, VTSS systems coaches, and district staff to work as partners, learning from each other as they consider the needs and experiences of families and communities. This collaboration is reflected in a series of training videos titled “Family Engagement in Virginia Tiered Systems of Supports,” produced by FFF. This series of videos features six key elements to engage families in VTSS. Designed for use by educators and families, the four videos highlight specific strategies for school teams to consider as they build momentum around family-school partnerships and strengthen skills to meaningfully engage families in multi-tiered systems.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

YES

**Describe how the State addressed the concerns expressed by stakeholders.**

Student progress during the ongoing pandemic was a topic of discussion throughout the stakeholder engagement process. Much of the discussion centered on the importance of continued alignment of the VTSS to the State’s SiMR and Theory of Action while responding to the COVID-19 pandemic. Implementing VTSS requires systemic change and infrastructure improvement at the district, school, and classroom levels. Within VTSS, evidence-based, system-wide practices give educators the tools they need to address the academic, behavioral, and social-emotional needs of all students especially during the ongoing pandemic. Implementation of these practices include frequent progress monitoring that enables educators to make sound, data-based instructional decisions. The VDOE also aligned funding priorities to the U. S. Department of Education’s COVID-19 Resources for Schools, Students and Families including the utilization of pandemic relief funds as a way to address concerns and leverage funding to implement evidence based practices and support innovative approaches within school districts across the Commonwealth with a focus on student support.

**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.**

The 2021 General Assembly appropriated funding to attract, recruit, and retain high-quality, diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia middle and high schools experiencing difficulty in recruiting qualified teachers.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

Evaluation activities include event data (i.e., event description, attendees, and post-event evaluations), implementation measures, and student outcomes (i.e., academic, discipline, attendance, and graduation). Professional learning attendance collected for each day of an event and post-event evaluations completed by attendees will be collected following each training event. Event Log data are collected from Virginia Tiered Systems of Supports (VTSS) Systems Coaches following each event/meeting with their districts and schools. The VTSS collects district and school data twice a year during Midyear and End-of-Year. Midyear data collection period begins February 1, 2022, and will end March 31, 2022. Measures collected during Midyear are the District Capacity Assessment (DCA) for districts and Tiered Fidelity Inventory (TFI) for schools. The data collection period for the Perceptions of Impact begins on March 22, 2022, and will end on April 1, 2022. End-of-Year data collection period occurs from May 2, 2022, to July 15, 2022. Measures collected during End-of-Year are the Family Engagement Survey, Level of Satisfaction (LOS), and Value of Resources (VOR) for districts and student enrollment and discipline (office discipline referrals, in-school suspensions, and out-of-school suspensions) for schools. Additionally, student behavioral, academic, and school climate data will be collected at the end of each academic year by the Virginia Department of Education. Student behavioral and academic outcomes will be disaggregated by race/ethnicity and student disability type to assess outcomes for high-need students.

The data timeline and measures collected are to inform implementation and progress towards project targets set forth in the Theory of Action for the SSIP/SiMR. Anticipated outcomes from professional development and coaching events include improved district capacity to assist school-level implementation (measured by DCA), improved school-level implementation (measured by TFI), and improved knowledge and skills of evidence-based practices (measured by Perceptions of Impact). Following the Theory of Action, with the improved fidelity of implementation by district and school leadership teams and staff, the student academic, behavior, and attendance outcomes, including reduced disproportionality for students with disabilities, should improve. Specifically, the expected academic, behavior, and attendance outcomes targeted in the SSIP include improved percentage of students with disabilities graduating with advanced or standard diplomas, improved percentage of students with disabilities that pass the eighth-grade English reading and math Standards of Learning (SOL) assessments, decreased number of disciplinary actions (office discipline referrals, in-school suspensions, and out-of-school suspensions) for students with disabilities, and reduced number of students with disabilities who miss more than ten days of instruction in a school year.

**Describe any newly identified barriers and include steps to address these barriers.**

The ongoing COVID-19 pandemic continues to present, and exacerbate existing, barriers in both the implementation and outcomes associated with the Virginia SSIP/SiMR. Barriers Virginia faces include school staffing shortages with special education being one of the top critical shortage areas; school administrators and district personnel in the classroom due to teacher and substitute teacher shortages; disruptions to student learning related to the pandemic (e.g., temporary school closures, quarantines for COVID-19 exposure/infection); intermittent absence of staff due to COVID-19 exposure/infection; school staff are taking on heavier workloads; district and school staff are suffering from burnout; and district and school personnel are unable to find time to dedicate to professional development. Disruptions in learning have resulted in learning loss andunfinished learning for students as well as created obstacles to previous graduation requirements. School climate also has been impacted by the pandemic and by the influence of social media platforms encouraging students to act out in negative ways as experienced during December 2021 with a series of threats of shootings and bombings to schools across the nation on TikTok. The “2021 Report on the Condition and Needs of Public Schools in Virginia” by the Virginia Board of Education cites the negative impact of the global pandemic on the mental health and well-being of students.

Virginia is addressing these barriers through collaboration between offices within the Virginia Department of Education (VDOE), Virginia Tiered Systems of Supports (VTSS), and districts/schools to allocate resources and provide supports as necessary. For example, some districts maintain virtual learning offerings to support students when absent and during temporary school closures. Districts are adjusting academic calendars to include additional time off to prevent teacher burnout. The 2021 Virginia General Assembly appropriated funding to support teacher recruitment and retainment. The VTSS is planning shorter, tailored-to-need professional learning for individual districts by their Systems Coaches at convenient times in order to allow district and school staff to attend.

To assist in the identification of unfinished learning from 2020-2021 due to the pandemic, Virginia instituted fall growth assessments for grades 3-8 based on content from the previous grade level. As example, in 2019, the pass rate for reading across the state was 78%, whereas in 2021 it was 69%. Similarly, the pass rate in math fell from 81% to 59%. Schools are reporting a “flipped triangle” in which a greater number of students do not meet benchmark standards and require additional services than those that are deemed proficient. The VTSS staff have been creating and delivering asynchronous and synchronous professional development on addressing this current reality for districts and VTSS Systems Coaches. Seven strategies for schools to utilize are as follows: relationship building, lesson planning to focus on essential skills, formative assessment to identify skill deficits and provide flexible instruction, classwide intervention in numeracy and literacy, increased engagement (inclusive of peer learning, opportunities to respond, and student goal setting), more frequent progress monitoring at Tier 1, and promoting teacher agency (collective teacher efficacy).

COVID-19 continues to impact graduation as the pandemic reduced participation in state assessments typically necessary to meet graduation requirements. To address this barrier, new graduation requirements were put into effect for the 2021-2022 academic year, where the number of standard credits for a Standard Diploma and Advanced Studies Diploma remain the same but the number of required verified credits, earned by passing a course in the content area and the associated end-of-course assessment, are reduced to five (one each in English reading, English writing, math, science, and history/social science) for both diplomas. By reducing the number of Standards of Learning tests students must pass to earn a diploma, the new standards increase flexibility for schools to expand work-based and service-learning programs that promote college, career, and civic readiness.

The State has funded additional student support personnel and, in collaboration with national technical assistance, developed “Virginia Social Emotional Guidance Standards” for districts to adopt and/or use for guidance in implementing social-emotional learning programming based on the needs of their community. Furthermore, VTSS is addressing this barrier by embedding the standards into existing professional development (i.e., in classroom practices) and also completing trauma modules that can be used asynchronously.

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

Milestones from the past year include four areas of professional learning modules (i.e., family engagement, trauma, defusing disruptive behavior, and restraint/seclusion) developed by the Virginia Department of Education and Virginia Tiered Systems of Supports. These modules provide a unique mode for increasing equitable access to learning, skill development, and implementation of evidence-based practices within the tiered framework.

## 17 - Prior FFY Required Actions

None

## 17 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State provided an explanation of how COVID-19 impacted its ability to collect FFY 2020 data for this indicator and steps the State has taken to mitigate the impact of COVID-19 on data collection.

## 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:**

Dr. Samantha Hollins

**Title:**

Assistant Superintendent, Special Education and Student Services

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**Phone:**

804-786-8079

**Submitted on:**

04/26/22 4:37:51 PM

# ED Attachments

  

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. Percentage blurred due to privacy protection [↑](#footnote-ref-4)
4. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-5)
5. 1 Data suppressed due to privacy protection [↑](#footnote-ref-6)
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