

Table A – Part B
Issues Identified in the Virgin Islands State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 1</p> <p>Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>The VIDE provided baseline data on page 4 of the SPP indicating 6% of youth with IEPs graduated from high school with a regular diploma. Pages 45-46 of the U.S. Virgin Islands Department of Education Consolidated State Application Accountability Workbook (Workbook)¹, dated September 7, 2005, contain information regarding data collection for graduation under the No Child Left Behind (NCLB) Act and references a request for approval from the U.S. Department of Education (Department) to use attendance rate as a proxy for graduation rate in Adequate Yearly Progress (AYP) determinations through the 2008-2009 school year.</p> <p>The SPP did not include references to this discussion in the Workbook or otherwise coordinate this data collection. Although the VIDE included some activities, with timelines and resources, it was unclear to OSEP that the VIDE would be able to either measure whether and when the activities were completed, the impact of those activities on performance, or to determine whether the activities would be sufficient to enable the VIDE to meet its targets.</p>	<p>VIDE should review its activities to determine if additional activities are needed, or if the activities need to be revised or modified, to coordinate with and reference the Workbook activities under the NCLB Act. VIDE must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data may affect OSEP's determination of the Territory's status under section 616(d) of the IDEA.</p>

¹ On September 7, 2005 the U.S. Department of Education, Office of Elementary and Secondary Education issued the U.S. Virgin Islands Department of Education Consolidated State Application Accountability Workbook for State grants under Title IX, Part C, Section 9302 of the Elementary and Secondary Education Act (Public Law 107-110). The Workbook provides a summary of required elements for the Virgin Islands' accountability system and Virgin Islands' responses and activities for meeting State accountability system requirements.

SPP Indicator	Issue	Required Action
<p>Indicator 3</p> <p>Participation and performance of children with disabilities on statewide assessments:</p> <ul style="list-style-type: none"> A. Percent of districts meeting the State's Adequate Yearly Progress (AYP) objectives for progress for disability subgroups. B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards. C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards. <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>See Table B</p>	<p>See Table B</p>

SPP Indicator	Issue	Required Action
<p>Indicator 4</p> <p>Rates of suspension and expulsion:</p> <p>A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>See Table B</p>	<p>See Table B</p>
<p>Indicator 7:</p> <p>Percent of preschool children with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p>	<p>On page 34 of the SPP, the VIDE indicated the use of Child Observation Records cycle assessments for preschool children in Head Start programs to measure entry and exit level data. The VIDE further reported that the current data system (Goalview) will be utilized to identify children with IEPs who receive services in the Head Start programs. However, as cited on page 30 of the SPP, 5% of preschool children in the Territory receive services in the home and there is no indication of how these students will be included in Goalview. Therefore, the methods described by the VIDE for collecting the required preschool outcome data does not appear to fully account for all preschool children in the Territory and do not appear to result in accurate and reliable data.</p>	<p>The method the VIDE utilizes for data collection must yield valid and reliable data. The VIDE must review, clarify and revise its plan to ensure that the method the VIDE uses will ensure the collection of valid and reliable data on which to base targets and improvement activities for submission with its FFY 2005 APR that is due February 1, 2007. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and may affect OSEP's determination of the Territory's status under section 616(d) of the IDEA 2004.</p>

SPP Indicator	Issue	Required Action
<p>(20 U.S.C. 1416 (a)(3)(A))</p> <p>Indicator 8:</p> <p>Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>(20 U.S.C. 1416(a)(3)(A))</p>	<p>On page 36 of the SPP, the VIDE indicated that the most effective method of administering the parent survey would be in conjunction with IEP review meetings. This method appears skewed toward parents who are participating and involved in their child's education. That is, the VIDE does not indicate how it will gather and include survey information from parents who fail to attend the IEP review meetings. The method utilized by the VIDE for collecting the required data on parent involvement must enable the VIDE to submit valid and reliable data that reflects input from all parents, not just those who attend the IEP review meeting.</p>	<p>VIDE should review, clarify and revise its plan to ensure that the method the VIDE uses will ensure the collection of valid and reliable data on which to base targets and improvement activities for submission with the FFY 2005 APR that is due February 1, 2007. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and may affect OSEP's determination of the Territory's status under section 616(d) of the IDEA.</p>
<p>Indicator 12:</p> <p>Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>See Table B</p>	<p>See Table B</p>
<p>Indicator 15:</p> <p>General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>(20 U.S.C. 1416 (a)(3)(B))</p>	<p>See Table B</p>	<p>See Table B</p>

SPP Indicator	Issue	Required Action
<p>Indicator 16: Percent of signed written complaints with reports issued that were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. (20 U.S.C. 1416(a)(3)(B))</p>	See Table B	See Table B
<p>Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. (20 U.S.C. 1416(a)(3)(B))</p>	See Table B	See Table B
<p>Indicator 19: Percent of mediations resulting in mediation agreements. (20 U.S.C. 1416(a)(3)(B))</p>	See Table B	See Table B
<p>Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B))</p>	See Table B	See Table B