

**Table B – Part B – Virgin Islands**  
**Previously Identified Issues**

ISSUE	STATE SUBMISSION	OSEP ANALYSIS	REQUIRED ACTION
<p>General Background: On December 10, 1999, the Virgin Islands Department of Education (VIDE) entered into a three-year Compliance Agreement with the United States Department of Education (ED), Office of Special Education Programs that set forth commitments and timetables for the VIDE to demonstrate compliance with certain Part B obligations. The Compliance Agreement outlined the specific activities and requirements in the following areas: timely evaluations, eligibility determinations and individualized education programs (IEPs) in accordance with 34 CFR §§300.320-321 and §§300.340-350; the provision of free appropriate public education (FAPE) in accordance with 34 CFR §§300.300, 300.24, 300.26, 300.29, and 300.347(b)(1) and (2); least restrictive environment (LRE) in accordance with 34 CFR §§300.550-.556; ensuring sufficient qualified personnel in accordance with 34 CFR §§300.23, 300.136(e), and 300.382(h); dispute resolutions, including formal written complaints, mediation and due process hearings, in accordance with 34 CFR §§300.660-662, 300.506, and 300.507-.514; policies and procedures and monitoring, in accordance with 34 CFR §§300.141, 300.556, and 20 U.S.C. §1232d(b)(3). In addition, the issue of fiscal accountability was also addressed under a 2002 Compliance Agreement to address issues that cut across various ED grant programs and the various Virgin Islands' agencies with responsibility for the administration of such programs. Despite significant progress in some areas, based upon the VIDE's reporting, including the Annual Performance Reports and OSEP's onsite and verification reviews, some of the above areas have continued to be areas of concern because the VIDE has been unable to demonstrate full compliance. Most recently, the Special Conditions attached to the FFY 2005 Part B grant award to the VIDE included reporting requirements specifically addressing: timely reevaluations; early childhood transition from Part C to Part B; and State (Territory) and district-wide assessments. Finally, the VIDE's ability to exercise general supervision has been an on-going concern.</p>			

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<p>Indicator 3 Noncompliance by the Virgin Islands Department of Education (VIDE) with the requirements at 34 CFR §300.138-§300.139 and 20 U.S.C. 1412(a)(16) was cited as part of the Special Conditions attached to the VIDE's Part B grant for FFY 2005; in OSEP's March 3, 2005 FFY 2002 APR response letter; in OSEP's October 5, 2005 verification visit letter; and in OSEP's November 16, 2005 FFY 2003 APR response letter. These documents are incorporated by reference. Most recently, OSEP's November 16, 2005 letter noted that the FFY 2005 Special Conditions require the VIDE to submit a report, as soon as possible, but no later than June 30, 2006, demonstrating that all children with disabilities are included in general State (Territory) and district-wide assessment programs including the provision of appropriate accommodations and alternate assessments, as appropriate.</p> <p>Additionally, by June 30, 2006, the VIDE is required to provide documentation on how it has reported to the public on the participation and performance of children with disabilities on the Territory-wide assessments including alternate assessments.</p> <p>The VIDE also was required to submit</p>	<p>On page 12 of the SPP, the VIDE indicated that the Territory-wide assessment (VITAL) was administered for the 2004-2005 school year and that "[b]y June 30, 2006, the VIDE will provide documentation on how it has reported to the public on the participation of children with disabilities on the Territory-wide assessments, including alternate assessments."</p> <p>The VIDE also reported that it will require districts to submit a plan to comply with 34 CFR §§300.138-300.139 as related to district-wide assessments and, by June 30, 2006, will provide documentation to OSEP that districts have complied.</p> <p>The VIDE indicated that, by February 2006, the districts are required to submit approvable plans to ensure compliance with this requirement. The districts are required to submit a list of students with disabilities who will take district-wide assessments with or without accommodations and a list of students who will take alternate assessments. The VIDE indicated monitoring activities will be conducted to ensure districts are administering the assessments consistent with the plans.</p> <p>The VIDE also indicated that the</p>	<p>The VIDE's plan to address the noncompliance related to district-wide assessments seems reasonably calculated to address participation by children with disabilities in such assessments. However, the VIDE also must demonstrate that it is ensuring appropriate reporting to the public on the participation and performance of children with disabilities on both Territory-wide assessments and district-wide assessments.</p> <p>In the Workbook, the VIDE proposed to engage in a number of related activities intended to address assessment data validity and reliability. However, these were not clearly cross-referenced in the SPP.</p> <p>Because the VIDE is only beginning to implement Territory-wide assessments, complete baseline data and targets are pending. In addition, with respect to Indicator 3A, OSEP notes that the VIDE is in a statistically unique position because there are only two school districts. Therefore, the only possible percentages demonstrating improvement in the percentage of districts meeting AYP are 50% and 100%.</p>	<p>The VIDE's progress report under the Special Conditions in the Territory's FFY 2005 grant award is due by June 30, 2006. The VIDE must ensure compliance with the requirements of 34 CFR §300.138-§300.139 and 20 U.S.C. 1412(a)(16) and demonstrate this in their data submission. Failure to demonstrate compliance with this requirement in the final Progress Report will result in the Territory's continued status as a "high risk" grantee and/or otherwise affect the Territory's FFY 2006 grant award.</p> <p>In the APR, due February 1, 2007, the VIDE must also submit data and, as appropriate, revised targets based upon that data. The VIDE should review the activities in the SPP and must revise the SPP, at a minimum, to include a cross-reference to the activities in the Workbook.</p>

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<p>with the SPP, a description of the measures it was taking to ensure compliance with the requirements related to district-wide assessments.</p>	<p>ultimate participation target will be 95% and that additional data for this Indicator would be available during the 2005-2006 SY consistent with the VIIDE Consolidated State Application Accountability Workbook (Workbook), dated September 7, 2005.</p>		

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<p>Indicator 4</p> <p>OSEP's March 3, 2005 FFY 2002 APR response letter, OSEP's October 5, 2005 verification visit letter, and OSEP's November 16, 2005 FFY 2003 APR response letter raised concerns about the VIDE's compliance with 34 CFR §300.146. These are incorporated by reference. Most recently, OSEP's November 2005 letter required the VIDE to include a determination of the percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days a school year as required at 34 CFR §300.146.</p>	<p>On page 22 of the SPP, the VIDE reported 50% [1 of 2] of the districts were identified by the VIDE 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.</p> <p>On page 23 of the SPP, the VIDE included improvement strategies, timelines and resources.</p>	<p>The VIDE submitted baseline data and information related to this indicator. Although the small number of school districts places the VIDE in a statistically unique situation and because the VIDE is reporting that one of its two districts has a significant discrepancy, it must also provide documentation that it reviewed and, if appropriate, revised policies, procedures and practices to ensure compliance with the requirements at 34 CFR §300.146 regarding suspension and expulsion rates.</p>	<p>The VIDE must ensure that this noncompliance is corrected and include data in the APR, due February 1, 2007, that demonstrates compliance with this requirement. The VIDE should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the VIDE to include data in the APR, that demonstrates full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the Territory's status under section 616(d) of the IDEA.</p>
<p>Indicator 12</p> <p>Compliance with the requirements at 34 CFR §300.132 has been a long-standing problem for the VIDE. It was cited as part of the 1999 Compliance Agreement, in the Special Conditions attached to the VIDE's Part B grant for FFY 2002, 2003, 2004, 2005, in OSEP's March 3, 2005 FFY 2002 APR response letter, in OSEP's October 5, 2005 verification visit letter, and in OSEP's November 16, 2005 FFY 2003 APR response letter. These are incorporated by reference.</p> <p>Under the Special Conditions attached to the FFY 2005 Part B grant award, the VIDE ensures compliance with the</p>	<p>The VIDE's December 2005 progress report indicated that the LEAs submitted data that contained discrepancies regarding the provision of special education and related services for children with disabilities transitioning from Part C to Part B and that the LEAs did not provide revised and corrected data in a timely manner as required by the VIDE. On May 3, 2006, VIDE submitted the February 15, 2006 progress report as required by the Special Conditions. The data and information from the progress report will be addressed separately.</p> <p>The VIDE provided data and information</p>	<p>The VIDE has not submitted accurate and timely data under the progress reports required by the Special Conditions related to compliance with the requirements of 34 CFR §300.132. The VIDE reported data and information in the SPP that 82% of the 27 children transitioning from Part C to Part B had an IEP in place and implemented by their third birthday. However, due to discrepancies in the dates reported and the absence of progress data, OSEP could not determine the accuracy of the time frame for the data or of the data itself. Further, the VIDE has not only failed to report as required by the Special Conditions, but it has not yet</p>	<p>Under the Special Conditions, a final report demonstrating full compliance is due June 30, 2006 on the forms provided by OSEP. Because this is a long-standing issue, failure to demonstrate compliance will affect the Territory's FFY 2006 grant award, and may include the continuation of "high risk" designation or other sanctions available under the law.</p>

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<p>requirement at 34 CFR §300.132 that eligible children with disabilities transitioning from Part C to Part B receive special education and related services by their third birthdays. Progress reports were due on December 1, 2005, February 15, 2006 and a final report on June 30, 2006.</p>	<p>on pages 43-44 of the SPP that "for FFY 2005," based upon monthly monitoring implemented in May 2005, 82% of children referred by Part C prior to age 3, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays. The VIDE stated that it "has effectively met the requirements of 34 CFR §300.132" by implementing a monitoring system.</p>	<p>demonstrated that it is ensuring full compliance with the requirement at 34 CFR §300.132. That is, simply establishing a monitoring system is insufficient to demonstrate compliance with this requirement, therefore the VIDE must submit data and information to demonstrate that both LEAs are in full compliance with this requirement.</p>	
<p><u>Indicator 15</u> Compliance with the requirements to establish a general supervisory monitoring system that effectively identifies and corrects noncompliance in a timely manner including the implementation of complaint and hearing decisions, as required at 34 CFR §300.600 and 20 U.S.C. 1232d(b)(3) has been a long-standing challenge for the VIDE. It was cited as part of the 1999 Compliance Agreement, in OSEP's March 3, 2005 FFY 2002 APR response letter, in OSEP's October 5, 2005 verification visit letter, and in OSEP's November 16, 2005 FFY 2003 APR response letter. These are incorporated by reference.</p> <p>Under the 1999 Compliance Agreement and the Special Conditions attached to the</p>	<p>On pages 93 through 95 of the SPP, the VIDE reported that, under Indicator 15A of the SPP, 57% of the findings of noncompliance related to monitoring priority areas and indicators were corrected within one year of identification. For Indicator 15B, the VIDE reported that 20% of the findings of noncompliance related to areas not included in Indicator 15A were corrected within one year of identification. For Indicator 15C, the VIDE reported that 88% of the findings of noncompliance identified through other mechanisms were corrected within one year of identification.</p> <p>On November 9, 2005, the VIDE submitted its proposed plan for monitoring. The plan described a two</p>	<p>The data and information submitted under Indicator 15 in the SPP and in the progress report demonstrates continued noncompliance in the areas of identification and correction.</p> <p>OSEP cannot determine whether the proposed monitoring plan is reasonably calculated to ensure identification and timely correction of noncompliance because VIDE did not identify the Part B requirements or instruments it will be using for priority and nonpriority areas. In addition, it appears that the VIDE is not verifying correction of the noncompliance, rather it determines the implementation of activities that may, or may not, result in compliance. Moreover, the VIDE has not ensured timely correction in areas of long-</p>	<p>For those findings based upon current Part B requirements or specific requirements of the Territory, the VIDE must submit data to demonstrate correction of previously-identified findings of noncompliance by June 30, 2006. If a finding is not corrected, the VIDE must report on the sanctions, if any, that will be imposed. In addition, by June 30, 2006, the VIDE must submit its monitoring protocols including checklists, self-assessments, surveys and verification procedures; and the identification of the underlying Part B requirements being monitored by each instrument. To the extent that such documents remain under development, the VIDE is strongly</p>

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<p>VIDE's Part B grant for FFY 2002 and 2003, the VIDE established a monitoring system, but OSEP determined that the VIDE did not consistently implement that system. OSEP's March 3, 2005 FFY 2002 APR response letter, noted that while the VIDE's monitoring system was identifying some noncompliance, the VIDE could not demonstrate that it was ensuring timely correction. OSEP's October 5, 2005 verification visit letter noted that during OSEP's previous monitoring reviews (December 2000, February 2002 and February 2003), VIDE presented a 5-year cyclical monitoring process intended to enable VIDE to monitor all of its schools and programs beginning in 2000. Because of staffing shortages, the VIDE ceased its cyclical monitoring process after Cycle II and instead, for what would have been Cycle III, implemented interim monitoring measures and only conducted a focused monitoring review of extended school year services and compensatory education during the summer of 2003. Although this review was completed and the VIDE reported in its FFY 2002 APR that a "final monitoring report" was issued, the VIDE acknowledged it did not issue a written report of findings of noncompliance, but rather identified strengths, weaknesses and areas for improvement for both LEAs. OSEP concluded that the interim measures</p>	<p>part system that includes 1) a review of data submitted by the LEAs to address reporting requirements for section 618 reports, Special Conditions reports, the Compliance Agreement, due process hearing complaints, mediations, formal state complaints, Office for Civil Rights resolution agreements and the 1984 Nadine Jones class action consent decree; and 2) cyclical monitoring activities to include site selection, review of 25 student files, written notice of findings and corrective actions, and sanctions for failure to implement corrective actions. The proposed activities specifically identified six schools in St. Thomas/St. John and five schools in St. Croix for monitoring by November 2005. The VIDE also identified four schools each in St. Thomas/St. John and St. Croix for monitoring by February 2006. The VIDE proposed monitoring on the indicators in the State Performance Plan, but did not specify how this would occur.</p> <p>On pages 55 through 69 of the SPP, the VIDE provided a more detailed, but slightly differing, description of its two-part monitoring plan and activities. The description of the first part includes monthly or quarterly reporting on child count, on the "provision of special</p>	<p>standing noncompliance, including the imposition of sanctions.</p> <p>OSEP could not determine from the November data and information on the status of correction and the SPP submission, the extent to which the corrective activities implemented resulted in compliance. That is, the corrective actions were focused on procedures and activities and there was no reference to the verification of specific correction, outcomes or results related to compliance. For example, the findings that student files were lacking documentation of parental consent and IEP teams did not include the required personnel, the sole corrective activity was submission of revised procedures. There was no verification through review of student records or staff interviews that ensured the new procedures resulted in changed practices and demonstrated compliance. That is, these revised procedures are insufficient to demonstrate compliance. VIDE needs to determine whether the new procedures have resulted in correction of the noncompliance by utilizing such methods as reviewing a sample of student records or conducting staff interviews. In addition, some of the previous Cycle II findings included</p>	<p>encouraged to work with its Regional Resource Center and OSEP staff, to ensure the appropriateness of these documents. If it has not already done so, the VIDE must begin implementing its tracking chart and submit it as part of its June 30, 2006 report.</p> <p>Failure to demonstrate compliance in its June 30, 2006 submission may result in the Territory being identified as a "high risk" grantee or may otherwise affect the Territory's FFY 2006 grant award.</p>

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<p>were not an appropriate monitoring system and required that the VIDE submit a plan for implementing an appropriate monitoring system and documentation that previously-identified noncompliance in the prior cycle and the areas of extended school year services and compensatory education had been corrected.</p> <p>In addition, OSEP concluded that the VIDE's informal method of ensuring the implementation of corrective actions required in complaint decisions, mediation agreements, and hearing decisions was ineffective. OSEP also required the VIDE to submit a plan to ensure that all such corrective actions were implemented including a method for tracking and monitoring the implementation of corrective actions required by complaint decisions, mediation agreements and hearing decisions and a copy of its revised complaint logs, mediation and due process logs that incorporated sufficient information to allow the VIDE to determine the status of correction at all times.</p>	<p>process/mediation requests," and as required under the Special Conditions. Additionally, the Goalview data system would be used to generate data on the timeliness of IEPs, triennial evaluations, duplicate student records and general education placements. The description of the second part includes: 1) a pre-visit conference and the explanation and scheduling of on-site visits, surveys and checklists; 2) the review of ten percent or at least 24 student records, on-site visits, classroom observations, and interviews with district staff and parents; 3) written notice of findings and corrective actions with a 30-day timeline for completion; and 4) the initiation of sanctions by the State Director of Special Education where corrective actions have not been implemented.</p> <p>The SPP indicates that, for 2004-2005, the VIDE had monitored three schools in each LEA and the extended school year and compensatory programs. Additionally, one school in each LEA was also monitored in July 2004. The VIDE also reported that 12 schools would be monitored in November through December 2005 and eight schools in February 2006. Finally, the SPP included a "Tracking Mechanism for Findings and Corrective Actions"</p>	<p>provisions that do not appear to be based upon Part B requirements or are no longer Part B requirements because they were not part of the Individuals with Disabilities Education Improvement Act of 2004, which amended the Individuals with Disabilities Education Act.<sup>1</sup> For example, under Part B, an LEA is not required to submit an effective recruitment, retention and hiring plan. While this may be a related requirement imposed by the Territory and also may be one of the corrective activities for failing to ensure the provision of special education and related services, it is not a specific Part B requirement.</p> <p>The VIDE's activities and tracking chart related to Indicator 15C appear reasonably calculated to enable the VIDE to ensure implementation of corrective actions in a timely manner. However, as noted above, OSEP is concerned that the VIDE is not ensuring timely correction and not imposing sanctions for long-standing noncompliance.</p>	

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<p>Indicator 16 (See also 15C, above)</p> <p>OSEP's November 16, 2005 APR review letter required the Virgin Islands to continue to report on its progress toward</p>	<p>that lists the following four components: 1) self-assessment; 2) on-site visit; 3) data review; and 4) other. There was no information regarding the content of checklists or protocols.</p> <p>As required, the submission also included a status report on the findings from the Cycle II monitoring and the areas of compensatory education and extended school year services. The VIDE identified numerous areas where specific activities had occurred and others where activities had not occurred and/or noncompliance persisted. The VIDE reported that no sanctions had been imposed in areas of long-standing noncompliance.</p> <p>As part of its submission, the VIDE included activities and a tracking chart for the timely resolution of State complaints, due process decisions and settlement agreements, to ensure the timely implementation of corrective actions [see Indicator 15C].</p> <p>On pages 71-72 of the SPP, the VIDE reported that 92% of the signed written complaints were resolved within the 60-day timeline or a timeline extended for</p>	<p>The VIDE provided data that demonstrate continuing noncompliance with the requirement regarding 34 CFR §300.661(a). The level of compliance reported was 92%. While this</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating full compliance with this requirement.</p>

<sup>1</sup> Although the VIDE may impose requirements that go beyond the IDEA, under Section 608, it must identify the rules, regulations, and policies not required under Part B and its regulations.



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<p>compliance with the 60-day timeline for complaint resolution required by 34 CFR §300.661(a) and to submit a final report demonstrating compliance in April 2006.</p>	<p>exceptional circumstances with respect to a particular complaint. The VIDE reported that one of the 12 complaints was resolved outside the timeline and one was held in abeyance because it raised the same issue as a due process hearing request.</p>	<p>demonstrates improvement, it does not demonstrate full compliance.</p>	
<p>Indicator 17 (Also, see Indicator 15C, above)</p> <p>OSEP's November 16, 2005 APR review letter required the VIDE to submit a copy of the final due process decision that was overdue at the time of the February verification visit.</p>	<p>The administrative decision and order, dated April 27, 2005, was submitted.</p> <p>On page 83 of the SPP, the VIDE reported 100% of due process hearing requests were fully adjudicated within a timeline that was properly extended by the hearing officer at the request of either party.</p>	<p>The VIDE provided the hearing decision and reported a 100% level of compliance with the requirement at 34 CFR §300.511. OSEP recognizes the effort made by the VIDE in working toward compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating continued compliance with this requirement.</p>
<p>Indicator 20</p> <p>Compliance with the requirements related to the collection and timely reporting of accurate data has been a long-standing problem for the VIDE as cited in the 1999 Compliance Agreement, OSEP's March 3, 2005 FFY 2002 APR response letter, OSEP's October 5, 2005 verification visit letter, and OSEP's November 16, 2005 FFY 2003 APR response letter. These are incorporated by reference.</p>	<p>On page 88 of the SPP, the VIDE indicated that the Section 618 data was submitted in a timely manner. The VIDE noted concerns with accuracy under Indicators 1, 3, and 4A.</p>	<p>Most recently, OSEP's November 16, 2005 letter noted that the VIDE was reporting significant data collection and reporting needs in many areas of the APR and encouraged continued efforts to access and coordinate data with the School Administrative Student Information database and Goalview. OSEP emphasized the VIDE's need to carefully consider its current data collection against the requirements related to these indicators.</p>	<p>The VIDE should review and, if appropriate revise the strategies and activities for Indicator 20 of the SPP and submit any revisions in the APR, due February 1, 2007. Failure to accurately report information under Indicator 20 may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>

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<p>Special Conditions - Triennial Evaluations: The Special Conditions attached to the VIDE's Part B grant for FFY 2005, noted that VIDE was to have eliminated the backlog of students not receiving a timely triennial evaluation for those evaluations due after October 1999. In its prior progress report (May 16, 2005), the VIDE reported a total of 138 triennial evaluations remaining. Of this total 97 were for St. Croix and were scheduled for completion between May 16 and May 31, 2005. The VIDE had not demonstrated full compliance for the timely provision of triennial evaluations due after October 1999 and had to continue to report on the completion of those evaluations. The Special Conditions require that by no later than June 30, 2006, the VIDE must eliminate the backlog of students not receiving a timely triennial evaluation for</p>	<p>On December 2, 2005, the VIDE submitted data and information with a cover letter noting "discrepancies in the reports" from the two LEAs. The submitted report listed information on 103 students regarding overdue triennial evaluations, with 37 students identified for St. Croix and 66 for St. Thomas/St. John. The reporting dates for St. Croix and St. Thomas/St. John were November 19, 2005 and November 22, 2005, respectively. The report identified some students as current but did not supply the date of their most recent triennial evaluation. The VIDE reported that of the 66 students for St. Thomas/St. John there were 28 students that were current and 38 students who still had overdue triennial evaluations-- with the majority of those due to staff shortages. The data and information reported for St. Croix</p>	<p>which previous concerns were fully addressed but did include numerous strategies. As set out in Tables A and B, the SPP submission contains problems or concerns with the data and information reported under Indicators 1, 3, and 4A. In addition, the new Indicators require additional data collection and analysis due February 1, 2007.</p>	<p>As soon as possible, but by no later than June 30, 2006, the VIDE must eliminate the backlog of students not receiving a timely triennial evaluation for those due after October 1999. Under the Special Conditions, the VIDE must submit a report demonstrating full compliance by no later than June 30, 2006. The VIDE is strongly encouraged to authorize LEAs to utilize the previously proposed strategies of conducting reevaluations on weekends or through contractors, if necessary.</p>

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<p>those due after October 1999. The VIDE is to document progress in this area by submitting data reports and other relevant documentation, as appropriate, on the following dates: December 1, 2005, February 15, 2006, June 30, 2006.</p>	<p>was not reported in a manner consistent with that reported for St. Thomas/St. John. It appears that for St. Croix, the date when the reevaluation was due, rather than the date of the most current reevaluation, was provided. If this assumption is correct, it appears there were 35 students with overdue reevaluations in St. Croix. The St. Croix report appears to indicate that 32 of those students were scheduled for reevaluations on November 28, 29, and 30, 2005. For St. Thomas/St. John, the report indicated that nine students were unable to attend or were "no shows" for reevaluations scheduled prior to or on November 22, 2005, the date of the report submission by the LEA.</p> <p>On page 52 of the SPP, the VIDE included the following information:</p> <p>For the December 1, 2005 reporting timeline the St. Croix District reported that it had completed a total of 36 triennial evaluations. The St. Thomas/St. John District completed 28 triennial evaluations out of 66 overdue triennial evaluations due after October 1999. Seven children did not show for the evaluations. 31 reevaluations are currently outstanding. St. Croix District reported completing 37 outstanding triennial evaluations. Preliminary</p>	<p>reevaluation dates submitted for St. Thomas/St. John, all reevaluations were dated on one of four school days, either May 27, 2005, October 25, 2005, November 10, 2005 or November 22, 2005.</p>	

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	<p>review of the data has identified that the LEAs have not eliminated the backlog of triennial evaluations due after October 1999. Sanctions will be imposed, as appropriate.</p> <p>On May 3, 2006, VIDE submitted the February 15, 2006 progress report as required by the Special Conditions. The data and information from the progress report will be addressed separately.</p>		