

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

<b>SPP Indicator</b>	<b>Issue</b>	<b>Required Action</b>
<p><b>Indicator 8:</b> 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))</p>	<p>On page 50 of the SPP, VDE indicated that a sampling plan would not be developed until May 2006. It is important that the State have a technically sound sampling plan to ensure that data used for entry, baseline, or to report on progress are valid and reliable. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>If you intend to collect information through sampling, your SPP must include sampling methodology to ensure the collection of valid and reliable data on which to base your targets and improvement activities. The State must submit sampling methodology that describes how data were collected with the State's FFY 2005 APR that is due February 1, 2007. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p><b>Indicator 12:</b> 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))</p>	<p>Noncompliance: On page 59 of the SPP, the State reported a range of 62.8%-68.5% compliance for indicator 12, specific to the requirement at 34 CFR §300.132(b).</p> <p>Other: On page 59 of the SPP, VDE reported that the required information is reported as a range due to current management of the transition of student identification data from the Part C to Part B child count database. VDE had implemented a process where 100% of students referred from Part C into Part B were accounted for in the Part B database. However, once loaded into the Part B tracking system, students referred from Part C could not be differentiated from other Part B eligible students in the preschool special education program. As a result, VDE is only able to report the total percentage of students who had an IEP in place by their 3<sup>rd</sup> birthday and a range of students who were referred from Part C and had an IEP in place by</p>	<p>See Indicator 12 in Table B</p> <p>The State must include the required data and information in reporting its performance on this indicator in the APR due by February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 14:</b> Percent of youth, who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school. (20 U.S.C. 1416(a)(3)(B))</p>	<p>their 3<sup>rd</sup> birthday. VDE indicated that for FFY 2005, VDE's improvement activities would work towards implementing a system to ensure that children eligible for Part B services referred from Part C will be tagged for identification to report on this indicator.</p> <p>VDE provided the range of days beyond the third birthday when eligibility was determined, but did not provide the reasons for delays. On page 59 of the SPP, VDE reported that a process for determining the reasons for delays would be developed and implemented in FFY 2006.</p> <p>In addition, VDE did not account for children included in (a) the number of children who have been served in Part C and referred to Part B for eligibility determination, but not included in (b) the number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays and (c) the number of those found eligible who have an IEP developed and implemented by their third birthdays.</p> <p>OSEP could not determine if VDE plans to use sampling in collecting data for this Indicator. If so, it is important that the State have a technically sound sampling plan to ensure that data used for entry, baseline, or to report on progress are valid and reliable. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	
		<p>If you intend to collect information through sampling, your SPP must include sampling methodology to ensure the collection of valid and reliable data on which to base your targets and improvement activities. The State must submit the sampling methodology that describes how data were collected with the State's FFY 2005 APR that is due February 1, 2007. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>

<b>SPP Indicator</b>	<b>Issue</b>	<b>Required Action</b>
<p><b>Indicator 15:</b> 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. (20 U.S.C. 1416 (a)(3)(B))</p>	<p>Noncompliance: On page 69 of the SPP, the State reported a 91% level of compliance for indicator 15A (the percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification), specifically the requirement at 34 CFR §300.600. While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p> <p>Other: For the noncompliance not corrected within one year, VDE did not describe what actions, including technical assistance and/or enforcement that the State has taken.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>
<p><b>Indicator 16:</b> Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Noncompliance: On page 75 of the SPP, the State reported an 83.3% level of compliance for indicator 16 in the SPP, specifically the requirements at 34 CFR §300.661(a) and (b)(1).</p>	<p>The State must include this information in the APR, due by February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>See indicator 16 In Table B</p>