

Bureau of Indian Education

Annual Performance Report

2008-2009

Bureau of Indian Education
2/1/2010

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**2008-2009 Annual Performance Report
Bureau of Indian Education
Introductory Statement**

During SY 2008-2009, the Bureau of Indian Education (BIE) continued their efforts to improve the validity and reliability of data reporting. BIE data collections are dependent upon school level entry (self reporting) into the Native American Student Information System (NASIS) or into the Bureau's Annual Report from the schools. In addition, data is gathered and analyzed through the compliance monitoring process conducted annually. Through on site activities and regularly scheduled webinar training sessions, schools have increased their level of understanding of data requirements and analysis.

Throughout the 2008-2009 Annual Performance Report, the BIE has defined a finding as being a systemic issue at a school. BIE is cognizant that, even though a finding is a systemic pattern, each individual child specific item must be corrected before that non-compliance area can be identified as verified as corrected.

The BIE has changed the measurements to align with the reporting requirements under ESEA.

The BIE system is comprised of 185 schools of which there are 173 academic programs and 12 residential only programs. All schools with academic programs are included in the data collections for these reports. For SY 2008-2009, there were 126 grant or contract schools and 59 BIE operated schools. The BIE provides funds to all schools however tribal groups have been granted or contracted to operate the tribally controlled schools. Both category of schools are treated the same relative to program management, monitoring and support. Due to legally defined relationships, sanctions that are available to State school systems are not available within the BIE.

The BIE has continued to include stakeholder involvement in the development of the APR. The BIE Advisory Board for Exceptional Children met on January 11 and 12, 2010, and provided input on the data to be reported and the collection process. The Board asked for and received clarification on the BIE's definition of finding(s) relative to previous methods of reporting non compliances.

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.

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

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

The BIE has schools located in 23 states with high schools in 20 of the 23 states. The schools use the graduation rate goals and formulas for calculation of AYP. The BIE also calculates and reports an overall graduation rate by combining the data from the states; that BIE-wide rate will be used in this APR report. This is aligned with BIE reporting under ESEA.

Due to the fact that there are 20 different graduation rate goals, the BIE has used a measure of reducing the gap between *all students* and *students with disabilities (SWD)* for this indicator. To have a single goal when each state’s requirements vary in respect to: (a) course requirements, (b) number of credits required and (c) other graduations requirements does not support equity in identifying schools with difficulty in this area.

In the FFY 2008 APR, the BIE reported moving to the cohort calculation for graduation and submitted a revised goal. That goal was closure of the gap between *all students* and *SWD*. Information regarding that goal and the actual data aligned with that goal is presented here.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	(Revised in 2007-2008 APR) The gap between graduation rate for SWD and the <i>All students</i> rate will decrease by .5% from the previous year. The 2007-2008 gap was 4.6%. The gap for 2008-2009 should be no more than 4.1%

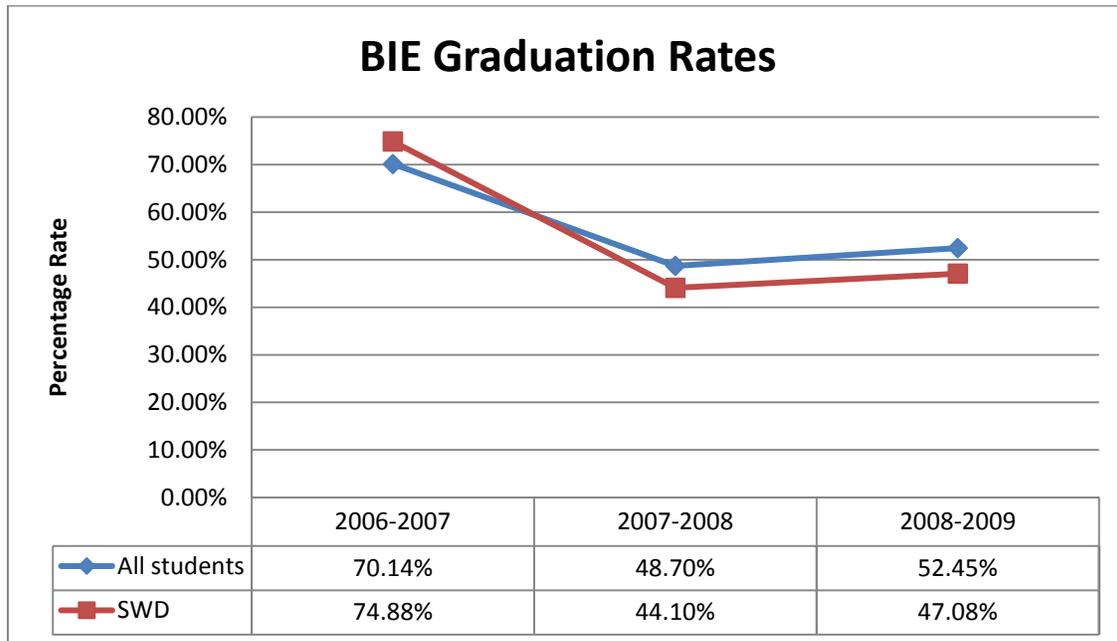
Actual Target Data for 2008-2009:

The BIE has used the same calculation for SWD for the APR reporting as they use for ESEA reporting to the Department of Education. The BIE is located in 23 states and is to use the calculations and formulas of the states in which a school is located for ESEA reporting. This is a transition period for all states to move to the cohort calculation of graduation rates and states are at varied levels of transition. Beginning with SY 2007-2009 the BIE has used the cohort calculation for the determination of graduation rates for all high schools. This consistency is a more easily understood process for the calculations and allows the BIE to make comparisons across states. BIE has revised their Accountability Workbook to reflect this change. For the BIE, moving to the new graduation guidelines as a total rather than by state provides a more functional data set.

The data regarding graduation rate and the past three years' collections reflects:

- The large drop in graduation rate for both the *All student* group as well as the SWD group (SY 2006-2007 to SY 2008-2009. When the BIE began to report under the cohort graduation rate guidelines, not only did both groups show a large drop in the graduation rate but the BIE also reflected a significant difference in the comparison between the two groups. Until the change to the cohort calculation BIE had shown a slightly higher graduation rate for SWD than for the All group.
- The three year gap trend data shows
 - 2006-2007: All students 79.14%, SWD 74.88% = SWD 4.26% **higher** than the All students group.
 - 2007-2008: All students 48.70%, SWD 44.10% = SWD 4.60% **lower** than the All students group.
 - 2008-2009: All students 52.45%, SWD 47.08% = SWD 5.37% **lower** than the All students group. This does not meet the goal of decreasing the prior year gap by .5% which is .23%age points. (2007-2008 gap = 4.60%age points X .5% = .23%age points)

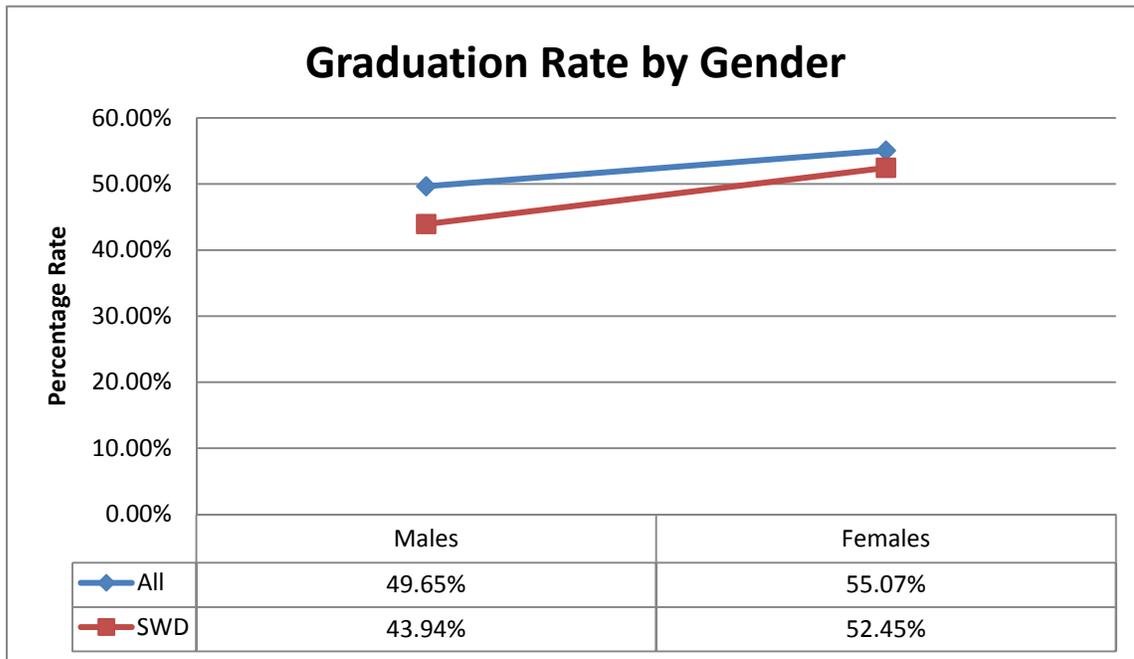
GRAPH 1: SY 2008-2009 High School Graduation Rates by the All Students and the SWD Subgroups.



Target NOT MET.

While the above graphic shows that the gap between SWD and *All students* has increased by .77% points rather than decreased by .5% as was the goal, when the same data are reported by gender it can be seen that the gap goal was met in the female category and was not met in the male category. This aligns with the fact that higher drop-out rates are reported for males (All and SWD).

Graph 2: SY 2008-2009 High School Graduation Rates by Gender



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008

The BIE did **NOT MEET** the desired goal of a .5% decrease in the gap between the *All student* group and the *SWD* student group. When disaggregated by gender, the Males did not meet the goal whereas the females did meet the goal.

The BIE has very few schools for which the SWD graduation group represents greater than 10 students, thus the calculations vary broadly each year.

Revisions, with Justification, to Proposed Targets for FFY 2008 – FFY2010:

Because the BIE has moved all schools to the cohort concept for the calculation of graduation, the baseline data used to set the initial targets is no longer applicable. The BIE contends that the target that is most functional is that of reducing the gap between general education and special education graduation rates. To use a single target would not provide data regarding graduation that is comparable across the total system. By gathering both general education and special education rates, an analysis can be done at the state or local level by looking at whether special education graduations are low but the all group is not versus all groups are low. The difference may be an indicator of very different root causes.

TARGETS

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Revised: The gap between graduation rate for SWD and the all students rate will decrease by .5% over previous year. (2007-2008 gap = 4.5 percentage points)
2009 (2009-2010)	The gap between graduation rate for SWD and the all students rate will decrease by .5% over previous year.

FFY	Measurable and Rigorous Target
2010 (2010-2011)	The gap between graduation rate for SWD and the all students rate will decrease by .5% over previous year.

Indicators 1 and 2

Discussion of Improvement Activities Completed for SY 2008-2009:

Improvement Activities that occurred in FFY 2008	Status	Impact Statement
1. Second annual National special education academy to include transition breakout session for all high schools.	Completed September 2008 at Chicago with Ed O'Leary presenting	The annual academy is well attended with favorable overall evaluations.
2. Targeted technical assistance to school level transition specialist in plan development, goal writing, etc., with specific emphasis for school with a Level 3 and 4 Determination.	During the Compliance Monitoring activity from March – June 2009, 6 of the 8 Level 4 schools received TA from the DPA staff member assigned to that school to conduct the monitoring.	For the 2009-2010 SY, there were no schools in level 4.
3. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	Distributed January 2009, fall 2008 issue and July 2009 the spring/summer issue featuring some of the 2009 graduates	The newsletters are well received and the schools are responsive to requests of submission of articles and pictures
4. 100% of files for students 16 years old and older will be reviewed to document that transition is addressed as indicated through the compliance monitoring tool.	100% of files not reviewed, instead a percentage based on the total high school population was used to complete the process due to the change in the reporting requirements by OSEP	Schools received the NSTTAC checklist and know what to expect from this process
5. Implement Special Education Integrated Monitoring Process (SEIMP) to begin SY08-09. <ul style="list-style-type: none"> Levels of Determination process 	All activities completed	Schools have become familiar with the levels process and understand the indicator criteria.

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<ul style="list-style-type: none"> • Data Summit • Special Education self-assessment • Schools submit Local School Performance Plans (LSPPs) 		
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Revisions, with Justification, to Improvement Activities / Timelines / Resources for 2009-2011:

ACTIVITY	TIMELINE	RESOURCE
1. Technical assistance in transition requirements provided to all schools during the final rollout training on the special education module in NASIS.	August 2009	DPA Infinite Campus
2. Third annual National special education academy to include both a transition general session presentation and breakout sessions.	September 2009	DPA MPRRC
3. Transition manual distributed at the special education academy to all attendees.	September 2009	DPA
4. Compliance Monitoring activities to include components of general supervision necessary to determine root cause(s) of any identified noncompliance findings.	SY 2009-2010	DPA
5. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	SY 2009-2010	DPA

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6. WebEx on transition topics presented to all schools.	2009-2010	DPA
7. Local School Performance Plan (LSPP) review process, providing feedback and technical assistance to schools.	2009-2010	DPA

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State’s Response
The BIE must report as consistent with the measurement.	<p>Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.</p> <p>The BIE is located in 23 states and each state has a different concept of graduation requirements. The BIE reports under ESEA a single combined graduation rate. (cohort calculations)</p>
The BIE must compare graduation rates for all students and SWD.	The terminology has been corrected and the report reflects data for the All student group and the SWD group.

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

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

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.3%

Actual Target Data for 2008-2009

Table 1: Drop-outs

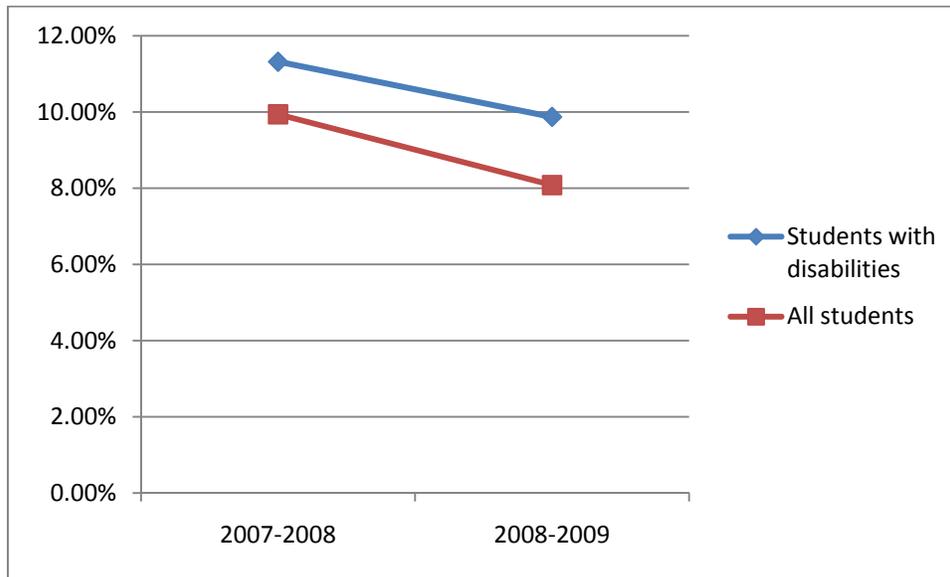
	2007-2008	2007-2008 numbers	2008-2009	2008-2009 numbers	Gain/Slippage
Students with Disabilities	11.32%	Total 1,793	9.87%	1,863	Gain over the previous year. Did NOT MEET the target.
		DO = 203		DO = 184	
All Students	9.94%	Total 12,051	8.08%	12,224	Gain over the previous year.
		DO 1018		DO =988	

Target: Not Met

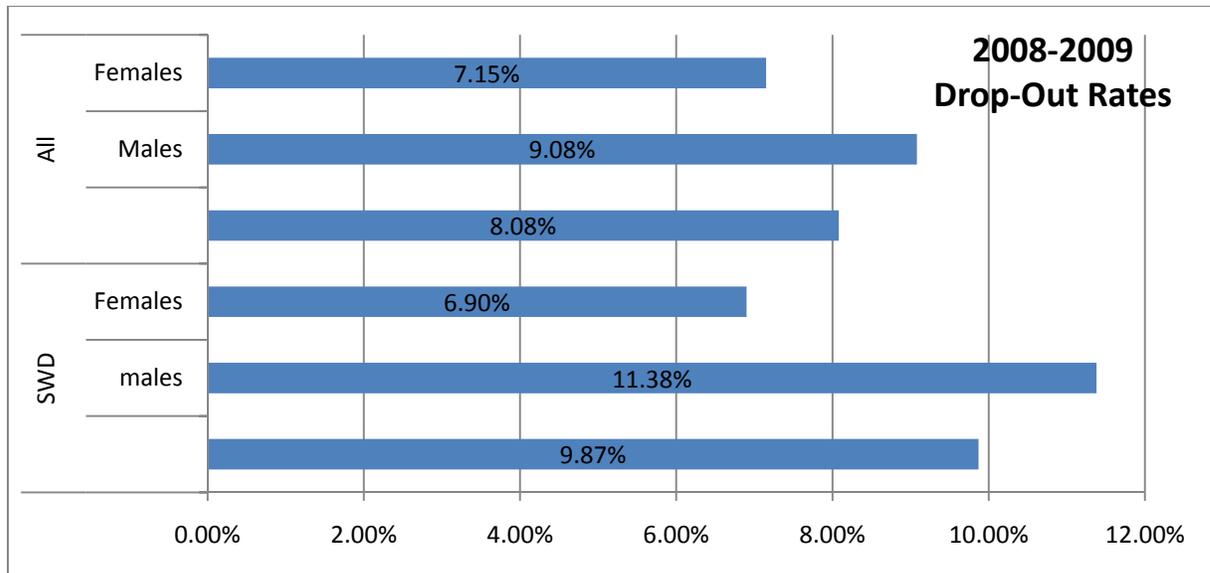
While the target for SY 2008-2009 was not met (9.30% = target and 9.87% was the actual drop-out rate achieved by students with disabilities) it should be noted that the drop-out rate for SWD improved by 1.45 percentage points.

When data was viewed by gender, a critical difference was observed between the drop-out rate for males and females. There is a discrepancy between males and females in the *all student* group (males = 9.08%, females = 7.15%, difference of 1.93 percentage points), however, the discrepancy is even greater for SWD (males = 11.38%, females = 6.89%, difference of 4.49 percentage points).

Graph 3: Two Year Trend – All Students and Students with Disabilities:



Graph 4: SY 2008-2009 Drop-out Rates for Students with Disabilities by Gender:



Number of HS male SWD = 1239, number of female SWD = 616 (approximately 2:1 ratio)

Explanation of Progress or Slippage that occurred for SY 2008-2009:

The target data reported shows that the drop-out rate for SWD has improved overall. When male and female rates are compared, it can be seen that the female drop-out rate meets the target goal while the male does not. There is also a gender discrepancy in the *all students* category however, that discrepancy is not as great.

While the goal was **NOT MET** the BIE has shown gains in this area.

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Discussion of Improvement Activities Completed for SY 2008-2009:

Indicators 1 and 2

Improvement Activities that occurred in FFY 2008	Status	Impact Statement
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<p>5. Implement Special Education Integrated Monitoring Process (SEIMP) to begin SY08-09.</p> <ul style="list-style-type: none"> • Levels of Determination process • Data Summit • Special Education self-assessment • Schools submit Local School Performance Plans (LSPPs) 	All activities completed	Schools have become familiar with the levels process and understand the indicator criteria.

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7. Local School Performance Plan (LSPP) review process, providing feedback and technical assistance to schools.	2009-2010	DPA

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable): None

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

Measurement:

A. AYP percent = [(# of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size)] times 100.

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. 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.

C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

Targets and Actual Target Data for FFY 2008:

Table 2: Summary Actual Target Data

FFY 2008	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)*			
Targets for FFY 2008 (2008-2009)	9 schools		Reading		Math		Reading		Math	
			95%		95%		%		%	
Actual Target Data for FFY 2008 (2008-2009)	#	%	#	%	#	%	#	%	#	%
		13	25.00**	378	96.95	373	97.75	595	15.7	567
			7	%	9		1		7	

*Per 25 CFR Part 30 the BIE must use the annual measurable objectives of 23 states; this is consistent with ESEA reporting. Hence, a single goal cannot be listed here.

**There were 32 schools with sufficient ‘n’ for AYP calculations in SY2007-2009. Only one school made AYP (3%). For SY 2008-2009 there were 53 schools for which AYP could be calculated. This increase in schools for which AYP determinations could be made was primarily due to up dated guidance relative to calculations for small schools in Arizona. Of the 53 schools 13 (24.53%) made AYP.

3. A - Actual AYP Target Data for FFY 2008

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Of the schools with sufficient “n” for calculation 6 more schools than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.

Of those schools meeting the minimum (which varies by the state in which a school is located) the following table provides the number of schools that did not make AYP by indicator,

Table 3: Reasons Schools Did Not Make AYP

CATEGORY	NUMBER
Did not meet the AMO in reading only	1
Did not meet the AMO in math only.	1
Did not meet the AMO in one or more additional indicator only.	6
Did not meet the AMO in both reading and math.	21
Did not meet the AMO in reading and/or math and one or more additional indicator.	10

= 39 did not make AYP

Districts with a disability subgroup that meet the State’s minimum “n” size AND met the State’s AYP target for the disability subgroup. 3. B - Actual Participation Target Data for FFY 2008:

Year	Total Number of Districts	Number of Districts Meeting the “n” size	Number of Districts that meet the minimum “n” size and met AYP for FFY 2008	Percent
FFY 2008 (2008-2009)	174	53	13	25.00%

3. B - Actual AYP Target Data for FFY 2008

FFY	Measurable and Rigorous Target
2008 (2008-2009)	95%

Table 4: Reading Assessment Participation

Reading Assessment Participation Met

	READING ASSESSMENT PARTICIPATION							Total	
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	High School	#	%
With IEPs	547	553	608	556	514	555	573	3906	
Regular Assessment, no accommodations	186	176	161	154	130	137	208	1152	29.49%
Regular Assessment, with accommodations	321	326	385	360	323	361	267	2343	59.98%
Alternate Assessment, grade level standards	11	13	19	5	10	5	24	87	2.23%
Alternate Assessment, modified standards	5	1	2	3	12	4	16	43	1.10%
Alternate Assessment, alternate standards	17	25	31	27	24	33	5	162	4.15%
Total Assessed	540	541	598	549	499	540	520	3787	96.95%
% Assessed									
	Students included in IEP count, not assessed								
Out of level	0	0	0	0	0	0	0	0	0
Parental Exemption	4	1	2	2	1	2	4	16	.41%
Absent	1	0	3	1	1	8	18	32	.82%
Other Reason	2	11	5	4	13	5	31	71	1.82%

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Math Participation Rate: Target Met

In the area of mathematics, the target of 95.5% was also met. The Bureau had a participation rate of 98.47%. As was reported for Reading/Language Arts, the high school level had the lowest participation rate (95.39%) but they did meet the NCLB target of 95%. The range across all grade levels was 98.19% to 99.46%.

	MATH ASSESSMENT PARTICIPATION							Total	
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	High School	#	%
With IEPs	544	529	599	551	510	539	565	3837	
Regular Assessment, no accommodations	187	172	155	143	128	137	202	1124	29.29%
Regular Assessment, with accommodations	314	307	384	365	328	344	260	2302	59.99%
Alternate Assessment, grade level standards	10	12	15	4	10	4	26	81	2.11%
Alternate Assessment, modified standards	7	1	2	2	8	4	26	50	1.30%
Alternate Assessment, alternate standards	19	23	35	28	28	32	17	182	4.74%
Total Assessed	537	515	591	542	502	521	531	3739	97.43%
% Assessed									
Out of level	0	1	0	0	0	0	0		
Parental Exemption	4	2	2	2	1	2	4	17	.44%
Absent	0	0	3	1	2	7	16	29	.76%
Other reason	3	11	3	6	5	9	14	51	1.33%

3.C. - Actual Achievement Target Data for FFY 2008:

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.

3.B – Actual Participation Target Data for FFY 2008:

Table 5: Math Performance: # and % of Students with IEPs that Scored Proficient or Higher

Statewide Assessment – 2007-2008		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	537	515	591	542	502	521	531	3739	
b	IEPs in regular assessment	110	76	53	56	29	33	60	417	12.17%
c	IEPs in alternate assessment	18	18	27	19	21	20	27	150	47.9%
d	Overall (b+c) Baseline	128	94	80	75	50	53	87	567	15.17%

Table 6: Reading Performance: # and % of Students with IEPs that Scored Proficient or Higher

Statewide Assessment – 2007-2008		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	540	541	598	549	499	540	520	3787	
b	IEPs in regular assessment	80	68	69	48	58	48	77	451	12.90%
c	IEPs in alternate assessment	17	20	30	18	20	19	20	144	49.32%
d	Overall (b+c) Baseline	97	88	99	66	78	67	97	595	15.71%

Discussion of Improvement: Explanation of Progress or Slippage that occurred for SY 2008-2009:

Target was not met.

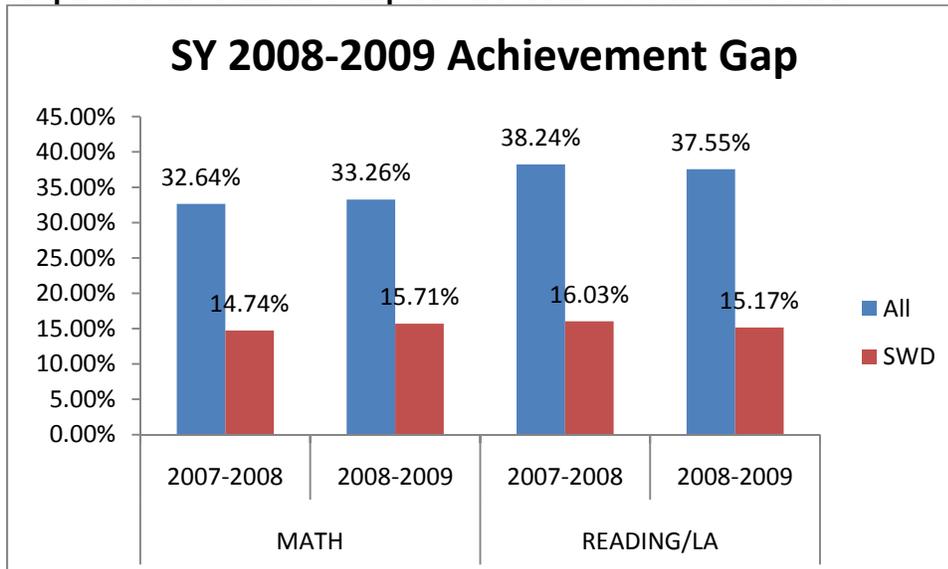
In the chart below it can be seen that in the area of Reading/Language Arts neither the non-disabled group nor the students with disabilities showed a significant change in percent proficient, therefore reducing the gap by 20% was not achieved and the **target was not met**. In Math the reduction was only .35 of a percentage point. In the Reading area there was no significant change in the gap and both the All student group as well as the SWD showed a small decrease in percent of students scoring in the proficient range.

The slippage may be primarily attributed to the rigorous assessment score verification regime BIE implemented in SY 2007-2008 and again applied during SY 2008-2009. The BIE deems the 2008-2009 assessment reporting to be the most reliable yet submitted by the schools in the BIE system due to a better understanding and implementation of the accuracy of data reporting.

Table 7: Gap Between All Students in Proficient Scores in Reading and Math

	MATH		READING/LA	
	2007-2008	2008-2009	2007-2008	2008-2009
All	32.64%	33.26%	38.24%	37.55%
SWD	14.74%	15.71%	16.03%	15.17%
Gap	17.90%	17.55%	22.21%	22.38%

Graph 5: Achievement Comparison for All students and SWD



Discussion of Activities Completed:

ACTIVITY	STATUS	IMPACT STATEMENT
Data Analysis Activities		
<p>1. Continue to monitor state accountability assessment data results, report data to the public, and provide technical assistance to education line officers, school administrators, general education teachers, special education teachers as needs are indicated on instructional use of assessment data.</p> <p>State accountability assessment data results reviewed with each school.</p>	<p>Fall- 2007 to 2010</p> <p>State accountability assessment data results were reviewed and verified via on-site visits to each school in the fall of 2009. The BIE Data Summit, Special Education Academy and review and verification of state accountability assessment data results, occur annually.</p> <p>Completion - SY 2007-08</p>	<p>The BIE Special Education Data Summit was held April 28-30, 2009 with stakeholder input. Input obtained from the Data Summit was used to establish indicators used for Levels determinations.</p> <p>The BIE Special Education Academy was held on September 15-17, 2009. The BIE Special Education Academy provides training to: school staff, principals, Education Line Officers, PIAP staff and others, on topics determined by need and results of prior year evaluations.</p> <p>With the opportunity to review their data with the BIE Data Unit, schools better understand their AYP status determination.</p>
<p>2. Analyze data across indicators related to academic achievement to establish corollary relationships for focused monitoring.</p>	<p>Completion - SY 2007-08</p> <p>Continuous through 2010 – 2011.</p>	<p>Schools submitted Local School Performance Plans (LSPP) addressing the applicable indicators as part of the Integrated Monitoring Process.</p>
<p>3. Rank order schools according to data analysis of system and establish targets for focused monitoring.</p>	<p>Continuous through 2010 - 2011</p>	<p>School Levels of Determination were determined in August of 2008 for the current school year.</p>
Monitoring Activities		
<p>1. Establish priorities for monitoring based on review and analysis of achievement data.</p>	<p>SY 2007-08</p> <p>Continuous through 2009 - 2011</p>	<p>BIE completed the Interim Monitoring Process and will now transition to the use of the Special Education Integrated</p>

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ACTIVITY	STATUS	IMPACT STATEMENT
		Monitoring Process (SEIMP).
2. Revise monitoring procedures to require schools with below average reading achievement scores for SWD to complete root cause analysis and develop an improvement plan.	SY 2007-08 Continuous through 2009 – 2011. Spring of 2009 the BIE implemented the Special Education Integrated Monitoring Process.	As part of the Interim Monitoring Process, all schools were required to develop Local School Performance Plans. In addition, on-site technical assistance was provided in the Spring 2008 to schools with a Level 4 Determination, to guide them in this action plan which addressed all indicators.
Policy and Administration Activities		
1. Secure MOU's with all 23 states in which BIE schools are located related to the use of the state assessment system.	Completed and Ongoing. SY 2008-09 During the February 2009 Managers of Information Systems (MIS) national data conference, BIE conducted a meeting with representatives from each State Department of Public Education to discuss partnerships and methods of collaboration regarding data issues. BIE will follow up with each of the 23 states after the meeting to update or establish MOUs. During the SY 2008-09, the BIE succeeded in securing MOUs with 11 states.	Securing MOUs with the 23 states in which the BIE has schools will contribute to the coordination of services and will bolster delivery of special education related services especially in BIE rural schools.

Public Reporting Information: *Insert here the location (URL) of public reports of assessment results conforming with 34 CFR §300.160(f):*

www.bie.edu/home Follow link to Public Reporting.

None required

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-2011:

ACTIVITY	TIMELINE	RESOURCE
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ACTIVITY	TIMELINE	RESOURCE
<p>1. Technical assistance provided to all schools during the final rollout on the special education module in NASIS (Native American Student Information System).</p>	<p>Ongoing</p>	<p>On-going assistance provided by DPA and NASIS regional staff.</p> <p>NASIS is used by the schools and DPA as a data collection tool; it is also the platform for the web based BIE special education forms program.</p>
<p>2. Third Annual National Special Education Academy to include sessions relevant to Assessment Accommodations, Proficiency and effects on students with disabilities.</p>	<p>September 2009 San Diego, CA</p>	<p>The BIE will host the Fourth Annual Special Education Academy, September 2010. The Academy will include a session providing information on Indicator 3.</p>
<p>3. Promote coordination between Reading First, BIE Reads, Math Counts Programs, and school Special Education Coordinators.</p>	<p>On-going collaboration</p>	<p>To ensure assessment accommodations in all areas, collaboration with Reading and Math programs is essential.</p>
<p>4. Disseminate information on the appropriate use of assessment accommodations, using conference sessions, joint presentations with accommodations/assistive technology groups.</p>	<p>SY 2009-2010</p>	<p>Training will be provided to BIE Special Educators, to support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children with disabilities.</p>
<p>5. State accountability assessment data results will be reviewed and verified with each school by the BIE Data Unit.</p>	<p>Fall of 2009</p>	<p>Ensure reporting of valid and reliable data pertaining to statewide assessments. This process enables schools to understand how their AYP status is determined. Data collection has improved after 4 years of NASIS</p>

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ACTIVITY	TIMELINE	RESOURCE
		implementation.

Justification 2009-2010:

Coordination between BIE programs, (i.e. BIE Special Education Program, BIE Data Unit, Reading First, BIE Reads, Math Counts, Title Programs, and BIE School Special Education Coordinators), is essential in promoting the importance of assessment accommodations for students with disabilities. Educating school staff on the appropriate use and types of assessment accommodations is a critical step to successful participation in assessments for students with disabilities. Continued review and verification of school assessment data, by the BIE Data Unit, is crucial to the improvement of the collection of reliable and valid data.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable): None

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of schools (BIE does not have districts) identified as having a significant discrepancy in the rates of suspensions and expulsions of children with IEPs for greater than 10 days in a school year; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that 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

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

Measurement:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that 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) divided by the (# of districts in the State)] times 100.

Include State’s definition of “significant discrepancy.”

Note: For this, as all other indicators, the BIE data includes all schools. There is no distinction between BIE operated and grant or contract operated schools. All schools are BIE funded. See the introductory statement for clarification statement.

Note: The BIE presented data from this indicator, as well as all indicators to stakeholder groups as described in the introductory statement.

- A. Percent of schools (BIE does not have districts) identified as having a significant discrepancy in the rates of suspensions and expulsions of children with IEPs for greater than 10 days in a school year.**

Definition of Significant Discrepancy: Having a rate of suspensions/expulsions greater than 10 days that is two times the average for the BIE. For this determination a rate is calculated for schools that have no high school and a separate is calculated for a school that do have a secondary grades.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	No more than 4 of the BIE high schools or 7 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools.

Target not met.

Actual Target Data for 2008:

Review of 2008-2009 data.

On Table 5 the BIE reported a total of 264 students who were suspended or expelled for a period (either a single or a combination of days) that equaled greater than ten days.

The Bureau’s average rate per total special education enrollment was 3.92% (264 students >10 days/6737 SWD count). When calculated for schools having a secondary program, the average was 6.45% and for Elementary schools the average was 1.92%.

A significant discrepancy was determined to be two times the average for each group, high schools and elementary schools comprising two separate groups. The tables below identify those schools which exceeded the national average for their group by a multiple of two.

High School (Secondary Schools) Suspension-Expulsion data:

The BIE includes in the secondary group any school that includes a 12th grade. The BIE has 60 schools in this category. The significant discrepancy is defined as two times the category average. **6.45% X 2 = 12.90%**.

Table 8: Secondary Suspensions and Expulsions > 10 Days

Secondary Schools Having Significant Discrepancy in Suspension/Expulsion Rates >10 Days			
School	Grade Level	SWD Count	Rate S/E >10 days
Many Farms High	9-12	71	15.49%
Greyhills Academy High	9-12	78	16.67%
Cibeque Community	K-12	44	22.73%
Crow Creek Reservation High	6-12	18	22.22%
Lower Brule Day	K-12	45	17.78%
Nay-Ah-Shing	K-12	37	18.92%
Riverside Indian	4-12	104	21.15%
Chief Leschi	K-12	151	15.89%
Yakama Tribal	9-12	12	66.67%
Choctaw Central High	9-12	87	14.94%

The above schools are 10 of 60 schools in the secondary group. Yakama Tribal and Crow Creek Reservation High are highlighted in green due to the small ‘n’. The BIE has determined that ‘n’s below 20 may yield data of limited reliability. The schools in this category will be notified of their numbers just as the other schools and they will be expected to address the root cause of

the issue. With their low numbers of SWD, an individual incident of suspension and/or expulsion can have a significant effect on their rate.

All of the above listed schools are of great concern and will receive priority technical assistance. Six of the ten identified schools have rates of suspension/expulsion in the two to three times the category average range (12.91%-19.35%).

Yakama Nation Tribal is again identified as a school which exceeded the national average for its group by a multiple of two. BIE will utilize the Local School Performance Plan; provide assistance in implementation of School Wide Positive Behavior Support, and guidance and training in implementation of alternatives to suspensions and expulsions, to improve the national average rates for suspensions and expulsions.

The schools will include in their Local School Performance Plan and Indicator 4A Self-Assessment Tool anticipated completion dates for improvement activities and corrective action activities. BIE will provide analysis feedback of improvement activities, approval of school improvement activities, and provide feedback of the improvement activities. BIE will ensure the school has school wide discipline policies and procedures in place with verification of compliance through utilization of Compliance Monitoring items, “relating to IEP development and implementation, strategies to support behavior- positive behavior supports and providing procedural safeguard information to parents.”

Elementary Suspension-Expulsion data:

The BIE includes in the elementary group any school that includes any grades between kindergarten and eighth but does not include grades nine through twelve. The significant discrepancy is defined as two times the category average. **1.92 X 2 = 3.84%**

Table 9: Elementary Suspensions and Expulsions > 10 Days

Secondary Schools Having Significant Discrepancy in Suspension/Expulsion Rates >10 Days			
School	Grade Level	SWD Count	Rate S/E >10 days
Menominee Tribal	K-8	47	4.26%
Cottonwood Day	K-8	23	4.35%
Shonto Preparatory	K-8	31	6.45%
Crystal Boarding	K-6	4	25.00%
Wide Ruins Community	K-6	13	15.38%
Santa Rosa Boarding	K-8	18	16.67%
Theodore Roosevelt	6-8	13	30.77%
Shoshone-Bannock	K-8	29	6.90%
Dzilth-Na-O-Dith-Hle	K-8	35	8.57%
T'siyaa Day	K-7	13	7.69%
Coeur d'Alene Tribal	K-8	20	10.00%
Paschal Sherman Indian	K-9	40	15.00%
Beatrice Rafferty	K-8	18	11.11%
Choctaw Central Middle	7-8	30	6.67%
Ojibwa Indian	K-8	39	12.82%
Turtle Mountain Middle	6-8	58	15.52%

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The above schools are 16 of 114 schools in the elementary group. Crystal Boarding, Wide Ruins Community, Santa Rosa Boarding, Theodore Roosevelt, T'siyaa Day, and Beatrice Rafferty are highlighted in green due to the small 'n'. The BIE has determined that 'n's below 20 may yield data of limited reliability. The schools in this category will be notified of their numbers just as the other schools. With their low numbers of SWD, an individual incident of suspension and/or expulsion can have a significant effect on their rate.

All of the above listed schools are of great concern and will receive priority technical assistance. Two of the 16 identified schools have rates of suspension/expulsion in the two to three times the category average range (3.85%-5.76%).

Choctaw Central Middle, Turtle Mountain Middle and Ojibwa Indian are again identified as schools which exceeded the national average for their group by a multiple of two. BIE will utilize the Local School Performance Plan; provide assistance in implementation of School Wide Positive Behavior Support, and guidance and training in implementation of alternatives to suspensions and expulsions, to improve the national average rates for suspensions and expulsions.

The schools will include in their Local School Performance Plan and Indicator 4A Self-Assessment Tool anticipated completion dates for improvement activities and corrective action activities. BIE will provide analysis feedback of improvement activities, approval of school improvement activities, and provide feedback of the improvement activities. BIE will ensure the school has school wide discipline policies and procedures in place with verification of compliance through utilization of Compliance Monitoring items, "relating to IEP development and implementation, strategies to support behavior- positive behavior supports and providing procedural safeguard information to parents."

Correction of FFY2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

Identification/correction of schools exceeding the rate for FFY 2007:

1. Number of schools the BIE identified as having a suspension/ expulsion rate above the target goal the during FFY2007 (the period from July 1, 2007 through June 30, 2008)	14
2. Number of FFY2007 schools the BIE verified as no longer having a rate 2 times above the national BIE average.(within one year from the date of identification) .	9
3. Number of FFY2007 schools <u>not</u> verified as no longer having a rate 2 times above the national BIE average.	5
4. Number of FFY2007 schools <u>not</u> verified as no longer having a rate 2 times above the national BIE average. (same as the number from (3) above)	5
5. Number of FFY2007 schools for which the BIE has verified as corrected beyond the one year timeline ("subsequent correction")	2
6. Number of FFY2007 schools <u>not</u> yet verified as corrected [(4) minus (5)]	3

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The schools with uncorrected findings for which correction has not yet been include: Circle of Life, Na' Neelzhiin Ji Olta' and Ojo Encino. The schools have received specific technical assistance regarding positive behavioral supports, IEP development to address this issue, WebEx presentations regarding suspension and expulsion and reporting.

BIE, its Safe and Drug Free program is also offering a specific program to address this area as well as support consultation to support fidelity in the implementation of that program.

Correction of Remaining FFY2004, 2005, and 2006 Findings of Noncompliance:

1. Number of remaining FFY2004, 2005 and 2006 schools identified in OSEP's June 1, 2009 FFY2007 APR response table for this indicator	5
2. Number of remaining FFY2004, 2005 and 2006 schools the BIE has verified as corrected	5
3. Number of remaining FFY2004, 2005 and 2006 findings the State has <u>not</u> verified as corrected [(1) minus (2)]	0

Correction of Remaining Findings:

Bureau of Indian Education Special Education Policies and Procedures is in draft form waiting approval of the Solicitors' Office The Solicitors' Office has given guidance to BIE that schools should not be required to develop their own individual policies and procedures. Schools will follow the Bureau of Indian Education Special Education Policies and Procedures as their directives in implementation of Special Education Programming.

Correction of Remaining FFY2004 Findings:

Central Navajo Agency and Sacramento Agency

File reviews conducted during FFY 2004 in Central Navajo and Sacramento agencies indicated noncompliance on items relating to IEP development and implementation, strategies to support behavior, positive behavior supports, and providing procedural safeguard brochure to parents. IDEA compliance was indicated during the FFY 2008 file reviews of the Compliance Monitoring tool on the items, "relating to IEP development and implementation, strategies to support behavior- positive behavior supports, and providing procedural safeguard brochure to parents," for the schools that comprise the Central Navajo and Sacramento agencies.

Correction of Remaining FFY2005, and FFY2006 Findings of Noncompliance:

Papago/Pima Agency, Rosebud Agency and Southern Pueblo Agency

File reviews conducted during FFY 2005 and FFY 2006 indicated noncompliance on items relating to IEP development and implementation; and compliance was indicated on the item, "procedural safeguard brochure provided to parents". The FFY 2005 file reviews indicated compliance for the items, "considered strategies to address behavior" and "positive behavior supports to reduce suspension/expulsions". However, the FFY 2006 file reviews indicated noncompliance on the two items.

IDEA compliance was indicated during the FFY 2008 file reviews of the Compliance Monitoring tool on the items, "relating to IEP development and implementation, and providing procedural safeguard brochure to parents," of the schools that comprise the Papago/Pima, Rosebud and Southern Pueblo agencies.

Correction of FFY2007 Findings of Noncompliance:

Noncompliant Secondary Schools: *Mescalero Apache, Chemawa Indian, Northern Cheyenne Tribal, Circle of Life Survival, and Yakama Nation Tribal*

Noncompliant Elementary Schools: *Porcupine Day, JKL Bahweting Anishnabe, Ojo Encino Day, Laguna Middle, Choctaw Central Middle, Turtle Mountain Middle, Na' Neelzhiin Ji Olta', Ojibwa Indian, Bogue Chitto Elementary*

Review of 618, Table 5 data conducted during FFY 2007 indicated noncompliance within 14 schools. The BIE reported 5 schools in the secondary group and 9 schools in the elementary group as having significant discrepancy in suspensions and expulsions rates greater than 2 times the BIE average.

Secondary Schools Group compliance was indicated during the FFY 2008 file reviews of Compliance Monitoring Results on the items, "relating to IEP development and implementation, strategies to support behavior- positive behavior supports and providing procedural safeguard information to parents," for Chemawa Indian, Mescalero Apache, Northern Cheyenne Tribal and Yakama Nation Tribal Schools.

FFY 2008 file reviews of Compliance Monitoring Results indicated noncompliance on the item, "relating to providing procedural safeguard information to parents," for Circle of Life Survival School.

Elementary Schools Group compliance was indicated during the FFY 2008 file reviews of Compliance Monitoring Results on the items, "relating to IEP development and implementation, strategies to support behavior- positive behavior supports and providing procedural safeguard information to parents," for Porcupine Day, JKL Bahweting Anishnabe, Laguna Middle, Choctaw Central Middle, and Bogue Chitto Schools.

FFY 2008 file reviews of Compliance Monitoring Results indicated noncompliance on the items, "relating to IEP development and implementation, strategies to support behavior- positive behavior supports and providing procedural safeguard information to parents", for Turtle Mountain Middle, and Ojibwa Indian Schools.

FFY 2008 file reviews of Compliance Monitoring Results indicated noncompliance on the item, "relating to IEP development and implementation," for Na' Neelzhiin Ji Olta', School.

FFY 2008 file reviews of Compliance Monitoring Results indicated noncompliance on the item, "providing procedural safeguard information to parents," for Ojo Encino School.

Of the 5 uncorrected within one year 3 have since been corrected.

After discussion with OSEP staff during the summer of 2008 it was determined that the BIE would move from an agency level reporting to a school level reporting. New Rigorous and Measureable Targets were established for FFY2008-2010.

Explanation of Progress or Slippage that occurred for 2008:

BIE showed slippage overall and in both the secondary and elementary groups. Some of the overall slippage can be attributed to greater reporting of true and accurate suspensions and expulsions data by schools. Also, BIE's data collect instrument, NASIS, is collecting real-time, accurate data that is providing a truer picture of the systemic data.

Table 10: BIE Schools SWD Suspension/Expulsion rate >10 Days

	Systemic Rate	Secondary Rate	Elementary Rate
	1.35%	2.05%	.60%
SY0708	3.92%	6.45%	1.92%
SY0809	+2.57%	+4.40%	+1.32%
Difference Rate			

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008:

ACTIVITY	Status	Impact Statement
1. Move from an agency level reporting to school level reporting.	COMPLETED	Change in measurement targets. More ownership by individual schools to improvement activities.
2. Further analysis of suspension and expulsion data will be completed so as to inform the new Line Officers (reorganized) about discipline removal patterns within their agencies.	COMPLETED	Data analysis completed on schools reporting significant suspensions and expulsions >10 days. Analysis of School Wide Positive Behavior Support.
3. Second Annual National Special Education Academy	COMPLETED	General session topic over Discipline under IDEA.
4. Data analysis to determine rates of discipline removals for high schools, middle schools and elementary schools.	COMPLETED and ON-GOING	Analyzed school compliance and non-compliance over the past 3 years. Analyzed School Wide Positive Behavior Support.
5. Training will be provided to all schools regarding definition of terms for suspensions and expulsions. This will include data entry into the NASIS.	COMPLETED and ON-GOING	NASIS data entry classes. Targeted technical assistance with suspensions and expulsions. Greater school data entry utilizing NASIS.
6. Clarify/examine/develop school wide incentive programs designed to improve behavior/attendance.	ON-GOING	Many schools are implementing attendance and behavior programs that recognize students for positive school behaviors.
7. Clarify/examine/develop school wide positive behavior programs.	ON-GOING	This school year many schools are either developing or implementing School Wide Positive Behavior Support Programs.

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8. Clarify/examine/develop school wide conflict resolution/mediation programs.	ON-GOING	This is an area that needs further systemic examination and implementation in the schools.
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3. Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2009-2010)

FFY	Measurable and Rigorous Target
2009 (2009-2010)	No more than 7 of the BIE high schools or 8 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools.
2010 (2010-2011)	No more than 6 of the BIE high schools or 7 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools.

ACTIVITY	TIMELINE	RESOURCES
<u>National Special Education Academy</u> 1. Third Annual National Special Education Academy to include Alternative to Suspension and Expulsion as breakout sessions for all schools.	SY 2009-2010 Completed	DPA TAESE
<u>Improve Data Collection</u> 2. Systemic Implementation of a uniform data reporting system through the NASIS on 2009 leavers.	2009-2010 On-Going	DPA
<u>Improve Data Collection</u> 3. Further analysis of suspension/expulsion	2009-2010 On-Going	DPA Research Analyst.

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NASIS data will be completed so as to develop systemic improvement activities.		
<p><u>Improve Data Collection</u></p> <p>4. Further analysis of suspension/expulsion NASIS data will be completed so as to ensure correction of noncompliance as soon as possible, in no case >1 year from identification.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p> <p>Research Analyst.</p>
<p><u>Provide Technical Assistance</u></p> <p>5. Provide targeted technical assistance to schools identified as having 2 times the category average of suspensions / expulsions >10 days.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p>
<p><u>Clarify/examine/develop policies and procedures</u></p> <p>6. Ensure schools have school wide discipline policies and procedures in place.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p> <p>MPPRC</p>
<p><u>Incentive Programs Implementation</u></p> <p>7. Implement school wide incentive programs designed to improve behavior/attendance.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p> <p>Title IV</p>

APR Template – Part B (4)

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<p><u>Positive Behavior Program</u></p> <p>8. Implement school wide positive behavior programs.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p> <p>Title IV</p>
<p><u>Conflict Resolution/Mediation Program</u></p> <p>9. Implement school wide conflict resolution/mediation programs.</p>	<p>2009-2010</p> <p>On-Going</p>	<p>DPA</p> <p>Title IV</p>
<p><u>Provide Technical Assistance</u></p> <p>10. Targeted technical assistance to schools identified as being in noncompliance >1 year from identification in the areas of: (1) alternatives to suspension and/or expulsion, and (2) school wide positive behavior support.</p> <p>(Circle of Life Survival, Na' Neelzhiin Ji' Olta, and Ojo Encino)</p>	<p>2009-2010</p>	<p>DPA</p> <p>Title IV</p>
<p><u>Local School Performance Plan and Improvement Activities</u></p> <p>11. Ensure schools identified as being in noncompliance >1 year from identification have school wide discipline policies and procedures in place through utilization of the Local School Performance Plan (LSPP). Ensure completion of LSPP section, "Indicator 4—rates of suspension and</p>	<p>2009-2010</p>	<p>Schools</p> <p>DPA</p> <p>Title IV</p>

APR Template – Part B (4)

<p>expulsion,” include anticipated date for implementation for improvement activities. Quarterly updates of Improvement Activities progress required. Verification of completion of LSPP activities utilizing Compliance Monitoring results.</p> <p>(Circle of Life Survival, Na’ Neelzhiin Ji’ Olta, and Ojo Encino)</p>		
<p><u>Indicator 4 A Self-Assessment Tool and Corrective Action Plan</u></p> <p>Ensure schools identified as being in noncompliance >1 year from identification have school wide discipline policies and procedures in place through utilization of the Self-Assessment Tool. Ensure Completion of the following sections: Behavioral management and discipline Disciplinary Removals of Students with Disabilities Procedural Safeguards and IEP Implementation</p> <p>Corrective Action Plan for all non-compliance. Ensure plan includes anticipated completion date. A summary report will be required at the end of the year to document progress of Improvement Plan activities.</p> <p>Verification of completion of Corrective Action Plan activities utilizing Compliance Monitoring results.</p>		<p>Schools</p> <p>DPA</p> <p>Title IV</p>

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<p>A summary report will be required at the end of the year to document progress of Improvement Plan activities.</p> <p>(Circle of Life Survival, Turtle Mountain Middle, Ojibwa Indian, Na' Neelzhiin Ji' Olta, and Ojo Encino)</p>		
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Review of past systemic issues in this area, per Response Table request.

Statement from the Response Table	State's Response
<p>BIE must ensure that the definition embedded in the targets matches the definition used in its calculations.</p>	<p>A. BIE has provided a definition of significant discrepancy and has applied that to its determinations.</p> <p>B. (a) BIE is an American Indian school system and does not report disaggregated ethnicity. (b) Per solicitor's advice schools are not required to have individual policies and procedures. They must follow those as developed nationally.</p>
<p>BIE must report on uncorrected non-compliances from FFY 2004, 2005 and 2006</p>	<p>Reported above. All corrected and verified as such.</p>
<p>BIE must describe the results of examination of data and impact on any changes in procedures and policies relating to the use of positive behavioral supports, policies,</p>	<p>BIE has reported as requested above.</p>
<p>BIE must clarify that they ensure correction as soon as possible but in no case later than one year.</p>	<p>When schools are notified of their non-compliances they are notified of the timelines for correction (one year or shorter based on issue). The school must develop a CAP to address every individual item of concern and provide timelines for that correction.</p>

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs 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))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Source: 618 data – Table 3.

Note: For this, as all other indicators, the BIE data includes all schools. There is no distinction between BIE operated and grant or contract operated schools. All schools are BIE funded. See the introductory statement for clarification statement.

Note: The BIE presented data from this indicator, as well as all indicators to stakeholders groups as described in the introductory statement.

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Show at least a .5% growth in the numbers of students receiving appropriate special education services inside the regular class 80% or more of the day.

Target Met

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services Inside the regular class less than 40% of the day.

Target Met

C. Private or separate schools, residential placements, homebound or hospital placements

FFY	Measurable and Rigorous Target
2008 (2008-2009)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.

Target Not Met

Actual Target Data for SY 2008-2009:

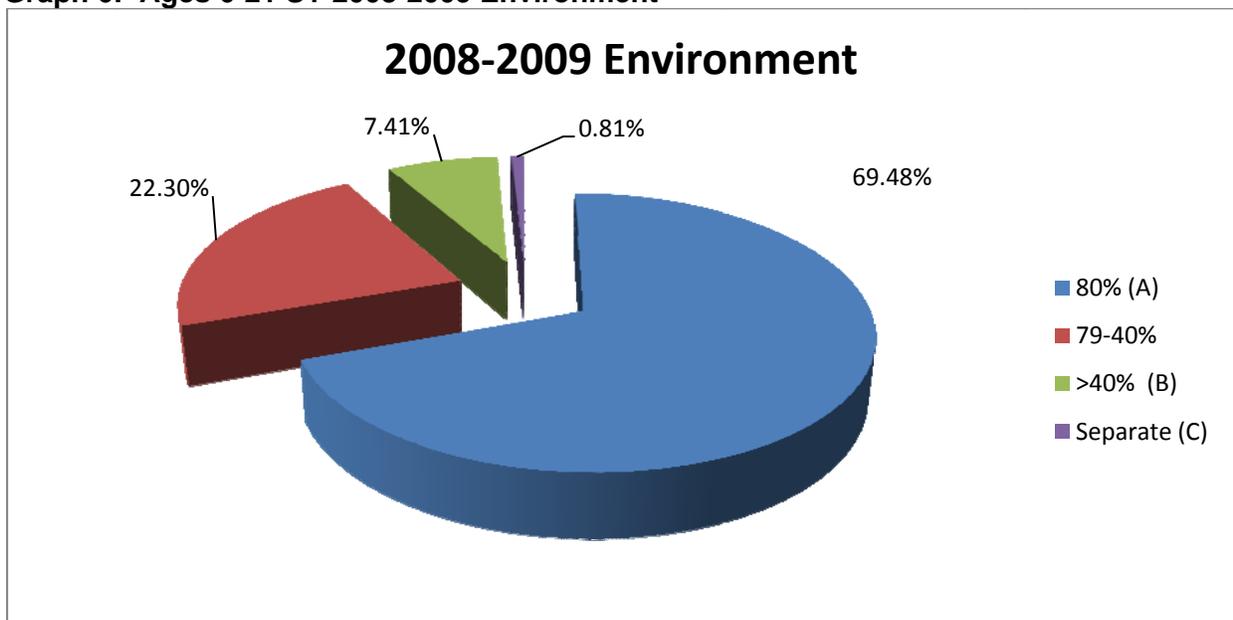
Table 11: FFY 2008 Environments Distribution

Category	Ages 6-21	%	Ages 4-21	%
Inside gen. ed. \geq 80%	4447	69.48%	4751	70.59%
Inside gen. ed. 40-79%	1427	22.30%	1427	21.20%
Inside gen. ed. <40%	474	7.41%	480	7.13%
Separate combined	52	.81%	72	1.07%
Total	6400	100.00%	6730	100.00%

Table 12: SY 2006-2007, 2007-2008, 2008-2009 Placement by Environment

Placement	+80% (A)	79-40%	>40% (B)	Separate (C)
Comparison, ages 6 – 21				
2006-2007	65.01%	25.23%	8.92%	.84%
2007-2008	64.17%	25.94%	9.08%	.82%
2008-2009	69.48%	22.30%	7.41%	.81%
Comparison, all school age per BIE school system.				
2008-2009	70.59%	21.20%	7.13%	1.07%

Graph 6: Ages 6-21 SY 2008-2009 Environment



Note: BIE does not have early Part B programs. There are a few 4 and 5 year olds in BIE schools in kindergarten that are reported in the 3 to 5 year section of Table 3. The BIE considers these students as a part of their school age programs however they are not included in the above graph.

Table 13: Placement Progress/Slippage

	FFY 2006 Data	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress
A. Inside the regular class 80% or more of the day	65.01	64.17	69.48	65.17	+5.31% Target Met
B. Inside the regular class less than 40% of the day	8.92	9.08	7.41	8.58	-1.67% Target Met
C. Served in public or private	.84	.82	.81	.45	-0.01%

separate schools, residential placements, or homebound or hospital placements.					Target Not Met
---	--	--	--	--	-----------------------

Explanation of Progress or Slippage that occurred for 2008-2009:

Progress or Slippage - Target Met/Maintain:

The 618 data showed a loss in total numbers of BIE school age students with IEPs, 272 students, 3.88%. There were 7,002 school aged students for SY2007-2008 as compared to 6730 for SY2008-2009).

Indicator 5A.

The BIE **did meet the identified target** of showing at least a 1% growth in the numbers of students receiving appropriate special education services inside the regular class 80% or more of the day. The BIE showed a 5.31% increase; 69.48% for SY2008-2009 as compared to 64.17% for SY2007-2008.

Indicator 5.B.

The BIE **did meet the identified target** of showing at least a .5% decrease in the numbers of students receiving appropriate special education services inside the regular class less than 40% of the day. The BIE showed a 5.31% decrease; 30.52% for SY2008-2009, as compared to 35.83%for SY2007-2008.

Indicator 5.C.

The BIE **did not meet the identified target** of showing that no more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings. The BIE showed a .01% decrease; .81% for SY2008-2009 as compared to .82% for SY2007-2008. The BIE is still .36%, or 23.04 students with IEPs over the target.

Discussion of Improvement Activities Completed:

Improvement Activities that occurred in FFY 2008-2009	Status	Impact Statement
1. Train school staff on indicator and activities.	The DPA and MPRRC hosted the second national special education academy.	Schools submitted special education action plans addressing their applicable indicators as part of the Monitoring Process.
2. Continue NASIS Interchange activities to train school level personnel on both the concept of placements in the least restrictive	DPA continued with NASIS interchange activities to train school level personnel.	The training continues to be a need in our schools to ensure knowledge of the concept of placement in least restrictive environment and the

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environment and the data input that will accurately reflect placements in their school.		continued need for documenting of accurate and reliable data to reflect placements in their schools.
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The target calculation remains the same. The number that would reflect that target has been added.

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

FFY	Measurable and Rigorous Target
2009 (2009-2010)	<p>Show at least a 1% growth in the numbers of students receiving appropriate special education services inside the regular class 80% or more of the day.</p> <p>Target Goal (70.48%)</p>

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

FFY	Measurable and Rigorous Target
2009 (2009-2010)	<p>Show at least a .5% decrease in the numbers of students receiving appropriate special education services inside the regular class less than 40% of the day.</p> <p>Target Goal (30.02%)</p>

C. Private or separate schools, residential placements, homebound or hospital placements

FFY	Measurable and Rigorous Target
2009 (2009-2010)	<p>No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.</p> <p>Target Goal is dependent upon SWD count</p>

Revisions to Activities for 2009-2010:

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ACTIVITY	TIMELINE	RESOURCE
1. The BIE hosted the third annual national special education academy. To train school staff on indicator and activities.	September 2009	DPA MPRRC
2. Continue NASIS interchange activities to train school level personnel on both the concept of placements in the least restrictive environment and the data input that will accurately reflect placements in their school.	SY 2008-2009 and on-going	DPA Infinite Campus
3. Systemic WebEx trainings on Least Restrictive Environment, Procedural Safeguards, National Instructional Materials Accessibility Standards, and Assistive Technology.	Spring 2010	DPA
4. Implementation of Policies and practices related to the National Instructional Materials Accessibility Standard (NIMAS)?	Spring 2010	DPA NIMAS workgroup
5. Formation of a NIMAS workgroup to address/problem solves systemic instructional materials accessibility issues for students with blindness and/or visual impairment and print disability.	Spring 2010	DPA Schools volunteers
6. Implementation of policies and practices in providing assistive technology devices and/or services to enhance,	Spring 2010	DPA

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<p>increases, or maintain the physical and/or mental capabilities of students with learning and/or physical disabilities.</p>		
<p>7. Blind/Visually Impaired Resources Guide disbursed to the BIE schools identified having student with blindness and/or visual impairment.</p>	<p>Spring 2010</p>	<p>DPA NIMAS workgroup</p>
<p>8. Assistive Technology Resources Guide disbursed to the BIE schools.</p>	<p>Spring 2010</p>	<p>DPA NIMAS workgroup</p>

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable): None required.

Part B State Annual Performance Report (APR) for FRY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 8: 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))

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.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	41.3%

Actual Target Data for 2006-2007, 2007-2008, and 2008-2009:

Table 14: Percent of Parents Who Report the School Facilitated Their Involvement 3 – Year Trend

	FFY2006	FFY2007	FFY2008
Total number of Parent Respondents	2,087	3,143	4,052
Number who reported school facilitated their involvement	689	1,037	1,363
Percentage who reported school facilitated their involvement	33%	33%	34%

The 2008-2009 target of 41.3% was not met. However, there was not slippage from the previous year in the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

The 2008-2009 response rate improved from the previous year from 47.87% to 49.45%. During SY2008-2009, the school for Indicator #8, “the percent of parents with a child receiving special education services who reported the at schools facilitated parent involvement as a means of improving services and results for children with disabilities” increased by one percent. However, the overall response rate increased from 47.87% to 49.45%. The increase in response rate was the result of increased communication with schools and training on the purpose of the surveys, and the importance of completing. In addition, the surveys were sent directly to the schools and not through the education line offices. Finally, an emphasis on returning surveys in a timely manner has been reiterated to school sites. Schools are reminded to turn in surveys prior to the deadline so their results can be included in the overall analysis. The following is a three year breakdown of the response rate:

Table 15: Response Rate

Year	Surveys distributed	Sites	Surveys Returned	Sites	Response rate
2006-2007	7,591	175	2,087	108	27.49%
2007-2008	6,566	172	3,143	152	47.87%
2008-2009	8,194	177	4,052	154	49.45%

Survey Instrument

The tool used to measure “the percentage of parents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities” was the Schools’ Efforts to Partner with Parents Scale (SEPPS). The SEPPS was developed by the National Center for Special Education Accountability Monitoring (NCSEAM) to provide states with a valid and reliable instrument for measuring the extent to which parents perceive that schools facilitate their involvement. Potential items to measure schools’ facilitation of parent involvement, as well as other aspects of parents’ involvement with and perceptions about special education services, were developed with substantial input from parents and other key stakeholders across the country. The survey was printed in a scan-able format and distributed to all schools in October 2009.

Representation

The data collected by the survey instrument is representative of the BIE student population. The survey instrument was used as a census survey, not a sampling survey. Every parent of a student in a BIE school was given the opportunity to rate Indicator #8. Additionally, according to the December 2009 Analysis of Parent Survey Data Addressing Part B SPP/APR Indicator #8, a report prepared for the BIE by Piedra Data Services reads “A total of 8,194 surveys were shipped to 177 sites; 4,052 were returned from 154 sites for an overall response rate of 49.45%. The number of returned surveys exceeds the minimum number required for an adequate

confidence level based on established survey sample guidelines (e.g., <http://www.surveysystem.com/sscalc.htm>).

The survey responses were aligned with the grade level distribution of students with disabilities within BIE schools. The disability survey responses were also represented proportionally across disabilities.

Ethnicity distribution does not apply to the BIE as the system is American Indian.

Table 16: Distribution by Disability

		Survey	BIE			Survey	BIE
MR	40	3%	5%	D/B	48	<1%	0%
HI	41	<1%	1%	Mult.	49	2%	2%
Sp/Lg	42	19%	18%	Autism	50	2%	1%
VI	43	<1%	<1%	TBI	51	<1%	0%
ED	44	3%	6%	DD	52	7%	4%
OI	45	<1%	<1%	Missing		12%	0%
OHI	46	5%	6%	More Than One		6%	0%
SLD	47	38%	55%				

Graph 7: Distribution by Disability

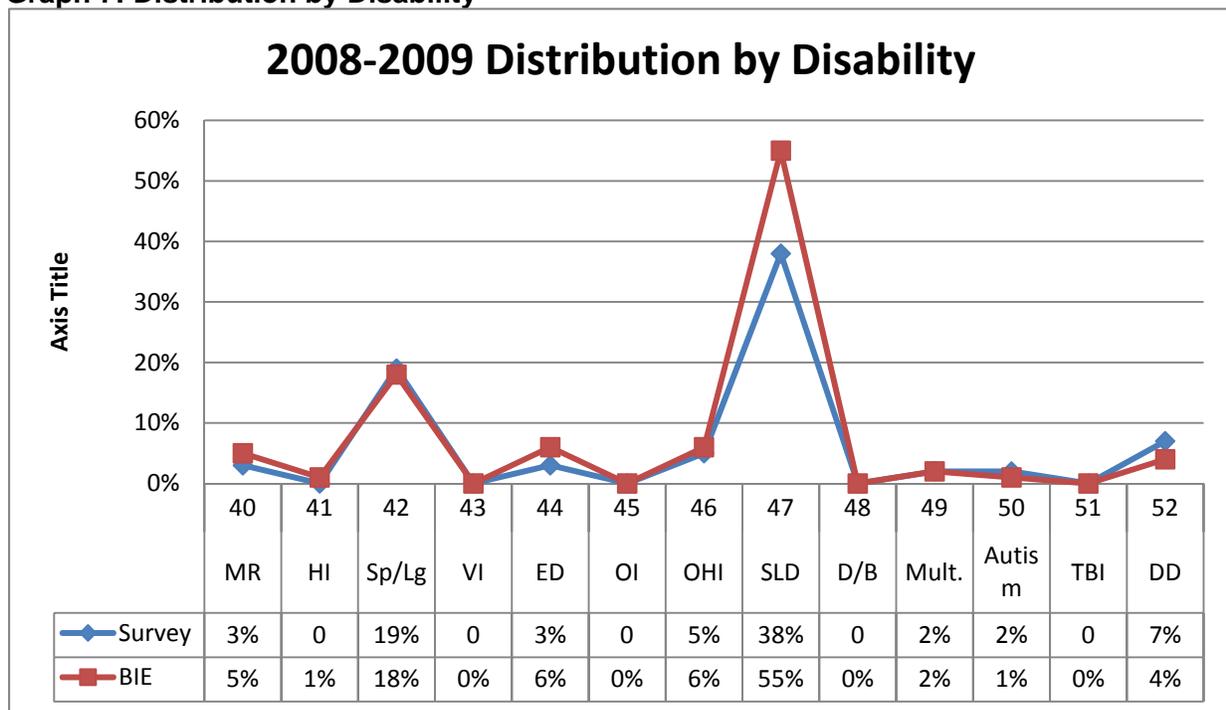
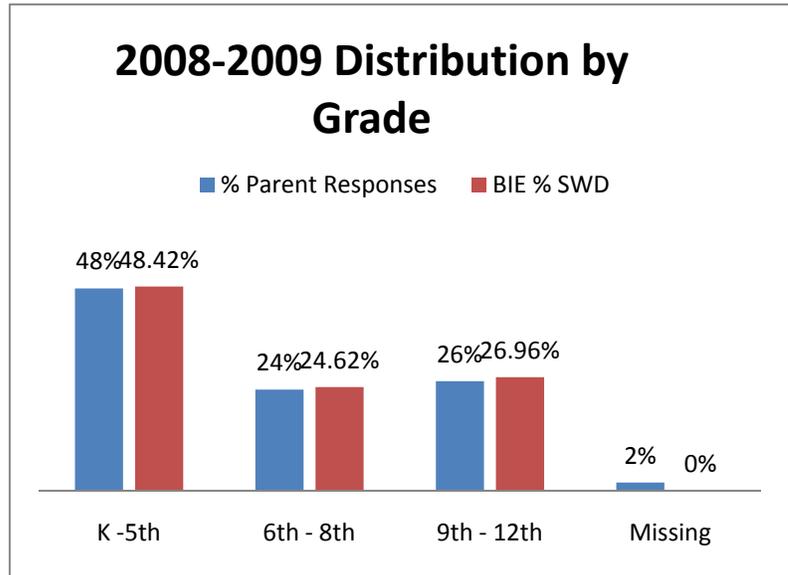


Table 17: Distribution by Grade

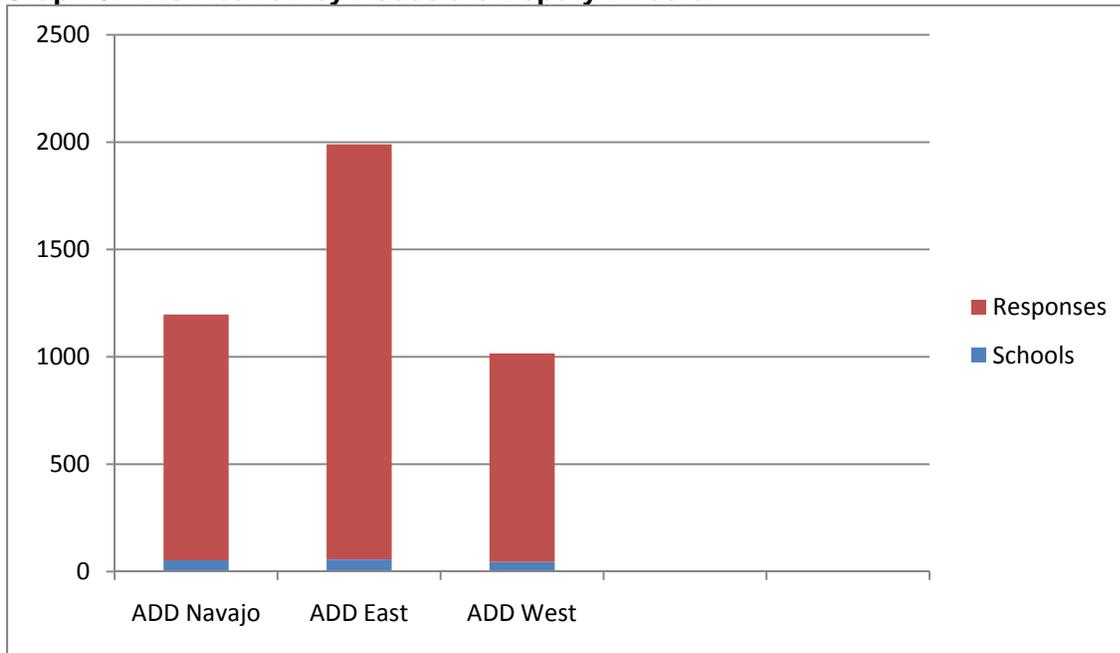
	% Parent Responses	BIE % SWD
K -5th	48%	48.42
6th - 8th	24%	24.62
9th - 12th	26%	26.96
Missing	2%	0%

Graph 8: Distribution by Grade



The BIE schools fall under 22 Education Line Offices that are administered by three Associate Deputy Directors (ADD), Navajo, East, and West. The chart below indicates the number of schools that responded to the survey in each ADD.

Graph 9: Distribution by Associate Deputy Director



Reliability and Validity

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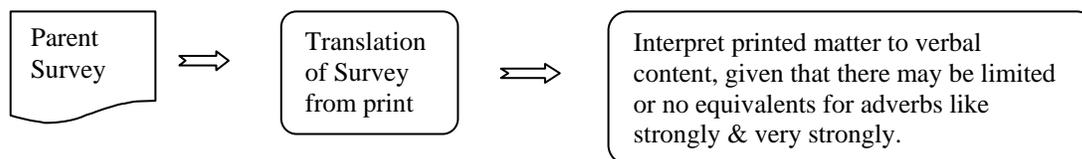
The survey administered by the BIE consisted of a 25-item rating scale, the SEPPS, developed and validated by the National Center for Special Education Accountability Monitoring (NCSEAM).

The survey that is being used by the BIE is based on a scale that looks at the number of question responses that fall in the 'Strongly Agree' or "Very Strongly Agree' categories. By that measure of satisfaction there were 1,363 parents that indicated the school facilitated parent involvement as a means of improving services and results for children with disabilities. This is 34% which does not meet our target goal.

The BIE also calculated the percent of positive survey results by including "Agree" with 'Strongly Agree' or "Very Strongly Agree' categories. The results from this calculation indicate that 87.73 % of parents indicated that the school facilitated parent involvement as a means of improving services and results for children with disabilities.

It is hypothesized that the second number is more representative of parents' belief regarding this indicator. There are several factors that were considered in making this hypothesis. Many of our parents have limited English proficiency. This makes the finer level of discrimination a more complex task and it is not clear that the variations of 'Agree" are understood as significantly different. To respond 'Agree' can be interpreted as sufficient to indicate satisfaction with the schools activities.

In some schools, staff read the survey instrument to parents. However, this requires two different processes. Based on one source, "the difference between interpreting and translation is only the difference in the medium: the interpreter translates orally, while a translator interprets written text. (retrieved on 1/20/10 from <http://www.ricintl.com/interpreting-vs-translation-services.html>). Thus, in situations where a staff person reads the survey instrument to the parent, the initial step is translation followed by interpretation. Although many Native languages are written, few can read the linguistically based alphabet. See process below that depicts roughly the steps in reading the survey.



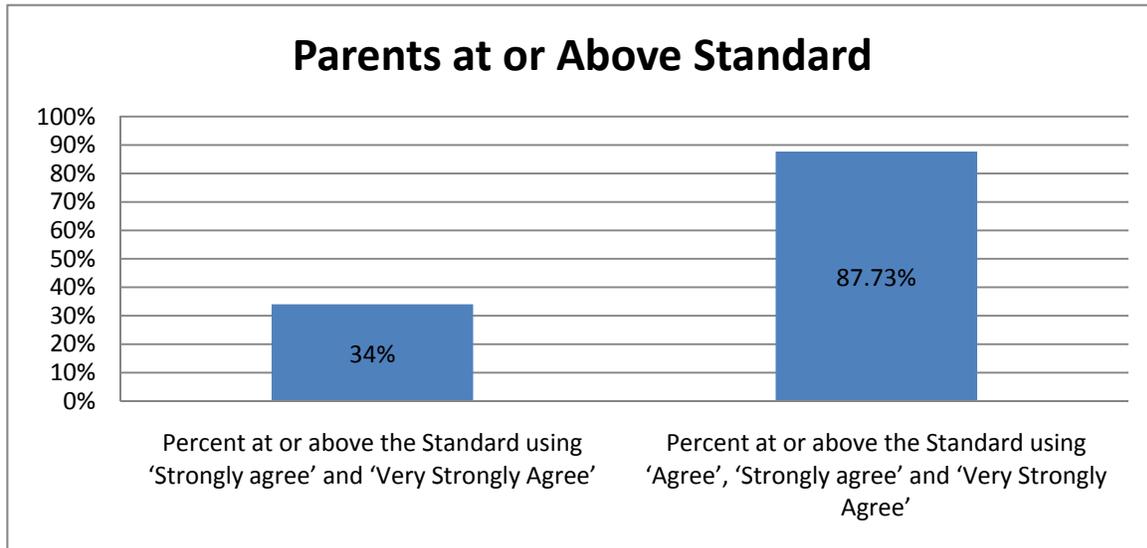
Based on one example, would one ask a parent if they 'agree' with a statement or if they 'agree, agree' or yet perhaps if they 'agree, agree, agree'? This would simply be a redundant question. One would simply agree or disagree with no need to further qualify the response.

We contend that even in circumstance where parents understand English, competence of language may be at the level of surface structure rather than deep structure. Thus, an individual may have an understanding of words, yet the meaning of a sentence may be diminished due to the sentence structure, dual meaning of words, or perhaps idiosyncratic use of words.

Based on the above discussion that reports agreement with the indicator more broadly it is believed that the BIE *did* meet the target they wished.

Graph 10: Percent of Parents at or Above Standard (Graph Below)

Percent at or above the Standard using 'Strongly agree' and 'Very Strongly Agree'	Percent at or above the Standard using 'Agree', 'Strongly agree' and 'Very Strongly Agree'
34%	87.73%



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for SY2008-2009:

Last year, SY2007-2008, the analysis relative to the SPP Indicator #8 reported that 33% of the respondents met the survey standard for reporting the schools facilitated parent involvement as means of improving services and results for children with disabilities. In 2008-2009, the analysis relative to the SPP Indicator #8 reported that 34% of the respondents met the survey standard for reporting that the schools facilitated parent involvement as a means of improving services and results for children with disabilities. The score of 34% indicated one-third of parents of students with disabilities served at BIE sites had measures high enough to support the claim that schools facilitate parent involvement at the level deemed desirable and appropriate by the BIE.

Improvement Activities / Timelines / Resources for future 2007 – 2011:

ACTIVITY	STATUS	RESOURCE
1. The BIE will host the Second annual national special education academy.	Completion. September 2008 September 2009 BIE completed both academies successfully.	DPA MPRRC

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<p>2. Continue NASIS Interchange activities to train school level personnel on both the concept of placements in the least restrictive environment and the data input that will accurately reflect placements in their school.</p>	<p>Completion and Ongoing SY 2008-2009 and on-going Schools trained during Summer 2009 and there are on-going adaptations.</p>	<p>DPA Infinite Campus</p>
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Improvement Activities / Timelines / Resources for future SY2009-2011:

ACTIVITY	TIMELINE	RESOURCE
<p><i>Spring 2010</i></p> <p>1. Parent Survey</p> <p>2. Follow-up component</p>	<p>Letters sent to Schools Announcing the Survey March 2010</p> <p>Surveys Distributed March 2010</p> <p>Surveys Returned April 2010</p> <p>Report Issued June 2010</p> <p>E-mail sent to special education coordinators confirming date surveys were given to parents</p> <p>Information from schools who had a high response rate shared with other schools via BIE ENAN Website.</p>	<p>DPA Staff / Vendor</p> <p>Special Education Coordinators and DPA staff</p> <p>http://www.bie.edu/home</p>
<p>Justification: To ensure a higher response rate and facilitate communication among schools, the follow-up component will be utilized</p>		

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ACTIVITY	TIMELINE	RESOURCE
<p><i>Summer 2010</i></p> <p>3. Parent Resources Brochure and post information for parents on the website</p> <p>4. Special Education Academy session and/or booth for parents</p> <p>5. Review survey results and gather feedback on issues related to the Parent Survey. Possible uses of the results may include the following:</p> <ul style="list-style-type: none"> a. Identify effective communication strategies. b. Identify disconnects between school and parents. c. Identify and address areas of parent dissatisfaction. 	<p>June and July 2010</p> <p>May 2010</p> <p>August 2010</p>	<p>DPA staff, National Parent Training Center, CADRE http://www.bie.edu/home</p> <p>DPA Staff / Vendor issued report</p>
<p>Justification: Based on the evaluations from the 2009 Special Education Academy, the LSPP data, and as a priority of the BIE National Special Education Advisory Board, there is a need for more parent training and information.</p>		
<p><i>Fall 2010</i></p> <p>6. BIE National Special Education Academy</p>	<p>On-going</p> <p>September 14-16, 2010</p>	<p>DPA Staff / National presenters, TAESE</p>
<p>Justification: BIE will provide school, Education Line Office, Associate Deputy Director staffs and parents with the most current information on critical issues in special education.</p>		

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable): None required.

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Indicator 11: 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))

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.

FFY	Measurable and Rigorous Target
FFY 2008	100%

Actual Target Data for FFY 2008:

Describe the method used to collect data

Prior to FFY 2008 the BIE utilized the 2nd-tier monitoring tool that was Excel based program for this indicator. Student with disabilities files were reviewed on-site. The reviewer utilized the compliance monitoring data collection tool to identify noncompliance items. A student and school summary report was provided to the school that identified noncompliance items.

During SY 2008-2009, the data collection tool was revised to an Access data based program contains one item with subsets that captures data for this Indicator. The revised data collection tool includes students that were referred and evaluated for special education services and determined not to be eligible.

DPA conducted training on the revised monitoring data collection tool with the compliance monitoring reviewers. The revised data collection tool captured the following data for this Indicator:

1. Was the evaluation completed? Y or N
2. Was/will the evaluation (be) completed within 60-days? Y or N
3. How many days beyond 60 did the evaluation require for completion?
4. If the evaluation took/is taking longer than 60-days, why?

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When the compliance monitoring reviewer completed the student with disabilities file reviews they provided the school with a Compliance Monitoring Report that included the following items:

1. Individual Student Report
2. School Summary Report
3. Written notification of noncompliance
4. Analysis report
5. Corrective Action Forms A & B
6. Entrance and Exit form

Corrective Action Plan, Form A, was to be utilized to address activities and correction of noncompliance items identified in the Compliance Monitoring Report within 45 days of notification. Form B was to be used to correct non FAPE items within one year.

Children Evaluated* Within 60 Days (or State-established timeline):

a. Number of children for whom parental consent to evaluate was received	3,294
b. Number of children whose evaluations were completed within 60 days (or State-established timelines)	3,060
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	92.89%

*A revised monitoring tool was used for the collection of this data. Because it was used for the first time in FFY2007, all issues of timeline as required by this indicator were looked at in any file that had this element. The numbers above represent more than one year. BIE felt it was necessary to identify the status of compliance with this issue across all years and schools so they could adequately address the issue.

Account for children included in (a) but not included in (b):

There were 234 files identified as not completing the student evaluation within a 60-day timeline. Of those 34 were due to parent actions that delayed the evaluation or student was no longer available (i.e., transfer). Of the remaining 200 files identified as noncompliance 199 have been corrected and verified closed within one year. The one remaining student with a disability's file not verified as corrected and closed out within one year has been verified as corrected and closed out in SY 2009-2010.

Indicate the range of days beyond the timeline and provide reasons for the delays:

Range reported: 7 to 45 days.

Student not available = 34 (parent action caused student to be unavailable / student transferred)

Of the remaining evaluations which exceeded 60 days a lack of service provider / evaluator was the primary reason. Because the schools contract for these services getting contracts was a problem. Even when contracts are in place the needed evaluators are not available on a daily basis (they may have a once a week schedule or even bi-monthly schedule. If one day a student is absent when the service provider is present this may be a significant delay.

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If a student needs additional evaluations based on the team approach the BIE promotes, that also may cause a delay due to lack of services. Example – student needs a specialized medical, the services come to Indian Health every other month and are often booked months in advance.

Correction of FFY 2007 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2007 for this indicator was 96.38%.

For SY 2007-2008 the findings were reported as each individual file which contained a parent signature for evaluation, referral and assessment data, and documentation of a completed evaluation. For SY 2008-2009 (correction due in SY 2009-2010) findings will be a systemic pattern in a school. The BIE has redefined a finding as being a systemic issue at a school. This is described in more detail in Indicator #15. BIE is cognizant that even though a finding is a systemic pattern, each individual child specific item must be corrected before that non-compliance area can be identified as verified as corrected.

The following Table is being completed twice. That will allow OSEP to see the non-compliances reported as single items and as schools with systemic issues. They will be reported in the Indicator #15 worksheet as systemic issues (schools out of compliance). This will provide baseline data reported in a format that will facilitate tracking via the BIE definition of a finding in the future.

Items:

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	200
2. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	199
3. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

Systemic:

4. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	39
5. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	38
6. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

BIE operated schools – Grant Schools:

BIE Operated = 18
 Grant Operated = 21
 Total = 39 The school that did not correct in one year: Grant

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

Items:

1. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	1
2. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	1
3. Number of FFY 2007 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Systemic:

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	1
5. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	1
6. Number of FFY 2007 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

The BIE has verified correction of outstanding non-compliances that were not corrected within one year as currently corrected. There are no outstanding non-compliances for this indicator. The following discussion describes the actions taken to correct and verify closure of noncompliance items within a one year time line.

A letter dated December 11, 2009 were sent to the school requesting correction and close out of the 2007-2008 item identified in their Compliance Monitoring Report for SY 2007-2008 utilizing Corrective Action Plan Form A. In addition, technical assistance and training was provided by the BIE Division of Performance and Accountability to the school through off-site activities that included:

- Teleconference with the school
- Electronic communication with each of the school
- Providing the school with documents (CAPs, copies of the 2nd-tier monitoring, monitoring analysis, etc.)
- Providing Technical Assistance to Education Line Office to assist with correction of noncompliance at their school..

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- WebEx training on corrective action plans on December 10, 2009.

In addition, information on correction of noncompliance was presented at the 2009 BIE Special Education Academy in San Diego, California where 450 BIE-funded school staff attended. Training and technical assistance will be provided as needed during the SY 2009-2010.

Verification of Correction (either timely or subsequent):

The Education Line Officer(ELO), through review of required documents, verified correction of noncompliance. This verification is documented by the ELO by signing the Corrective Action Plan and this, in turn, is submitted to DPA. When this written documentation is received and reviewed the non-compliance is logged as closed.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable):

For FFY 2006 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

The five remaining findings of noncompliance from SY 2006-2007 that had not been corrected in a timely manner have been corrected and reported in the February 2008 Annual Performance Report. The BIE received verification that they were corrected a week following the submission of the SY 2006-2007 Annual Performance Report. A copy of the APR 2006-2007 section is attached.

1. Number of remaining FFY 2006 findings noted in OSEP’s June 1, 2009 FFY 2007 APR response table for this indicator	5
2. Number of remaining FFY 2006 findings the State has verified as corrected	5
3. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	0

BIE operated schools – Grant Schools:

BIE Operated = 0
Grant Operated = 5
Total = 5

Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier (if applicable):

There are no remaining non-compliances.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008:

In SY 2007-2008, the BIE reported a compliance rate of 96.38% and for SY 2008-2009, a compliance rate of 92.89%. This would indicate slippage in this area, however, based on the OSEP response for the 2007-2008 APR that data was not reliable and therefore a decision of

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progress or slippage cannot be made. The BIE believes it has made significant progress in properly identifying noncompliance for Indicator 11. While the numbers of noncompliance have increased, the data being reported for SY 2008-2009 is more accurate than last year. The BIE has taken the proper steps to ensure that the data collected from the on-site monitoring process and through NASIS will provide the BIE the controls to report accurate and reliable data.

ACTIVITY	STATUS	IMPACT STATEMENT
1. Revise the Compliance Monitoring tool and provide training to the Agency staff member responsible for the conducting the on-site special education file reviews and data collection.	Completed	Access-based tool; ease of use for reviewer; on-site data for schools; better data collection system.
2. Schools notified of the all noncompliance issues indentified during the SY 2007-2008 data collection time period.	Completed	Written notification of noncompliance provided on-site; better tracking system; schools develop local school performance plans (LSPP).
3. Requested schools to submit a correction action plan to correct all noncompliance items. In included in the schools plans they were instructed to correct FAPE noncompliance items within 45-days and all other noncompliance within one year of notification of noncompliance items.	Completed	School special education committee addresses correction of noncompliance through corrective action plan; better tracking system.
4. Develop and send a questionnaire schools to determine why the evaluation of students referred during SY 2007-2008 did not meet the 60-day evaluation time line.	Completed	Collected reasons for noncompliance with eligibility determinations within 60-days.

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Revision, with Justification, to Activities/Timelines/Resources for SY 2008-2009.

ACTIVITY	TIMELINE	RESOURCE
1. Revise the Compliance Monitoring tool.	March 2010	BIE Staff ELO Staff
2. Provide training on the revised tool to the Special Education Compliance Monitors responsible for conducting the on-site special education file reviews and data collection.	March 2010	BIE Staff
2. Special Education Monitors will conduct files reviews at each school utilizing the revised compliance monitoring tool.	March-June 2010	BIE Staff ELO Staff
3. Special Education Monitors will conduct the compliance monitoring for SY 2009-2010 and will verify that the noncompliance findings identified in the SY 2008-2009 have been corrected and verified closed out.	March-June 2010	BIE Staff ELO Staff
4. Notify schools of the noncompliance findings and/or systemic findings indentified in the SY 2009-2010 compliance data collection process. Notification of compliance and noncompliance in the Compliance Report will include their overall compliance rating for the files reviewed.	March-June 2010 (date of review)	BIE Staff ELO Staff
5. Schools are required to submit a Corrective Action Plan (CAP) to show and/or demonstrate correction and close out noncompliance findings (e.g., FAPE with 45-days and non-FAPE no later than one-year from date of written notification).	As soon as possible and no later than one-year.	BIE Staff ELO Staff

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<p>1. The BIE must report on the correction and verification of the correction of the five noncompliance items previously cited. This must include (1) verification that there is correct implementation of the regulatory requirements, and (2) That the initial evaluations for the specific students have been completed.</p>	<p>The verification of correction was done by a file review by an ELO/Staff who indicate they have reviewed the needed documents and have ascertained the corrections have been made.</p>
<p>2. The BIE must review, and revise if necessary, its improvement activities.</p>	<p>These are included.</p>

Revisions, with Justification, to Improvement Activities/Timelines/Resources for FFY 2008 (if applicable):

ACTIVITY	TIMELINE	RESOURCE
<p>1. Revise the Compliance Monitoring tool and provide training on the revised tool to the staff member responsible for the conducting the on-site special education file reviews and data collection.</p>	<p>Spring 2010</p>	<p>BIE staff ELO staff</p>
<p>2. Conduct files reviews at each school utilizing the revised compliance monitoring tool.</p>	<p>January—March 2010</p>	<p>BIE staff ELO staff</p>
<p>3. Reviewers conducting the compliance monitoring data for SY 2009-2010 will verify that the noncompliance findings identified in the SY 2008-2009 data have been corrected and closed out.</p>	<p>February—April 2010</p>	<p>BIE Staff ELO Staff</p>

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<p>4. Notify schools of the all noncompliance findings and/or systemic findings identified in the SY 2009-2010 compliance data collection process. Notification will include their overall compliance rating from the files reviewed.</p>	<p>October 2010</p>	<p>BIE Staff ELO Staff</p>
<p>5. Requested schools to submit a correction action plan to correct all noncompliance findings. (e.g., FAPE within 45-days and non-FAPE no later than one year from date of written notification).</p>	<p>March 2011</p>	<p>BIE Staff ELO Staff</p>

Additional Information required by the OSEP APR Response Table for this Indicator (if applicable):

<p>Statement from the Response Table</p>	<p>State’s Response</p>
<p>1. The BIE must provide the required data for this indicator in the February 2010 APR submission.</p>	<p>Included above</p>
<p>2. The BIE must report on the disposition of the remaining five uncorrected noncompliance.</p>	<p>All corrected</p>
<p>3. Report on correction of FFY 2006 non-compliance correction.</p>	<p>Listed above. The five non-compliances have been corrected and verified as such per the guidance in the Oct. 17 OSEP letter.</p>
<p>4. BIE must address how it is correctly implementing (1) specific regulatory requirements and (2) that all specific</p>	<p>BIE has described the steps it has taken to ensure it is meeting the regulatory requirements for Indicator#11. This has been outlined above.</p>

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<p>child issues have been addressed unless then child is no longer in the bIE school per the OSEP Memo October 17, 2008.</p>	<p>BIE has also followed the regulatory guidance that makes it clear that all child specific issues are to be addressed before it can be considered that the non-compliance is corrected. The review of all files relative to the 60 day timeline was addressed so the BIE could be certain all child specific issues could be addressed along with finding root causes for the systemic issues.</p>
<p>5. BIE must review its improvement activities and improve them if needed.</p>	<p>This has been done and is included above.</p>

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: 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 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))

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 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.

NOTE:

- ***States are not required to report actual target data for this indicator in the FFY 2008 APR. If a State reports actual target data for this indicator, OSEP will consider the data in the Determination process.***
- ***This template is ONLY for reporting in the FFY 2008 APR on the timely correction of noncompliance reported in the FFY 2007 APR.***

Correction of FFY 2007 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 95.23%

7. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	21
8. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	20
9. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

10. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	1
11. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
12. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	1

BIE operated schools – Grant Schools:

BIE Operated = 1
 Grant Operated = 0
 Total = 1

Actions Taken if Noncompliance Not Corrected:

In the FFY 2007 APR, the BIE reported 51 items of non compliance from 21 schools with high school programs. Of those 21 schools, 20 corrected their non compliances. One school did not. That school has received additional support and technical assistance from the BIE.

The BIE conducted two on site visits last summer to provide training and technical assistance to the school with the remaining non compliances. In June 2009, the BIE met with the Principal to learn of the Transition Program – activities, strategies, and resources available to students. The BIE:

- Provided information and Internet resources along w/ tribal contact for Vocational Rehabilitation.
- Discussed agenda for training in July.

For the July training, the BIE provided training to the Transition Coordinator and Team, disseminating information that included:

- NSTTAC Indicator 13 Checklist;
- Transition Coordinator Position Description;
- Transition Assessment example;
- Transition Curriculum example;
- Work Keys examples . . . Facilitated discussion and development of activities in the LSPP (Local School Performance Plan).

A follow up conference call was conducted January 2010 with the school special education coordinator and principal for further discussion on the progress of the school’s transition program. The school indicated all IEPs are now in compliance. To ensure correction of non compliances, BIE/DPA has scheduled a follow up site visit for February 11, 2010, to verify that the school has developed an IEP that includes the required transition content for all transition age students.

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Verification of Correction (either timely or subsequent):

For all non-compliances a school must develop a Corrective Action Plan (CAP). That plan is reviewed by monitoring staff at the Division of Performance and Accountability Office, Special Education. It is also provided to the ELO. When a school notifies the BIE special education staff assigned to track what is completed on the CAP they, in turn, notify the ELO who then verifies the correction and signs the CAP indicating verification.

This verification is supported by the following year's monitoring as the same items are reviewed and if there are remaining or new non-compliances that is noted.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable):

4. Number of remaining FFY 2006 findings noted in OSEP's June 1, 2009 FFY 2007 APR response table for this indicator	9
5. Number of remaining FFY 2006 findings the State has verified as corrected	8
6. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	1

BIE operated schools – Grant Schools:

BIE Operated = 1
Grant Operated = 0
Total = 1

In the February 2009 APR, the BIE reported that 34 of the 56 findings of non compliance identified at the school level in FFY 2006 were corrected in a timely manner. The findings at the time were reported as items. The 56 items were from 21 schools. The number of corrected items was tallied incorrectly. There were 35, not 34, of the 56 items corrected, leaving 21 uncorrected non compliance items from 9 schools. Of the remaining 21 items, the BIE has since received verification that 13 have been corrected from 8 of the 9 schools.

The remaining 8 non compliances were all from the same school mentioned above. The reporting of the 8 items would be one finding in the current definition for BIE (see Indicator 15), however, BIE is cognizant of the need to verify all 8 individual items before verification of correction can be finalized. Therefore, DPA has scheduled a follow up site visit for February 11, 2010, to verify that the school has developed an IEP that includes the required transition content for all transition age students.

Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier (if applicable):

All previous non-compliances have been corrected.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for SY 2008-2009:

Improvement Activities that occurred in FFY 2008	Status	Impact Statement
1. Second annual National special education academy to include transition breakout session for all high schools.	Completed, September 2008, Chicago	The annual academy is well attended with favorable overall evaluations.
2. Targeted technical assistance to school level transition specialist in plan development, goal writing, etc., with specific emphasis for school with a Level 3 and 4 Determination.	During the Compliance Monitoring activity from March – June 2009, 6 of the 8 Level 4 schools received TA from the DPA staff member assigned to that school to conduct the monitoring.	For the 2009-2010 SY, there were no schools in level 4.
3. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	Distributed fall 2008, the spring/summer 2009 issue featuring some of the BIE 2009 graduates distributed July 2009.	The newsletters are well received and the schools are responsive to requests of submission of articles and pictures
4. 100% of files for students 16 years old and older will be reviewed to document that transition is addressed as indicated through the compliance monitoring tool.	100% of files not reviewed, instead a percentage based on the total high school population was used to complete the process due to the change in the reporting requirements by OSEP and the decision by the BIE not to report on Indicator 13 for the 2010 APR.	Schools received the NSTTAC checklist and know what to expect from this process

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<p>5. Technical assistance in transition requirements provided to pilot schools during training in the use of the special education module in NASIS. Final roll out for remaining schools to begin summer 2009.</p>	<p>Completed August 2009</p>	<p>Schools are using the special education module in the NASIS; received additional information during academy in September as to the relevance of the module as it applies to data collection</p>
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Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

<p>Statement from the Response Table</p>	<p>State’s Response</p>
<p>The remaining 22 uncorrected noncompliance findings identified in FFY 2006 at the school level were corrected.</p>	<p>The findings at the time were reported as items. The 56 items were from 21 schools. The number of corrected items was tallied incorrectly. There were 35, not 34, of the 56 items corrected, leaving 21 uncorrected non compliance items from 9 schools. Of the remaining 21 items, the BIE has since received verification that 13 have been corrected from 8 of the 9 schools.</p>
<p>Each school with noncompliance reported in the FFY 2007 APR is correctly implementing the specific regulatory requirements; and has developed an IEP that includes the required transition content for each youth.</p>	<p>The BIE reported 51 items of non compliance from 21 schools with high school programs. Of those 21 schools, 20 corrected their non compliances. One school did not. That school has received additional support and technical assistance from the BIE.</p> <p>The BIE/DPA has scheduled a follow up site visit for February 11, 2010, to verify that the school has developed an IEP that includes the required transition content for all transition age students.</p>

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: 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) and 1442)

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
 - b. # of corrections completed as soon as possible but in no case later than one year from identification.
- Percent = [(b) divided by (a)] times 100.

States are required to use the “Indicator 15 Worksheet” to report data for this indicator (see Attachment A).

FFY	Measurable and Rigorous Target
FFY 2008	a. 0, b. 100%

Actual Target Data for FFY 2008:

$a = 211, b = 197: (b / a) = 93.36\%$

BIE did not meet target

Describe the process for selecting LEAs for Monitoring:

All BIE-funded schools (BIE-operated and Tribally Controlled Schools) with an academic program receive on-site compliance monitoring of their special education program on an annual basis. The purpose of the monitoring is to: (1) conduct student special education file reviews, (2) verify that the required documentation on file for a student with a disability receiving specialized services is in accordance with IDEA, (3) identify any noncompliance issues, and (4)

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provide guidance to the school in developing improvement with a corrective action plan, collecting data, and improve programs to correct the issues as soon as possible and no later than one-year from identification and written notice.

The reviewer collects, enters, and verifies data as they review the required documentation in student special education files. A student-level and school-level report is provided that is useful in identifying, analyzing, and correcting the noncompliance items in the data collection tool.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008:

In SY 2007-2008, the BIE reported dated for this indicator was 51.43% (from the OSEP FFY 2007 SPP/APR Response Table). The noncompliance data being reported for SY 2008-2009 is 93.36% that shows progress. The progress can be attributed to the following:

- Reviewers attended the DPA training on how to properly utilize the compliance monitoring tool
- Reviewers had experience in special education.
- The compliance monitoring tool was revised to capture the data for this indicator.
- Schools developed Corrective Action Plans (CAPs) to demonstrate correction of noncompliance
- Education Line Officers verified correction and close out of noncompliance

Activity	Status	Impact Statement
1. Conduct on-site 2 nd -Tier Monitoring and reporting of noncompliance findings. Schools to submit corrective action plans and the Line office will be responsible for ensuring correction of noncompliance findings as soon as possible and no later than one year.	Completed	Identification, correction of noncompliance, and verification of correction.
2. Implement Special Education Integrated Monitoring Process (SEIMP) to begin SY 08-09. <ul style="list-style-type: none"> • Levels of Determination process • Data Summit • Special Education Self-Assessment • Schools submit Local School Performance Plans (LSPPs) 	Completed	95 Level 1 determinations (55%); schools developed LSPPs to achieve SPP indicator targets.
3. Provide training to all schools and Education Line Officers on procedural	Completed	400+ attendees in Chicago,

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safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes. (Special Education Academy)		Illinois
4. Data analysis of monitoring results will be used to compare with due process findings to determine if systemic issues have been identified.	Completed	Continuous school improvement
5. Use Legal Network Collaboration to keep abreast of all current legal issues relating to dispute resolution.	Completed	Solicitor attendance and participation in 2009 Academy.
6. Research a data system to replace the current system that will accurately maintain data for Dispute Resolution for implementation Fall of 2008.	Ongoing	Electronic tracking system.

During December 9-10, 2009, the Data Accountability Center (DAC) provided technical assistance to the Bureau of Indian Education as a result of OSEP's Verification visit of the BIE in November 2009. The purpose of the BIE/DAC meeting was to develop a work plan for needs identified by the BIE and OSEP. As a result of DAC's technical assistance, improvement activities (presented under improvement activities) were developed for:

1. Special Education Integrated Monitoring Process
2. Self-Assessment, and
3. Compliance Monitoring

Improvement activities for fiscal accountability will also be developed by the BIE.

The BIE staff along with input from Technical experts from TAESE and DAC decided on a definition for *findings*. The BIE chose to group individual instances in an LEA involving the same legal requirements to count monitoring findings in order to provide a clear picture of its effectiveness in ensuring the timely correction of noncompliance. Therefore, findings will be systemic and not child specific. Although findings will be in larger categories, the subparts will still have to be corrected at 100%.

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Data on the correction of findings of noncompliance the State made during FFY 2007 (July 1, 2007 through June 30, 2008).

Correction of FFY 2007 Findings of Noncompliance Timely Corrected (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008) (Sum of Column a on the Indicator B15 Worksheet)	211
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	197
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	14

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	14
5. Number of findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	1
6. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	13

Actions Taken if Noncompliance Not Corrected

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance

Seven schools that received a needs substantial improvement determination for FFY 2006 received an on-site visit from the BIE during April and May 2009. The seven schools included Many Farms High School, Havasupai School, Lac Courte Oreilles Ojibwa School, Pyramid Lake High School, Muckleshoot Tribal School, Quileute Tribal School, and Cherokee Central High School. The purpose of the on-site visits was to assist the school special education committees to evaluate their data (determinations, local school performance plans, compliance monitoring results, spending plans, and sources of technical assistance) in efforts to improve and correct areas on noncompliance as soon as possible within the required timelines.

The Third Annual BIE Special Education Academy was held in San Diego, California during September 15-17, 2009 to provide Education Line Office and Associate Deputy Director school staff with the most current information on critical issues in special education applicable to their

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respective schools. Information included general supervision, data driven decision making, improvement strategies for SPP/APR indicators, legal responsibility, and special education/related services. Over 450 BIE-funded school staff from across country attended the Academy.

For the second year in a row, schools also developed and implemented their Local School Performance Plans (LSPPs) which address measurable targets of the BIE SPP indicators. The school special education committees reviewed and amended their improvement activities to ensure that targets are being met and documentation is maintained in the school's body of evidence.

Schools develop a Corrective Action Plan (CAP) to correct identified Free and Appropriate Public Education (FAPE) noncompliance items within 45-days and as soon as possible for non-FAPE noncompliance items. Each correction has to be verified by the Education Line Officer (ELO) and documentation maintained in the schools body of evidence. The school provides the BIE a copy of their CAP. If a school does not correct compliance within the required timelines, the BIE intensifies targeted technical assistance and monitors progress.

Verification of Correction (either timely or subsequent)

For those findings for which the State has reported correction, describe the process the State used to verify that the LEA: 1) is correctly implementing the specific regulatory requirements: and (2) has corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the data system and by the Department), consistent with OSEP Memorandum 09-02.

When a school reports that they have made required corrections, the Education Line Officer verifies that correction of all items and indicates that verification by signing the CAP. That same issue is also reviewed in the next year's monitoring to verify that the systemic problems are no longer present.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable)

For FFY 2006 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

If the State reported <100% for this indicator in its FFY 2006 APR and did not report that the remaining FFY 2006 findings were subsequently corrected, provide the information below:

7. Number of remaining FFY 2006 findings noted in OSEP's June 1, 2009 FFY 2007 APR response table for this indicator	21
8. Number of remaining FFY 2006 findings the State has verified as corrected	13
9. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	8

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Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier (if applicable)

Provide information regarding correction using the same format provided above.

None

Additional Information Required by the OSEP APR Response Table (if applicable)

The BIE chose to group individual instances in an LEA involving the same legal requirements to count monitoring findings in order to provide a clear picture of its effectiveness in ensuring the timely correction of noncompliance. Therefore, findings will be systemic and not child specific. Although findings will be in larger categories, the subparts will still have to be corrected at 100%.

Statement from the Response Table	State's Response
<p>The Bureau did not report in the APR submitted in 2008 a report of non-compliances not corrected within one year grouped by BIE-operated or grant/contract schools. On the response table, reference was made to uncorrected non-compliance. That data was updated during clarification week. This APR must reflect what steps were taken to correct any non-compliance by above groupings.</p>	<p>Completed</p>
<p>The BIE must verify correction of non-compliance.</p>	<p>All corrections of non-compliance are verified by</p> <ol style="list-style-type: none"> a. schools submitting a CAP b. BIE reviewing the CAP c. School notifying BIE when item is corrected d. ELOs are contacted, they verify correction and sign off on CAP document e. That is sent to DPA f. Next monitoring cycle data is reviewed to see if systemic non-compliances have been corrected (no new items found in same category)

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The BIE must review and revise if needed its improvement activities to ensure that timely and accurate data can be provided regarding the correction of non-compliance.	Done and attached
The BIE must report on 1) correction of non-compliance and 2) the verification of that correction.	Reported above
The BIE must report correction of non-compliance for Indicators 11 and 13 under those sections.	They are included above and on the #15 Worksheet.

Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY 2008 (if applicable):

The BIE has taken significant steps to revise their monitoring system to make the process more effective in working with schools to address issues of non-compliance in a timely manner and therefore provide better services to students with disabilities. The revised activities and timelines are outlined below.

SELF-ASSESSMENT IMPROVEMENT ACTIVITIES

ACTIVITY	TIMELINE	RESOURCES
1. Reframe questions to identify noncompliance to include compliance and programmatic improvement activities.	March 1, 2010—June 30, 2010	Data Accountability Center Mountain Plains Regional Resource Center
2. Develop specific required procedures, guidelines, forms, timelines, and participants.	March 1, 2010—June 30, 2010	Data Accountability Center Mountain Plains Regional Resource Center
3. School Special Education Committee complete self-assessment with training support and facilitation from contractor.	Begin March 1, 2011	Bureau of Indian Education
4. School Special Education Committee submits results to BIE June 15, 2011.	June 15, 2011	Bureau of Indian Education
5. BIE reviews and conducts analysis to determine findings of noncompliance by October 30.	October 30, 2011	Data Accountability Center Bureau of Indian Education
6. Notify in writing of findings of	October 30, 2011	Bureau of Indian Education

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ACTIVITY	TIMELINE	RESOURCES
noncompliance by October 30.		
7. School special education committee develops a corrective action plan (CAP) with support from contractor within 10-days.		Bureau of Indian Education
8. Contractor will facilitate and support the implementation of CAP.	Ongoing	Bureau of Indian Education
9. BIE will verify the correction of noncompliance as soon as possible and no later than 12-months from date of written notification of noncompliance.	12-month from the date of written notification of noncompliance.	Data Accountability Center Bureau of Indian Education

COMPLIANCE MONITORING IMPROVEMENT ACTIVITIES

ACTIVITY	TIMELINE	RESOURCES
1. Reviewing/evaluation and revision of the compliance monitoring tool to determine: <ol style="list-style-type: none"> Regulations that need to be monitored, Aligning regulations monitored with B-15 worksheet for ease of reporting, and Ensuring validity and reliability of findings. 	March 1—June 30, 2010	Data Accountability Center Bureau of Indian Education Mountain Plains Regional Resource Center
2. Develop specific required procedures, guidelines, forms, timelines, and participants.	March 1—June 30, 2010	Data Accountability Center Mountain Plains Regional Resource Center
3. BIE conducts record reviews using NASIS at BIE and formulates a hypothesis.	October 1—December 30, 2010	Bureau of Indian Education
4. BIE goes on-site to test hypothesis and verify data and issue written notification on-site.	January 1—March 30, 2011	Bureau of Indian Education
5. School special education committee develops a corrective action plan (CAP) with support from contractor within 10-days.		Bureau of Indian Education
6. Contractor will facilitate and support the implementation of CAP.	Ongoing	Bureau of Indian Education

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ACTIVITY	TIMELINE	RESOURCES
7. BIE will verify the correction of noncompliance as soon as possible and no later than 12-months from date of written notification of noncompliance.	12-month from date of written notification of noncompliance.	Data Accountability Center Bureau of Indian Education

SEIMP IMPROVEMENT ACTIVITIES

ACTIVITY	TIMELINE	RESOURCES
1. Identify and contract with outside resources to train, support, and facilitate the SEIMP process with individual schools.	August, 2010	Bureau of Indian Education
2. Training contractors on SEIMP process.	September, 2010 (pre or post-Academy)	Data Accountability Center Bureau of Indian Education
3. Develop a 3-year cycle for schools.	September, 2010	Bureau of Indian Education

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of Schools Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
14. 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.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
4A. 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 in a school year.	Dispute Resolution: Complaints, Hearings	0	0	0
5. Percent of children with IEPs aged 6 through 21 -educational placements. 6. Percent of preschool children aged 3 through 5 – early	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0

APR Template – Part B (4)

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Indicator/Indicator Clusters	General Supervision System Components	# of Schools Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
childhood placement.	Dispute Resolution: Complaints, Hearings	0	0	0
8. 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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	NA	NA	NA
	Dispute Resolution: Complaints, Hearings	NA	NA	NA
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	39	39	38
	Dispute Resolution: Complaints, Hearings	0	0	0

APR Template – Part B (4)

_Bureau of Indian Education (BIE)

State

Indicator/Indicator Clusters	General Supervision System Components	# of Schools Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
12. 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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	NA	NA	NA
	Dispute Resolution: Complaints, Hearings	NA	NA	NA
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	21	21	20
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance: IEP related issues that may have been related to one of the above sections but were identified to the schools as IEP issues.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	151	151	139
	Dispute Resolution: Complaints, Hearings	4	4	4
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			

APR Template – Part B (4)

_Bureau of Indian Education (BIE)
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Indicator/Indicator Clusters	General Supervision System Components	# of Schools Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Sum the numbers down Column a and Column b			211	197
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	93.36%

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 16: 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, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

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

Measurement: Percent = [(1.1(b)+1.1(c) divided by 1.1] times 100

FFY	Measurable and Rigorous Target
2008 (SY 2008-2009)	100%

Actual Target Data for 2008:

In School Year 2008-2009, BIE received one signed written complaint that was filed. The complaint became pending because it was filed on June 30, 2009 which was at the end of fiscal year 2008-2009. This complaint was resolved in August 2009 within the 60 day timeline.

BIE met the target

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-2009:

BIE's numbers are too small in this area for analysis other than noting the very small number of complaints. It is hypothesized that the small community structure served by BIE schools leads to a less formal approach to possible problems.

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Improvement Activities/Timelines/Resources:

Please note: The comments and activities listed on this indicator apply to indicator #17, #18 and #19 also.

ACTIVITY	STATUS	IMPACT
1. (<u>Preventative</u>): Do follow-up on SY 2007-2008 findings to ascertain whether schools have implemented changes as needed.	Ongoing Activity	
2. Training on resolution process.	Ongoing through Special Education Academy	Additional training is required at Line Office/School level.
3. Develop and disseminate policies and guidance.	<p>The following are posted on the BIE Website under the Special Education link:</p> <ol style="list-style-type: none"> 1. Procedures for Investigation and Resolution of Complaints/Forms 2. Parent/School Procedures and Mediator's Manual/Forms 3. Due Process Hearing Procedures/Forms 4. Special Education Procedural Safeguard Brochure 	The 3 procedural safeguard manual are being reviewed and revised by CADRE.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-2010:

The target is to maintain 100 percent compliance with resolving signed, written complaints within 60 days.

ACTIVITY		RESOURCE
1. Provide current special	September 2010	DPA

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education topic and information to all ADD, ELO, School staff at BIE Special Education Academy 2010		
2. Provide WebEx training on various special education topics related to procedural safeguards, etc for SY 2009-2010.	School Year 2009-2010	DPA MPRRC
3. Update parent rights handbook for 2009-2010 and post handbook on BIE website at www.enan.bie.edu	January 2010 – May 2010	DPA
4. Encourage schools to send parents to attend the BIE Special Education Academy and participate in the WebEx training.	January 2009 – September 2010	DPA

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

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

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100

FFY	Measurable and Rigorous Target
2008	<i>100%</i>

Actual Target Data for 2008:

Three due process complaints were filed and all 3 were resolved in a resolution meeting.

$$[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100$$

$$0 + 0 \div 0 \times 100 = 0$$

BIE met the target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-2009:

BIE's numbers are too small in this area for analysis other than noting the very small number of complaints. It is hypothesized that the small community structure served by BIE schools leads to a less formal approach to possible problems.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-2010: Repeated from Indicator #16

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Please note: The comments and activities listed on this indicator apply to indicator #16, #18, and #19 also.

ACTIVITY	STATUS	IMPACT
1. (<u>Preventative</u>): Do follow-up on SY 2007-2008 findings to ascertain whether schools have implemented changes as needed.	Ongoing Activity	
2. Training on resolution process.	Ongoing through Special Education Academy	Additional training is required at Line Office/School level.
3. Develop and disseminate policies and guidance.	<p>The following are posted on the BIE Website under the Special Education link:</p> <ul style="list-style-type: none"> 5. Procedures for Investigation and Resolution of Complaints/Forms 6. Parent/School Procedures and Mediator's Manual/Forms 7. Due Process Hearing Procedures/Forms 8. Special Education Procedural Safeguard Brochure 	The 3 procedural safeguard manual are being reviewed and revised by CADRE.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-2010:

The target is to maintain 100 percent compliance with resolving signed, written complaints within 60 days.

ACTIVITY		RESOURCE
1. Provide current special education topic and information to all ADD, ELO, School staff at	September 2010	DPA

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BIE Special Education Academy 2010		
2. Provide WebEx training on various special education topics related to procedural safeguards, etc for SY 2009-2010.	School Year 2009-2010	DPA MPRRC
3. Update parent rights handbook for 2009-2010 and post handbook on BIE website at www.enan.bie.edu	January 2010 – May 2010	DPA
4. Encourage schools to send parents to attend the BIE Special Education Academy and participate in the WebEx training.	January 2009 – September 2010	DPA

Part B State Performance Plan (SPP) for 2009 -1010

Overview of the State Performance Plan Development:

(The following items are to be completed for each monitoring priority/indicator.)

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: 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))

Measurement:

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

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100%
2010 (2010-2011)	100%

Actual Target Data for 2008:

Three (3) due process hearing complaints were filed, and two(2) were resolved in resolution meeting with written settlement agreements. The third went into mediation and was resolved.

[3.1(a) divided by (3.1) times 100]

$2 \div 32 \times 100 = 100\%$

BIE met the target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008:

BIE's numbers are too small in this area for analysis other than noting the very small number of complaints. It is hypothesized that the small community structure served by BIE schools leads to a less formal approach to possible problems.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-2011: See Indicator #16.

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

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

Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100%

FFY	Measurable and Rigorous Target
<p>2007 SY 2007-2008</p>	<p>100%</p>

Actual Target Data for 2008-2009:

BIE received 1 mediation request. The mediation held was related to due process complaint and it resulted in mediation agreement.

$$[(2.1(a)(i) + 2.1(b)(i)) \text{ divided by } 2.1] \text{ times } 100\%$$

$$1 + 0 \div 1 \times 100 = 100$$

BIE Met the Target

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-2008 :

BIE's numbers are too small in this area for analysis other than noting the very small number of complaints. It is hypothesized that the small community structure served by BIE schools leads to a less formal approach to possible problems.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-2011: See Indicator #16.

Please note: The comments and activities listed on this indicator apply to indicator # 16, #17 and #18 also.

ACTIVITY	STATUS	IMPACT
<p>1. (<u>Preventative</u>): Do follow-up on SY 2007-2008 findings to ascertain whether schools have implemented changes as</p>	<p>Ongoing Activity</p>	

ACTIVITY	STATUS	IMPACT
needed.		
2. Training on resolution process.	Ongoing through Special Education Academy	Additional training is required at Line Office/School level.
3. Develop and disseminate policies and guidance.	<p>The following are posted on the BIE Website under the Special Education link:</p> <p>9. Procedures for Investigation and Resolution of Complaints/Forms</p> <p>10. Parent/School Procedures and Mediator's Manual/Forms</p> <p>11. Due Process Hearing Procedures/Forms</p> <p>12. Special Education Procedural Safeguard Brochure</p>	The 3 procedural safeguard manual are being reviewed and revised by CADRE.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-2010:

The target is to maintain 100 percent compliance with resolving signed, written complaints within 60 days.

ACTIVITY		RESOURCE
1. Provide current special education topic and information to all ADD, ELO, School staff at BIE Special Education Academy 2010	September 2010	DPA
2. Provide WebEx training on various special education topics	School Year 2009-2010	DPA

APR Template – Part B (4)

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related to procedural safeguards, etc for SY 2009-2010.		MPRRC
3. Update parent rights handbook for 2009-2010 and post handbook on BIE website at www.enan.bie.edu	January 2010 – May 2010	DPA
4. Encourage schools to send parents to attend the BIE Special Education Academy and participate in the WebEx training.	January 2009 – September 2010	DPA

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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))

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the “Indicator 20 Scoring Rubric” for reporting data for this indicator (see Attachment B).

FFY	Measurable and Rigorous Target
FFY 2008 (2008-2009)	100%

Actual Target Data for FFY 2008

97.34% Indicator score.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred

While BIE **did not meet the target** they did make significant gains in accurate and verified data.

- Data collections: The BIE has developed an electronic Compliance monitoring tool that has allowed better identification, tracking and ultimately better verification of the status of individual child related non-compliances as well as the systemic non-compliances. The tool allows the individuals at DPA to have information from the data base extracted in varied combinations so as to cross reference and verify both the existence of non

compliance but also the correction at the child level as well as at the school-wide (systemic) level.

- The data from the data base supports analysis of findings to assist in the identification of root causes. This serves as the basis of technical assistance decisions.
- Training regarding how a school should enter data into the NASIS system has continued. The NASIS support team has been trained on special education issues, not to be experts but so they have some understanding of what is required.
- The special education forms and IEP documents are now on-line within NASIS. All schools have been mandated to use this system. Not all schools have all IEPs and other documents on line yet but as more and more IEPs are completed in this system monitoring staff will be able to look at IEPs from their office. They will also be able to verify that corrections around IEPs and other support actions (i.e., meeting attendees, meeting notices, etc.) are indeed corrected.
- BIE has reviewed, reviewed and reviewed once again all monitoring data to ensure that FFY 2008 reporting is accurate.
 - On Indicator #11 all files with a 60 day time line issue were reviewed.
 - On Indicator #13 all past non compliance was again verified as corrected or identified as an outstanding concern.
- The BIE has begun working with DAC to improve data collection.
- With the assistance of DAC BIE has developed a definition of 'finding' that will be used in the future.

Revisions, with Justification, Improvement Activities / Timelines / Resources for FFY 2009

The activities listed in the previous section are a combination of past activities, on-going activities and future. Because the BIE is currently working with DAC to redesign their monitoring system and accurately tracking of each item, be it child specific or systemic they would like to provide a list of actions that will be taken over the next two years that will build and refine the collection of data required to accurately report on the APR as well as to use as guidance in identifying issues at all levels that need to be addressed. These actions will support the ability to look at the root causes for systemic issues and to take the next step which is addressing these root causes.

- DAC has met with BIE and developed a skeleton for the above mentioned activities. This includes the effective usage of data gathered via the Local School Performance Plans, the Self Assessments, the special education budgets from each school and the more formal Compliance Monitoring Tool.
- BIE will identify the monitoring cycle for each item above.
- The BIE continues to refine data collection related to special education in NASIS. They also continue to work on the training on NASIS and special education
- The development of a 'users guide' to NAIS is in progress which will give precise guidance to data entry and will define the data for each entry.
- BIE has completed a complete audit of Child Count and Environment data, working with each school to verify all needed elements are correctly entered into NASIS and assisting schools when that is not so. This will continue.
- BIE will refine the training provided to monitors before they go into the field to look at school on site.

APR Template – Part B (4)

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SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
5	1	1	2
7	N/A	N/A	0
8	1	1	2
9	N/A	N/A	0
10	N/A	N/A	0
11	1	1	2
12	N/A	N/A	0
13	N/A	N/A	0
14	* N/A	* N/A	0
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	26
APR Score Calculation	Timely Submission Points - If the FFY 2008 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		31.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/09	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/09	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/09	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/09	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/09	0	1	1	N/A	2
Table 6 - State Assessment Due Date: 2/1/10	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/09	1	1	1	N/A	3
				Subtotal	20
618 Score Calculation			Grand Total (Subtotal X 1.857) =		37.14

APR Template – Part B (4)

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Indicator #20 Calculation	
A. APR Grand Total	31.00
B. 618 Grand Total	37.14
C. APR Grand Total (A) + 618 Grand Total (B) =	68.14
Total N/A in APR	8
Total N/A in 618	0
Base	70.00
D. Subtotal (C divided by Base*) =	0.973
E. Indicator Score (Subtotal D x 100) =	97.34

Note any cell marked as N/A will decrease the denominator by 1 for APR and 1.857 for 618

* Call your State Contact if you choose to provide data for Indicators 13 or 14