

**U.S. Department of the Interior
Bureau of Indian Education
State Performance Plan
Submitted February 1, 2012
(Re-Submitted April 17, 2012)**

The Bureau of Indian Education (BIE) funds schools located on 63 reservations in 23 states across the nation. Of the 183 schools, 59 are Bureau operated and 124 are tribally controlled. One-hundred and sixteen schools provide instructional programs, 55 provide instructional as well as boarding services and 12 peripheral dormitories provide only boarding services (these students attend the local public schools). Seven schools are Off Reservation Boarding Schools (ORBS) that provide both instructional and boarding facilities to students from many different states. The BIE is not a school system organized into districts as are the majority of the states. The 184 Bureau funded schools are organized under 22 Education Line Offices. The smallest line office has two schools providing academic services and one boarding facility where the students receive their academic services in a public school. The largest line office serves 16 schools. In the BIE, schools are also meeting the reporting requirements of the LEA. This difference is greater than just terminology in that the Education Line Officers do not have the same line authority over the LEA/schools in their line office as do district superintendents in the public school system.

The definition of Adequate Yearly Progress (AYP) that all BIE funded schools will follow is that of the state in which the school is located (25 CFR 30.104). This has been an important factor in the development of the State Performance Plan (SPP) due to the fact that there are significant variances between states in expectations for many indicators such as graduation rates, achievement cut scores, attendance and others. With the need to align targets with ESEA reporting and the need to use common standards and measures wherever possible the SPP targets are often written in a format that allows adjustment for the expectations of the state in which the school is located.

This 2012 revision of the State Performance Plan (SPP) aligns reporting with what is used to report under the ESEA.

- Final copies of the revised SPP will be made available to each education line office for their staff. The line offices will distribute the document to schools.
- Schools will be asked to disseminate the SPP to parents and other community members in a manner deemed to be most appropriate for that school and community.
- Each involved tribal entity will receive a final copy of the SPP for distribution to their respective communities.
- Each member of the Advisory Board and each staff member at the central office level of the BIE will receive a copy of the final document.
- A final copy will be posted on the BIE web-site (<http://www.bie.edu/index.htm>)

Data links:

SPP & APR

<http://www.bie.edu/HowAreWeDoing/SpecialEdReports/index.htm>

Report Cards

<http://www.bie.edu/HowAreWeDoing/Scorecards/index.htm>

Index

<http://www.bie.edu/HowAreWeDoing/index.htm>

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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.

Overview of Issue/Description of System or Process:

(Revision for FFY 2010) The BIE has schools located in 23 different states. Under Title 1 of the ESEA, the BIE must follow the Adequate Yearly Progress definition of the state in which a school is located. This means that there are different expectations for graduation rate in each state. Currently, the BIE uses the adjusted cohort model for calculation, but still must adhere to the varied graduation rate expectancy as determined within each state. The BIE also has many high schools that have a small number of students and a small number of students with disabilities (SWD).

All of these factors have led the BIE in the past to not focus on a single graduation rate for each school, but rather looking at closing the graduation percentage gap between all students and SWD. This analysis, while trying to give schools located in different states some equality, becomes insignificant since the number of graduating students at each school is so small that just a minor change in the student count at a school will widely affect the percentages being reported. In addition, there have been several schools in past reporting years, such as in SY 2008-2009, that had no gap to close and thus no meaningful information could be gathered from them using the gap analysis. Some of these schools included Lower Brule Day School, Mandaree Day School, and Many Farms Day School.

With these wide percentage differences between years and in the case of several schools with no gap to close, it is difficult to determine what progress a school is making on increasing the percent of youth with IEPs graduating from high school. In an effort to make this information more clear and meaningful, the BIE is changing its target in this 2012 SPP revision to focus on increasing the graduation rate at each school. In looking at past data, the BIE has appeared to make modest gains over the last few years. Some of these gains have been due to more accurate reporting, however, and the BIE feels the percentage increases that have occurred are not sustainable. In looking at the improvement activities the BIE has resources for, the BIE feels the goals set below are achievable. In consultation with various stakeholders, there is unanimous support to switching to this reporting method and the percentage increases set.

Data from FFY 2010 :

General Education	59.07%
Students with Disabilities	55.18%

Original Baseline Data for FFY 2004 (2004-2005):

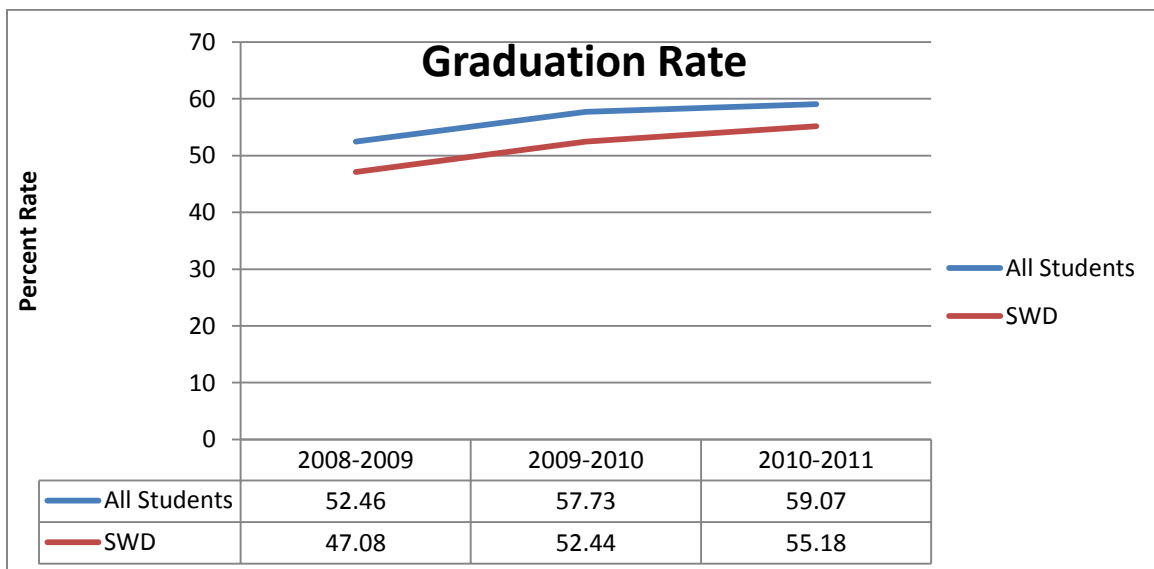
General Education	56.61%
Limited English Proficient	62.59%
Students with Disabilities	53.96%

Discussion of Baseline Data:

(Revision for FFY 2010) The BIE requires all of its schools to account for the educational progress of each of their students in grades 9–12. This requires DPA to collect a record for each student in grades 9–12. Each year, schools provide information on these students to DPA using the Annual Report system, an online web-based system that schools log into to. This system has data extracted from NASIS, the BIE’s student information system (SIS), that schools add to and verify so they can report on the number of students who dropped out, completed school via graduation and other means, transferred out of a school, and the reasons why students dropped out. The Annual Report reporting period occurs each summer and is monitored by DPA Data Unit staff.

Between the time of the first SPP and this 2012 revision, the calculations affecting graduation rates have changed. The most significant change has been the transition from using each of the different state formulas to using the adjusted cohort calculation across all BIE high schools. Graph 1 shows the impact of the cohort calculation on the BIE graduation rate.

Graph 1 SY 2010-2011 High School Graduation Rates by the All Students and the SWD Subgroups.



Numbers for SY 2010-2011 Calculation

2010-2011	9th grade cohort	Trans. In	Trans. Out	Deceased	Total	Grads	Rate [Grads /Total]
All	3364	1560	1968	0	2956	1746	59.07%
SWD	446	167	198	0	415	229	55.18%

Targets:

FFY	Original Measurable and Rigorous Targets
2005 (2005-2006)	Increased graduation rate of 1/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 1/6 th .
2006 (2006-2007)	Increased graduation rate of 2/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 2/6 th .
2007 (2007-2008)	Increased graduation rate of 3/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 3/6 th .
2008 (2008-2009)	Increased graduation rate of 4/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 4/6 th .
2009 (2009-2010)	Increased graduation rate of 5/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 5/6 th .
2010 (2010-2011)	Increased graduation rate of 6/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 6/6 th .

Revised SPP Submission 2011 Measurable and Rigorous Targets	
2009 (2009-2010)	The gap between youths with IEPs graduating from high school with a regular diploma and all youth graduating from high school with a regular diploma will decrease by .5 percent over previous year.
2010 (2010-2011)	The gap between youths with IEPs graduating from high school with a regular diploma and all youth graduating from high school with a regular diploma will decrease by .5 percent over previous year.
2011 (2011-2012)	The gap between youths with IEPs graduating from high school with a regular diploma and all youth graduating from high school with a regular diploma will decrease by .5 percent over previous year.
2012 (2012-2013)	The gap between youths with IEPs graduating from high school with a regular diploma and all youth graduating from high school with a regular diploma will decrease by .5 percent over previous year.
Revised SPP Submission 2012 Measurable and Rigorous Targets	
2010 (2010-2011)	Increase the amount of students with IEPs graduating from high school with a regular diploma by at least .5% over the 2009-2010 SY graduating SWD percentage.
2011 (2011-2012)	Increase the amount of students with IEPs graduating from high school with a regular diploma by at least .5% over the 2010-2011 SY graduating SWD percentage.
2012 (2012-2013)	Increase the amount of students with IEPs graduating from high school with a regular diploma by at least .5% over the 2010-2011 SY graduating SWD percentage.

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULT	STATUS
<p><u>Data Analysis Activities</u></p> <p>1. Provide guidance to all schools regarding each state’s graduation rate calculations and data points.</p>	<p>Completed during the regional AYP work sessions with the schools, beginning in summer of 2008.</p>	<p>Continuing on a yearly basis</p>

ACTIVITY	RESULT	STATUS
2. Disaggregate state level data by disability categories and geographic regions and identify trends in data to inform improvement activities	Completed during the regional AYP work sessions with the schools	Continuing on a yearly basis
3. Analyze data across indicators related to graduation (dropout, transition, parental involvement, suspensions and expulsions) to establish corollary relationships for focused monitoring.	Completed during the Annual Data Summit at DPA, beginning April 2007.	Continuing on a yearly basis
4. Identify schools for analysis of cause that would result in systematic problem solving for low performers and identification of potential improvement strategies in schools with high graduation rates	Partially Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
5. Organize/convene SEA level task force including Special Education, Title, Safe & Drug Free, 21 st Century, Homeless, Tribal Education Departments, BIE Advisory Board & Parents to analyze school level data, identify factors that facilitate school completion, and make recommendations on building local capacity for improving graduation rates for all students.	Not completed.	
<p><u>Monitoring Activities</u></p> <p>1. Refine/revise monitoring system to include focus monitoring activities based on graduation rates and establish performance triggers for focus monitoring.</p>	Partially Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008

ACTIVITY	RESULT	STATUS
2. Include specific performance indicators/measures for continuous monitoring of graduation and dropout rates	Partially Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
3. Require schools with low graduation rates to engage in analysis of cause and develop specific improvement/corrective action plans to address deficiencies.	Completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.
4. Survey a sample of students with disabilities about challenges they faced in school identify factors that helped them stay in school.	Not completed	
<p><u>D. Technical Assistance</u></p> <p>1. Develop a best practices manual on effective practices/strategies based on schools that have made progress in improving graduation rates</p>	Not Completed in a manual format	The Secondary Life Transitions Newsletter, published twice a year, showcases schools with successful transition programs.
<p>2. Receive technical assistance from TA & D network projects.</p> <p>Collaborate with the National Dropout Prevention Center for Students with Disabilities to identify effective strategies/interventions to support school completion.</p>	Not Completed.	
3. Provide training to schools to increase consistency in their methods of reporting graduation and drop-out rates.	Completed during the regional AYP work sessions with the schools.	Continuing

Discussion of Improvement Activities Completed for SY 2009-2010:

ACTIVITY	STATUS	IMPACT STATEMENT
1. Compliance Monitoring activities to include components of general supervision necessary to determine root cause(s) of any identified noncompliance findings.	On going	Schools develop Corrective Action Plans that demonstrate how non-compliance findings were corrected at 100% and ensure that they will continue to implement the specific regulatory requirements to maintain 100% compliance.
2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	Ongoing. Distributed fall and spring of the year.	Schools comment that they enjoy sharing their programs with other schools.
3. WebEx on transition topics presented to all schools.	Monthly throughout the school year.	Positive response and participation from the schools. Sessions are offered twice, recognizing the 4 time zones in which our schools are located.
4. Local School Performance Plan (LSPP) review process, providing feedback and technical assistance to schools.	Ongoing.	Schools develop annual LSPPs that demonstrate how they will meet the SPP indicator targets through their improvement activities that include an ongoing evaluation process.

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
1. WebEx training to all the schools is offered throughout the school year on special education topics including secondary transition services.	Throughout the school year on a monthly basis	DPA Outside consultants on occasion
2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	Distributed fall and spring of each year	DPA Schools

<p>3. Desk audit file reviews of IEPs for students 16 years and older will be conducted using the NASIS special education module; targeted technical assistance to specific schools may result from this process.</p>	<p>Throughout the school year</p>	<p>DPA</p>
<p>4. On-going technical assistance in transition requirements provided to schools in the use of the special education module in NASIS.</p> <p>Regularly scheduled trainings on updates and the use of the special education module in NASIS.</p>	<p>Ongoing as the need arises</p> <p>Annually</p>	<p>Infinite Campus</p> <p>BIE NASIS Support Personnel</p> <p>DPA</p>
<p>5. National Annual Special Education Academy for all schools on a variety of topics as determined by annual data reviews/analysis.</p>	<p>Fall of each year</p>	<p>DPA</p> <p>Outside consultant(s)</p>
<p>6. Regional work sessions with schools on AYP calculation and data analysis.</p>	<p>July – September of each year</p>	<p>DPA Data unit</p>
<p>7. Design and implement effective dropout prevention and graduation models and practices.</p>	<p>January 2011 through December 2013</p>	<p>BIE STAT team.</p> <p>Intensive technical assistance – National Dropout Prevention Center for Students with Disabilities.</p>

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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.

Overview of Issue/Description of System or Process:

The BIE has the same responsibility as do public schools to take positive actions to address the student drop-out problem. It is different in that American Indian students have a choice between attending a BIE school or a public school. Movement between BIE schools and the public school is often frequent and difficult to track. There are also six Off Reservation Boarding Schools (ORBS) run by BIE that are located throughout the nation and have students enrolled that come from home communities in other states. When these students do not return after a school vacation it is often very hard to contact the family or local schools to determine if a student has enrolled elsewhere. There is a limited ability to track across states. The NASIS system will allow the tracking of students who leave one BIE school and attend another, however, it will not provide for the tracking of students who leave a BIE school and enter a public school.

Data from FFY 2009 :

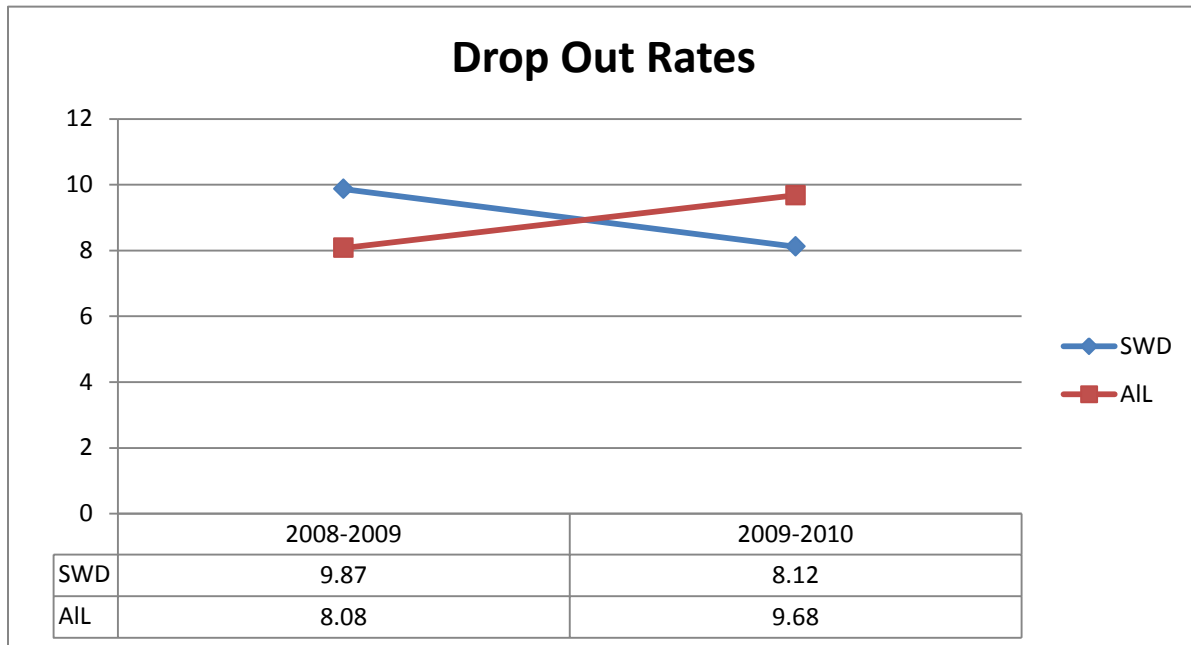
Bureau wide summary

All students	9.68%
Students with Disabilities	8.12%

Table 3: Student Numbers for Drop-out Calculations of Baseline

	2008-2009	2008-2009 numbers	2009-2010	2009-2010 numbers	Gain/Slippage
Students with Disabilities	9.87%	1,863	8.12%	1,810	Gain over the previous year. Did meet the target.
		DO = 184		147	
All Students	8.08%	12,224	9.68%	13,460	Slippage over the previous year.
		DO =988		1303	

Graph 2: Two Year Trend – All Students and Students with Disabilities:



Discussion of Baseline Data:

There has been a decrease in the drop-out rate of the SWD group. The BIE funds all students until the age of 21 and SWD until the age of 22. This allows for students to remain in school even if they have completed four calendar years but have not yet acquired a diploma. This means that after four years of attending high school and students may not have graduated, this results in a negative factor in the graduation rate calculation. However, these students are not considered a drop-out unless they leave school prior to receiving a diploma, even if it is an extended year diploma.

Targets:

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.89%
2006 (2006-2007)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.6%
2007 (2007-2008)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.6%
2008 (2008-2009)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.3%

FFY	Original Measurable and Rigorous Target
2009 (2009-2010)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.3%
2010 (2010-2011)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.0%
Revised SPP Submission Measurable and Rigorous Target	
2011 (2011-2012)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.0%
2012 (2012-2013)	The drop-out rate of students with disabilities attending BIE operated High Schools will not exceed 9.0%

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULTS	STATUS
<p><u>Data Analysis Activities</u></p> <p>1. Analyze data across indicators related to graduation (dropout, transition, parental involvement, suspensions and expulsions) to establish corollary relationships for focused monitoring.</p>	Partially Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
<p>2. Disaggregate state level data by disability categories and geographic regions and identify trends in data to inform improvement activities</p>	Completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.
<p><u>Monitoring Activities</u></p> <p>1. Include specific performance indicators/measures for continuous monitoring of graduation and dropout rates</p>	Completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.

ACTIVITY	RESULTS	STATUS
2. Establish performance triggers for focus monitoring	Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
3. Require schools with high dropout rates to engage in analysis of cause and develop specific improvement/corrective action plans to address deficiencies.	Completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.
<p><u>Technical Assistance Activities</u></p> <p>1. Organize an interagency task force including school personnel and parents to review literature, analyze school data, and identify factors that encourage students to stay in school, and make recommendations on how to build local school capacity for improving dropout rates.</p>	Not Completed	
2. Develop a best practices manual on effective practices/strategies based from schools that have made progress in improving graduation rates, including decreasing dropouts.	Not Completed in a manual format	The Secondary Life Transitions Newsletter, published twice a year, showcases schools with successful transition programs
3. Provide technical assistance to promote early student and family involvement by training parents and students on self-determination and self-advocacy skills.	Not Completed by the DPA	DPA does not provide direct training to the parents and students, schools, however, are able to do this

Discussion of Improvement Activities Completed for SY 2009-2010:

ACTIVITY	STATUS	IMPACT STATEMENT
1. Compliance Monitoring activities to include components of general supervision necessary to determine root cause(s) of any identified noncompliance findings.	On going	Schools develop Corrective Action Plans that demonstrate how non-compliance findings were corrected at 100% and ensure that they will continue to implement the specific regulatory requirements to maintain 100% compliance.
2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	On-going. Distributed fall and spring of the year.	Schools comment that they enjoy sharing their programs with other schools.
3. WebEx on transition topics presented to all schools.	Conducted monthly throughout the school year.	Positive response and participation from the schools. Sessions are offered twice, recognizing the 4 time zones in which our schools are located.
4. Local School Performance Plan (LSPP) review process, providing feedback and technical assistance to schools.	Ongoing.	Schools develop annual LSPPs that demonstrate how they will meet the SPP indicator targets through their improvement activities that include an ongoing evaluation process.

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
1. WebEx training to all the schools is offered throughout the school year on special education topics including secondary transition services.	Throughout the school year on a monthly basis	DPA Outside consultants on occasion
2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and	Distributed fall and spring of each year	DPA Schools

ACTIVITY	TIMELINE	RESOURCE
providing information on resources and best practices.		
3. Desk audit file reviews of IEPs for students 16 years and older will be conducted using the NASIS special education module; targeted technical assistance to specific schools may result from this process.	Throughout the school year	DPA
4. On-going technical assistance in transition requirements provided to schools in the use of the special education module in NASIS. Regularly scheduled trainings on updates and the use of the special education module in NASIS.	Ongoing as the need arises Annually	Infinite Campus BIE NASIS Support Personnel DPA
5. National Annual Special Education Academy for all schools on a variety of topics as determined by annual data reviews/analysis.	Fall of each year	DPA Outside consultant(s)
6. Regional work sessions with schools on AYP calculation and data analysis.	July – September of each year	DPA Data unit
7. Design and implement effective dropout prevention and graduation models and practices.	January 2011 through December 2013	BIE STAT team. Intensive technical assistance – National Dropout Prevention Center for Students with Disabilities.

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

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

- A. Percent of schools (BIE does not have districts) with a disability subgroup that meets the States' minimum 'n' size that meet the States' 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 = $\left[\frac{\text{(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total # of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.

B. Participation rate percent = $\left[\frac{\text{(# of children with IEPs participating in the assessment)}}{\text{(total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$. 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 = $\left[\frac{\text{((# of children with IEPs enrolled for a full academic year scoring at or above proficient))}}{\text{(total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$.

Overview of Issue/Description of System or Process:

The BIE has schools located in 23 states across the United States. As required per 25 CFR Part 30 (beginning with SY 2005-2006) the BIE funded schools use the standards and assessments of the state in which they are located. This means there are different assessments by state with different definitions of proficiency. While all states assess and report on Mathematics there are some states that report under the Language Arts category and many more that use Reading as the other category.

For BIE wide reporting the data is aggregated per guidance received from OSEP and as reported under the ESEA. The BIE has cross walked the state terminology to the three categories of *basic*, *proficient* or *advanced* for reporting purposes.

Baseline Data from FFY 2010 :

Table 4: Summary Actual Target Data

FFY 2010	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 2010 (2010-2011)	3% Increase Over FFY 2009 Percentage of 9% = 12%		Reading		Math		Reading		Math	
			96%	96%	.5% Increase Over FFY 2009 Percentage of 16.51% = 17.01%	.5% Increase Over FFY 2009 Percentage of 14.98% = 15.48%				
Actual Target Data for FFY 2010 (2010-2011)	#	%	#	%	#	%	#	%	#	%
	7 of 33	21.21%	3642	98.25	3644	98.17	665	18.99	603	16.58

Discussion of Baseline Data:

The BIE has some states that use Language Arts and some states that use Reading. Per OSEP guidance, BIE combines results for the two and reports each of them under the category of Reading.

Baseline data as well as yearly data must be interpreted with care due to several confounding factors:

1. While the BIE must combine data from 23 states for reporting this means that assessments with varied levels of difficulty are brought together and treated equally.
2. The ‘cut’ scores between basic, proficient and advanced vary between assessments in different states.
3. The minimum “n” required for statistical reliability varies between states and the BIE has many schools in which the “n” for the SWD subgroup does not reach the required “n”.
4. The AYP formulas and business rules are different in every state. The BIE results are a mixture (mixed fruit) rather than a single process (all apples).

3 B. Participation for Students with IEPs

Table 5: Reading Participation Rate: Target Met

Disaggregated Target Data for Math Participation:

Statewide Assessment 2010-2011		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
									#	%
a	Children with IEPs	568	573	549	574	551	537	560	3912	100
b	IEPs in regular assessment with no accommodations	297	283	233	262	219	213	155	1662	44.77
c	IEPs in regular assessment with accommodations	212	229	255	256	271	252	163	1638	44.13
d	IEPs in alternate assessment against grade-level standards	12	10	10	12	9	11	23	87	2.34
e	IEPs in alternate assessment against modified standards	15	19	17	15	23	29	7	125	3.37
f	IEPs in alternate assessment against alternate standards	24	24	27	16	19	17	5	132	3.56
g	Overall (b+c+d+e+f) Baseline	560	565	542	561	541	522	353	3644	98.17
Children included in a but not included in the other counts above										
In your narrative, account for any children with IEPs who did not participate.		#	#	#	#	#	#	#		

Disaggregated Target Data for Reading Participation:

Statewide Assessment 2010-2011		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
										#
a	Children with IEPs	568	573	550	573	549	537	357	3707	100
b	IEPs in regular assessment with no accommodations	299	284	237	271	229	222	148	1690	45.59
c	IEPs in regular assessment with accommodations	202	227	250	250	262	252	150	1593	42.97
d	IEPs in alternate assessment against grade-level standards	12	10	11	12	7	9	22	83	2.24
e	IEPs in alternate assessment against modified standards	24	20	20	13	25	27	16	145	3.91
f	IEPs in alternate assessment against alternate standards	24	24	26	16	18	16	7	131	3.53
g	Overall (b+c+d+e+f) Baseline	561	565	544	562	541	526	343	3642	98.25
Children included in <i>a</i> but not included in the other counts above										
In your narrative, account for any children with IEPs who did not participate.		#	#	#	#	#	#	#		

3 C. Proficiency for Students with IEPs

Disaggregated Target Data for Math Performance: # and % of students enrolled with IEPs that scored proficient or higher

Statewide Assessment		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	554	562	541	561	539	523	356	3636	
b	IEPs in regular assessment with no accommodations	116 (22.83%)	78 (15.32%)	57 (11.68%)	54 (10.38%)	48 (9.82%)	40 (8.58%)	24 (7.48%)	417	12.63
c	IEPs in regular assessment with accommodations									
d	IEPs in alternate assessment against grade-level standards	6 (50.00%)	7 (70.00%)	6 (60.00%)	3 (27.27%)	5 (55.56%)	7 (63.64%)	15 (65.22%)	49	56.98
e	IEPs in alternate assessment against modified standards	6 (40.00%)	13 (68.42%)	5 (29.41%)	10 (66.67%)	13 (56.52%)	9 (31.03%)	4 (50.00%)	60	47.62
f	IEPs in alternate assessment against alternate standards	9 (47.37%)	17 (70.83%)	18 (69.23%)	10 (66.67%)	9 (50.00%)	11 (63.64%)	3 (65.22%)	77	62.60
g	Overall (b+c+d+e+f) Baseline	137 (24.73%)	115 (20.46%)	86 (15.90%)	77 (13.73%)	75 (13.91%)	67 (12.81%)	46 (12.92%)	603	16.58

Disaggregated Target Data for Reading/Language Arts Performance: # and % of students enrolled with IEPs that scored proficient or higher

Statewide Assessment 2010-2011		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	513	527	512	527	510	508	404	3501	
b	IEPs in regular assessment with no accommodations	88 (19.05%)	67 (14.14%)	69 (15.00%)	73 (14.84%)	53 (11.37%)	77 (16.78%)	75 (19.95%)	502	15.74
c	IEPs in regular assessment with accommodations									
d	IEPs in alternate assessment against grade-level standards	7 (63.64%)	8 (80.00%)	6 (75.00%)	5 (45.45%)	3 (60.00%)	5 (71.43%)	9 (69.23%)	43	66.15
e	IEPs in alternate assessment against modified standards	11 (45.83%)	9 (45.00%)	6 (30.00%)	3 (25.00%)	8 (32.00%)	15 (55.56%)	5 (62.50%)	57	41.91
f	IEPs in alternate assessment against alternate standards	9 (56.25%)	15 (65.22%)	11 (45.83%)	8 (66.67%)	9 (64.29%)	7 (46.67%)	4 (57.14%)	63	56.76
g	Overall (b+c+d+e+f) Baseline	115 (22.42%)	99 (18.79%)	92 (17.97%)	89 (16.89%)	73 (14.31%)	104 (20.47%)	93 (23.02%)	665	18.99

Targets:

A. Adequate Yearly Progress Targets:

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	Of the schools with sufficient “n” for calculation one more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2006 (2006-2007)	Of the schools with sufficient “n” for calculation 2 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2007 (2007-2008)	Of the schools with sufficient “n” for calculation 4 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2008	Of the schools with sufficient “n” for calculation 6 more schools than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.

(2008-2009)	
2009 (2009-2010)	Of the schools with sufficient “n” for calculation 8 more schools than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2010 (2010-2011)	Of the schools with sufficient “n” for calculation 10 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
Revised SPP 2011 Submission Measurable and Rigorous Target	
2011 (2011-2012)	Of the schools with sufficient “n” for calculation 11 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2012 (2012-2013)	Of the schools with sufficient “n” for calculation 12 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
Revised SPP 2012 Submission Measurable and Rigorous Target	
2010 (2010-2011)	Of the schools with sufficient “n” size for calculation, increase the amount of the students with disabilities subgroup achieving AYP by 3% over the previous year’s percentage.
2011 (2011-2012)	Of the schools with sufficient “n” size for calculation, increase the amount of the students with disabilities subgroup achieving AYP by 3% over the previous year’s percentage.
2012 (2012-2013)	Of the schools with sufficient “n” size for calculation, increase the amount of the students with disabilities subgroup achieving AYP by 3% over the previous year’s percentage.

B. Participation Rate Targets:

FFY	Measurable and Rigorous Target
2005 (2005-2006)	95%
2006 (2006-2007)	95%
2007 (2007-2008)	95.5%

2008 (2008-2009)	95.5%
2009 (2009-2010)	96%
2010 (2010-2011)	96%
Revised SPP Measurable and Rigorous Target	
2011 (2011-2012)	96%
2012 (2012-2013)	96%

NOTE: The participation rate is based on Reading and Language Arts combined for Reading. On the report cards Reading, Language Arts and Math are reported separately.

C. Proficiency Targets:

Language Arts, Reading and Math: For ESEA reporting the BIE reports the total number proficient as identified by each States’ assessments and AMOs. All scores are cross-walked to *basic, proficient or advanced* and summed based on this score.

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	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 baseline year gap..
2006 (2006-2007)	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.
2007 (2007-2008)	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.
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.
2009 (2009-2010)	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.

FFY	Original Measurable and Rigorous Target
2010 (2010-2011)	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.
	Revised 2011 SPP Measurable and Rigorous Target
2011 (2011-1012)	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 10% of the preceding year gap.
2012 (2012-1013)	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 10% of the preceding year gap.
	Revised 2012 SPP Submission Measurable and Rigorous Target
2010 (2010-2011)	Increase the amount of students with disabilities achieving at the proficient or higher level by .5% based upon the previous year’s percentage.
2011 (2011-2012)	Increase the amount of students with disabilities achieving at the proficient or higher level by .5% based upon the previous year’s percentage.
2012 (2012-2013)	Increase the amount of students with disabilities achieving at the proficient or higher level by .5% based upon the previous year’s percentage.

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULTS	STATUS
<p><u>Data Analysis Activities</u></p> <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>	completed	Assessment activities continue. Data is reported to the BIE Special Education Advisory Board, posted on the BIE website and via NASIS.
<p>2. Analyze data across indicators related to academic achievement to establish</p>	completed	Compliance monitoring conducted during school years

ACTIVITY	RESULTS	STATUS
corollary relationships for focused monitoring.		2006-2007, 2007-2008
3. Rank order schools according to data analysis of system and establish targets for focus monitoring.	Partially completed	The Annual Data Summit at DPA, beginning April 2007, analyzes data for all schools
<p><u>Monitoring Activities</u></p> <p>1. Establish priorities for focus monitoring based on review and analysis of achievement data.</p>	Partially completed	The Annual Data Summit at DPA, beginning April 2007, analyzes data for all schools
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.	completed	<p>Compliance monitoring conducted during school years 2006-2007, 2007-2008</p> <p>Schools were required to complete corrective action plans to address their non-compliances</p>
1. Conduct technical assistance trainings on use of modifications/ accommodations.	Partially completed	
2. Provide training to teams from all schools on the provision of early intervening services and response to intervention as an identification process for special education.	Partially Completed	
3. Develop a best practices manual to be disseminated to all schools outlining effective strategies for increasing student achievement.	Not completed	
<p><u>Policy and Administration Activities</u></p> <p>1. Secure MOU's with all 23 states in which BIE schools are located related to the use of the state assessment system.</p>	Not completed	MOU's secured with 11 states

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for SY 2009-2010:

ACTIVITY	STATUS	IMPACT STATEMENT
1. Technical assistance provided to all schools during the final rollout on the special education module in NASIS (Native American Student Information System).	Completed Summer 2009	Continued technical assistance on an “as needed” basis will promote the continued use of the NASIS special education module.
2. Third Annual National Special Education Academy to include sessions relevant to Assessment Accommodations, Proficiency and effects on students with disabilities.	Completed September 2009	Training provided a better understanding of Assessment Accommodations and Proficiency to general education staff.
3. Promote coordination between BIE Reading First, BIE Reads and Math Counts Programs, and school Special Education Coordinators.	On-going See Activity 3 below. Activity was reworded due to name changes of BIE Programs.	Coordination between programs will promote the importance of assessment accommodations for students with disabilities.
4. Disseminate information on the appropriate use of assessment accommodations, using conference sessions, joint presentations with accommodations/assistive technology groups.	Completed Summer 2010	Information shared through interactive presentations provided a better understanding of Assessment Accommodations for general education staff.
5. State accountability assessment data results will be reviewed and verified with each school by the BIE Data Unit.	Completed during AYP work sessions conducted summer and fall of each year.	Schools gained a better understanding of their data relative to their state’s AYP criteria.

Justification 2009-2010:

Schools were invited to attend a final rollout training of the NASIS special education module in their region. 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.

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
<p>Professional development activities relevant to Accommodations and Modifications required to increase the achievement level of SWD.</p> <p>The activities will be offered through the following venues:</p> <ul style="list-style-type: none"> • Annual National Special Education Academy • Summer Institute • Webex trainings 	<ul style="list-style-type: none"> • Fall of each year • Summer of each year • Throughout school year on a monthly basis 	<p>BIE</p> <p>Outside consultants</p>
<p>Promote coordination between BIE programs to maximize resources necessary for increased student achievement by meeting regularly.</p>	<p>A minimum of 2 times per year</p>	<p>BIE DPA program managers and staff</p>
<p>Regional work sessions with schools on AYP calculation and data analysis.</p>	<p>Summer and fall of each year</p>	<p>DPA data unit</p>
<p>Local School Performance Plan (LSPP) review process, providing feedback and technical assistance to schools.</p>	<p>On-going</p>	<p>DPA</p>

Part B State Performance Plan (SPP) for 2005-2012

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 rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, and (b) policies, procedures or practices that contribute to the significant discrepancy 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. Because the Bureau of Indian Education is a system wide Native American school system, Indicator 4B does not apply.
(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.

Overview of Issue/Description of System or Process:

The data is collected for this indicator via the student information system (Native American Student

Information System, NASIS). Via this application schools can track all behavior incidents and related consequences. There are validation reports a school can run to make sure all pertinent information is entered. In turn the Division of Performance and Accountability (DPA) for the BIE can retrieve that information by student, by school or by aggregated data across the entire BIE.

The data is pulled at the national level in the August after the close of the data year (June 30). The data unit works with schools to correct and data entry problems seen and a final retrieval is completed in October. A significant discrepancy is having a rate of suspensions/expulsions greater than 10 days that is two times the average for the Bureau of Indian Education. For this determination a rate is calculated for schools that have no high school grades and a separate rate is calculated for schools that do have secondary grades.

Schools reporting less than 2 incidents of suspension/expulsion are not identified as a school exceeding the rate of suspensions/expulsions greater than 10 days that is two times the average for the Bureau of Indian Education. Due to the small 'n' this can be a false identifier in many of the BIE funded schools. With their low numbers of SWD, an individual incident of suspension and/or expulsion can have a significant effect on a suspension/expulsion rate and could be a false indicator.

Baseline Data from FFY 2008 :

High School (Secondary Schools) Suspension-Expulsion > 10 Days 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 categorical average (**6.31 % X 2 = 12.62%**).

Table 6: Secondary Suspensions and Expulsions > 10 Days

Secondary Schools Having Significant Discrepancy in Suspension/Expulsion Rates > 10 Days				
School	Grade Level	SWD Count	Suspension/ Expulsion>10 Days	Rate S/E > 10 days
Many Farms	9-12	71	11	15.49%
Greyhills Academy	9-12	78	14	17.95%
Cibecue Community	K-12	44	10	22.73%
Crow Creek Reservation	6-12	18	4	22.22%
Lower Brule Day	K-12	45	8	17.78%
Nay-Ah-Shing	K-12	37	6	16.22%
Riverside Indian	4-12	104	22	21.15%
Chief Leschi	K-12	151	24	15.89%
Yakama Nation	9-12	12	8	66.67%
Choctaw Central HS	9-12	87	13	14.94%
Shoshone-Bannock	6-12	29	2	6.90%

The above schools are 11 of 60 schools in the secondary group. **Yakama Nation and Crow Creek Reservation** 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 suspension/expulsion rate.

All of the above listed schools are of great concern and will receive priority technical assistance. Seven of the eleven identified schools have rates of suspension/expulsion in the two to three times the category average range (12.62%-18.93%).

Table 9: Elementary Suspensions and Expulsions > 10 Days

Elementary Schools Having Significant Discrepancy in Suspension/Expulsion Rates > 10 Days				
School	Grade Level	SWD Count	Suspension / Expulsion >10 Days	Rate S/E > 10 days
Santa Rosa Boarding	K-8	18	3	16.67%
Theodore Roosevelt	6-8	13	4	30.77%
Wingate Elementary	K-8	83	3	3.61%
Lummi Tribal	K-6	70	6	8.57%
Choctaw Central Middle	7-8	30	2	6.67%
Tate Topa Tribal	K-8	82	3	3.66%
Ojibwa Indian	K-8	39	3	7.69%
Turtle Mountain Middle	6-8	58	9	15.52%
Cottonwood Day	K-8	23	1	4.35%
Shonto Preparatory	K-8	31	1	3.23%
Crystal Boarding	K-6	4	1	25.00%
John F. Kennedy Day	K-8	31	1	3.23%
T'siya Day	K-7	13	1	7.69%
Wounded Knee District	K-8	15	1	6.67%
Coeur d'Alene Tribal	K-8	20	1	5.00%
Beatrice Rafferty Elementary	K-8	18	1	5.56%
Bogue Chitto Elementary	K-8	31	1	3.23%

The above schools are 8 of 113 schools in the elementary group. **Santa Rosa Boarding and Theodore Roosevelt** schools 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 suspension/expulsion rate.

Discussion of Baseline Data:

Different from state education systems each BIE school also is recognized as the functional LEA. For the BIE that means we have many 'LEAs' that do not have a secondary school. The division of schools by grades served, as described above, was felt to be necessary, otherwise those schools/LEAs that had no secondary grades had a built in advantage over schools/LEAs that had secondary grades.

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	No more than 2 of the BIA agencies will report suspensions and expulsion rates greater than two times the OIEP average.

FFY	Original Measurable and Rigorous Target
2006 (2006-2007)	No more than 2 of the BIA agencies will report suspensions and expulsion rates greater than two times the OIEP average.
2007 (2007-2008)	No more than 1 of the BIA agencies will report suspensions and expulsion rates greater than two times the OIEP average.
2008 (2008-2009)	No more than 1 of the BIA agencies will report suspensions and expulsion rates greater than two times the OIEP average.
2009 (2009-2010)	No agency will report suspensions and expulsion rates greater than two times the OIEP average.
FFY	Prior Revised 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.
2009 (2009-2010)	No more than 3 of the BIE high schools or 6 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 2 of the BIE high schools or 5 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools.
Revised SPP Measurable and Rigorous Target	
2011 (2011-2012)	No more than 2 of the BIE high schools or 5 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools for FFY 2011
2012 (2012-2013)	No more than 2 of the BIE high schools or 5 BIE elementary schools will report suspensions and expulsion rates greater than two times the BIE average for that group of schools for FFY 2012.

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULTS	STATUS
<p><u>Data Related Activities</u></p> <p>1. Program the Annual Report data collection tool in order to adequately collect suspension and expulsion data for all students.</p>	<p>completed</p>	
<p>2. Implement a system-wide student information system that will allow better tracking of suspensions and expulsions.</p>	<p>Partially completed with the new Native American Student Information System (NASIS)</p>	
<p><u>Data Analysis Activities</u></p> <p>1. Analyze data for patterns and determine locations of significant discrepancies.</p>	<p>Completed</p>	<p>Compliance monitoring conducted during school years 2006-2007, 2007-2008</p> <p>Schools were required to complete corrective action plans to address their non-compliances</p>
<p>2. Ensure that on-site monitoring activities include review of suspension/expulsion data and require corrective action plans in schools with significant discrepancies.</p>	<p>Completed</p>	<p>Schools were required to complete corrective action plans to address their non-compliances</p>
<p><u>Technical Assistance Activities</u></p> <p>1. Identify and train school level data entry personnel to have consistency in reporting information.</p>	<p>Completed during the NASIS training sessions</p>	
<p>2. Review policies, procedures and practices of schools that have discrepancies and provide training and technical assistance to those schools.</p>	<p>Not completed</p>	

Discussion of Improvement Activities Completed for SY 2009-2010:

ACTIVITY	STATUS	IMPACT STATEMENT
The Third Annual National Special Education Academy.	Completed September 2009	Special Education Academy included breakout sessions for all schools on the topic of Alternative to Suspension.
BIE-DPA conducts systemic data analysis of schools' discipline data to determine rates of discipline removals for high schools, middle schools and elementary schools.	Completed and on going	Discipline data analysis, memorandums/letters sent to Schools with SWD having multiple discipline referrals to review, revise and/or implement PBIS.
BIE-DPA conducts systemic data analysis of Local School Performance Plans and Special Education Self-Evaluations of School Wide Positive Behavior Support Programs in place in the schools.	Completed	BIE-DPA coordinated school wide PBIS training opportunities utilizing BIE Title IV Safe Schools Grant for identified schools of need.
BIE-DPA provides professional development NASIS data entry training classes to school personnel.	Completed and on going	BIE-DPA provided targeted technical assistance via WebEx presentations on suspensions and expulsions. This included data entry terms for NASIS input validity.
BIE-DPA encourages school wide incentive programs designed to improve behavior/attendance.	continuing	Utilizing the LSPP process, Many schools have implemented improvement strategies for attendance and behavior programs that recognize students for positive school behaviors.
BIE-DPA encourages Schools to clarify/examine/develop school wide conflict resolution/mediation programs.	continuing	Utilizing the LSPP process, Many schools have implemented improvement strategies for school wide conflict resolution/mediation programs in their school.
BIE-DPA encourages Schools to clarify/examine/develop school wide positive behavior programs.	continuing	Utilizing BIE-DPA systemic analysis and the LSPP process, many schools have either developed or they have begun to implement School Wide Positive Behavior Support Programs. Schools have taken advantage of BIE Title IV Safe Schools Initiative for training in the BEST PBIS presented by the Institute on Violence and Destructive Behavior, University of Oregon.

<p>BIE-DPA encourages Schools to clarify/examine/develop opportunities for professional development training in Positive Behavior Intervention Supports.</p>	<p>continuing</p>	<p>At the BIE Summer Institute, a number of schools participated in the Institute on Violence and Destructive Behavior, University of Oregon, BEST Trainers Course. Additional PBIS can be initiated in BIE Schools utilizing systemic personnel as Trainers after the Safe Schools Initiative has finished.</p>
<p><i>BIE Self-Assessment Tool: Long-Term Suspension / Expulsion Rates</i></p>	<p>continuing</p>	<p>The tool is intended to assist schools in identifying potential areas in need of improvement related to significant discrepancy of suspension and expulsion rates for students with disabilities, and to assist schools in revising policies, practices and procedures as necessary to assure IDEA compliance.</p>

Improvement Activities/Timelines/Resources for SY 2010-2013:

Activity	Timeline	Resources
<p>1. Provide training related to the discipline of SWD via WebEx presentation, and school on-site training opportunities,(NASIS reporting, regulatory requirements, Least Restrictive Environment, Functional Behavior Assessment, Behavior Intervention Plan, Behavior goals, Positive Behavior Intervention Strategies).</p>	<p>SY 2010-2013</p>	<p>NASIS DPA Special Education Unit WebEx trainings BIE Summer Institute Special Education Academy Consultants</p>
<p>2. Utilizing systemic data analysis of Local School Performance Plans and School Self-assessment Tool: <i>Long-Term Suspension / Expulsion Rates</i>, provide feedback to the schools about their improvement activities as they relate to Indicator 4.</p>	<p>SY 2010-2013</p>	<p>DPA Special Education Unit</p>

Activity	Timeline	Resources
3. Provide training to schools on the impact of parent participation in their child’s IEP decision making process.	SY 2010-2013	DPA Special Education Unit WebEx trainings BIE Summer Institute Special Education Academy
4. Provide training on the use of a new NASIS form titled: <u>BIE Student File Review: Students with Disability having Suspension or Expulsion Greater than 10 Days in a School Year</u>	SY 2010-2013	DPA WebEx trainings BIE Summer Institute Special Education Academy
5. Provide training to schools and line offices on the RTI process for all students.	SY 2010-2013	BIE Summer Institute Special Education Academy NCA Conference DPA Special Education

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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:

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))

Overview of Issue/Description of System or Process:

(Revision for FFY 2010) The data for this indicator is collected via the BIE’s student information system or NASIS. Using this application, schools can track all environment data based on IEP entry. Schools are trained to produce validation reports to ensure all students identified as receiving special education services has a valid entry to location and length of services received. In turn, DPA can retrieve that information by student, by school, or by aggregated data across the entire BIE.

Discussion of Baseline Data:

(Revision for FFY 2010) The BIE is organized differently than states as it relates to services for children with disabilities. School age for the BIE includes any student who is five years or older by December 31 of a given school year. Students with disabilities have access to school enrollment until the school year during which they turn 22 years of age. The baseline data above reflects 6 to 21 year olds as OSEP requests. Below are the same numbers for all BIE defined ‘school age’ SWD.

Placement	+80% (A)	79-40%	<40% (B)	Separate (C)
2010	74.08%	18.45%	6.34%	1.12%

Discussion of Target Revisions:

(Revision for FFY 2010) The only revision for FFY 2010 in this indicator has to do with the targets set for part C. The BIE conducted an extensive review of its data this past year and believes the original target

was set too low. When compared to the national mean average of all states, which is 3.8% (SPP/APR 2011 Indicator Analyses Book), the BIE’s target seems very low. While a definitive reason for why the target was set at this level is not known, the BIE feels a new target should be set for FFY 2010 and beyond.

The target set below factors in several variables. First, due to the nature of the BIE system and how remote some schools are, the BIE will always have some percentage of students who require external placements. Funding and staffing issues prohibit the BIE from providing extensive services on-site at remote locations. Second, there is a high staff turnover rate at many remote schools, which helps to influence parents on wanting their students at external placements so they can receive more consistent services. Lastly, the BIE is limited in its authority over tribal and grant schools, thus many schools can select to obtain external service despite BIE guidance. Having said this, the BIE is committed to helping families receive as many services as possible on-site and works to continue to improve in this area. The BIE, as well as its stakeholders, feel though that the BIE should have more flexibility in meeting this indicator.

Targets:

A.

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.
2006 (2006-2007)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.
2007 (2007-2008)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.
2008 (2008-2009)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.
2009 (2009-2010)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.
2010 (2010-2011)	Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.

	Revised SPP Measurable and Rigorous Target
2011 (2011-2012)	Maintain the same percent of students receiving appropriate special education services in general education inside the regular class 80% or more of the day.
2012 (2012-2013)	Maintain the same percent of students receiving appropriate special education services in general education inside the regular class 80% or more of the day.

B. Removed from regular class greater than 60% of the day

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
2006 (2006-2007)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
2007 (2007-2008)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
2008 (2008-2009)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
2009 (2009-2010)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
2010 (2010-2011)	Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.
	Revised SPP Measurable and Rigorous Target
2011 (2011-2012)	Maintain the same % of students receiving appropriate special education services as prior year outside the general education >60 % of the time.
2012 (2012-2013)	Maintain the same % of students receiving appropriate special education services as prior year outside the general education >60 % of the time.

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

FFY	Measurable and Rigorous Target
2005 (2005-2006)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
2006 (2006-2007)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
2007 (2007-2008)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
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.
2009 (2009-2010)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
2010 (2010-2011)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
	Revised 2011 SPP Submission Measurable and Rigorous Target
2011 (2011-2012)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
2012 (2012-2013)	No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
	Revised 2012 SPP Submission Measurable and Rigorous Target
2010 (2010-2011)	No more than 1.5% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.
2011 (2011-2012)	No more than 1.5% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.

	Revised 2012 SPP Submission Measurable and Rigorous Target
2012 (2012-2013)	No more than 1.5% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULTS	STATUS
1. Analyze all schools' placement data by disability categories and rank order schools to determine those schools that are above the BIE average for focus monitoring.	Completed during first annual Data Summit April 2007 Schools received Level of Determination beginning SY 2007-2008	continuing
2. Based on analysis of placement data, focus monitor targeted schools and require development of specific improvement plans	Completed	continuing
3. Provide a series of technical assistance and professional development sessions to a variety of audiences on the following topics: accountability, identification and placement, access to the LRE, effective classroom instruction and reform efforts.	Completed; first annual Special Education Academy February 2008	
4. Create access to research-based practices and resource materials through various technologies (i.e., DVD's, web casts, websites, etc.), state conferences and print materials.	Partially completed	

Discussion of Improvement Activities Completed in FFY 2009:

Activities	Status	Impact Statement
<p>1. 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>Completed and on-going</p>	<p>The level of SWD in the general education classroom >80% has increased by 2.42%, and the level of SWD in the general education classroom <40% has decreased by 1.21%.</p>
<p>2. WebEx trainings on Least Restrictive Environment related topics. (Procedural Safeguards, National Instructional Materials Accessibility Standards, and Assistive Technology).</p>	<p>Completed and on-going</p>	<p>Schools have responded with positive comment on the value of the trainings in providing correct regulatory practice and procedure in the educational placement for SWD.</p>
<p>3. Blind/Visually Impaired Resources Guide disbursed to the schools via BIE website in the Resources Section.</p>	<p>Completed</p>	<p>The Guide provides resources to IEP Teams for accommodations and supplementary aids to consider in providing the SWD access to academic instruction in the least restrictive environment.</p>
<p>4. Assistive Technology Resources Guide disbursed to the schools via BIE website in the Resources Section.</p>	<p>Completed</p>	<p>The Guide provides resources to IEP Teams for accommodations and supplementary aids to consider in providing the SWD access to academic instruction in the least restrictive environment.</p>
<p>5. Bookshare – NIMAS Systemic memorandum to the Schools for Schools and individual student access to the Bookshare Program.</p>	<p>Completed</p>	<p>Bookshare provides to the BIE Schools a repository of electronic, accessible books for students who are blind or have other print disabilities. The Program also provides web-based trainings and on-site workshop professional development opportunities.</p>
<p>6. AIM Navigator - NIMAS Systemic memorandum to the Schools regarding the utilization of the AIM Navigator.</p>	<p>Completed</p>	<p>The tool facilitates the IEP Teams process of decision-making about accessible instructional materials for an individual student. It guides IEP Teams through a step-by-step process and provides support resources, and links to other helpful tools.</p>

Improvement Activities/Timelines/Resources for SY 2010-2013:

Activity	Timeline	Resources
1. Provide training activities related to the Least Restrictive Environment via WebEx presentation, and school on-site training opportunities, (NASIS reporting, Procedural Safeguards, assistive technology, National Instructional Materials Standard, co-teaching strategies).	SY 2010-2013	NASIS specialists DPA Special Education Unit BIE Summer Institute Special Education Academy Consultants
2. Utilizing systemic data analysis of Local School Performance Plans, provide feedback to the schools about their improvement activities as they related to Indicator 5.	SY 2010-2013	DPA Special Education Unit
3. Provide training to schools on the impact of parent participation in their child’s IEP decision making process.	SY 2010-2013	DPA Special Education Unit WebEx training Special Education Academy Consultants

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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.

Overview of Issue/Description of System or Process:

The BIE has adopted the National Center for Special Education Accountability Monitoring (NCSEAM) survey to address this indicator. The information gathering will follow the following steps:

- Copies will be distributed to all Bureau funded schools
- Schools will be asked to use the survey with all parents of SWD
- Schools will be asked to invite parents to participate as they come into the school, with one-on-one support as needed; and
- Parents who do not come to the school are to be contacted via a home visit or telephone contact where possible
- The data collection period will coincide with the school year
- Assistance in collating and analyzing is being contracted.

The BIE contracts for the distribution of the surveys to the schools as well as the scoring and resultant analysis. The analysis report includes the number of surveys returned by school, the distribution by grade and by disability, and the pattern of responses for every question asked.

2011 Revision:

The BIE continues to use the NCSEAM survey to address parent satisfaction. During the time of use of this tool BIE has determined that the language “agree” vs “strongly agree” does not allow for a valid differentiation between the two categories for the Native American communities served by BIE. The 2009 APR addresses this issue in depth. For this reason data using only the ‘Strongly Agree’ category but data that aggregates both the “Strongly Agree” and the “Agree” category will be considered as the statement by parents that they believe schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Table 8: FFY2009 Percent of Parents Who Report the School Facilitated Their Involvement
(Strongly Agree’ or “Very Strongly Agree’ categories)

	FFY 2009 Data	FFY 2009 Target
Total number of Parent Respondents	3,990	
Number who reported school facilitated their involvement	1,507	
Percentage who reported school facilitated their involvement	37.77%	33.98%

(33.64% + .34% = 33.98%)

Table 9: FFY2009 Percent of Parents Who Report the School Facilitated Their Involvement (“Agree”, “Strongly Agree” or “Very Strongly Agree’ categories)

	FFY 2009 Data	FFY 2009 Target
Total number of Parent Respondents	3,990	
Number who reported school facilitated their involvement	3,570	
Percentage who reported school facilitated their involvement	89.47%	88.61%

(87.73% + .88% = 88.61%)

Targets:

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	TBD
2006 (2006-2007)	TBD
2007 (2007-2008)	37.5%
2008 (2008-2009)	41.3%
2009 (2009-2010)	Increase percent of parents indicating satisfaction at or above the standard by 1%.
2010 (2010-2011)	Increase above preceding year percent of parents indicating satisfaction at or above the standard by 1%.

	Additional Measurable and Rigorous Target
2011 (2011-2012)	Increase above preceding year percent of parents indicating satisfaction at or above the standard by 1%. (Using the aggregate of “Agree” and “Strongly Agree”)
2012 (2012-2013)	Increase above preceding year percent of parents indicating satisfaction at or above the standard by 1%. (Using the aggregate of “Agree” and “Strongly Agree”)

Improvement Activities/Results/Status: FFY 2005 – 2008

ACTIVITY	RESULTS	STATUS
<u>Data Related Activities</u> 1. Work with NCSEAM to develop modified version of parent survey appropriate for BIE funded schools. Obtain OMB clearance for use of survey. Contract with provider to print, disseminate, and analyze data received from schools.	Completed	continuing
2. a) Identify those schools having a low response rate and give guidance in ways to generate a higher rate of return. b) Have school personnel analyze what may affect the completion of survey rate.	Partially completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.
3. Identify schools having a high rate of survey completion. Share practices with other schools. Update information yearly.	Not completed	
<u>Data Analysis Activities</u> 1. Review results of parent survey and determine appropriate activities to be provided to schools, agencies and parents.	Partially completed	
2. Do item analysis of responses over two years to determine patterns across the system or in specific states or ELO offices.	Not completed	

3. Report information above back to schools. Give guidance to schools in types of activities which could enhance parental satisfaction based on areas of concerns identified by the survey. (Yearly updated analysis and reporting.)	Not completed	
4. Identify “Best Practices” for parental involvement and disseminate that information to all schools.	Partially completed	

Discussion of Improvement Activities Completed for SY 2009-2010:

Activities	Status	Impact Statement
2009 Special Education Academy	Completed September 2009	Provided schools, Education Line Offices, Associate Deputy Directors, the most current information on critical issues in special education.
FFY2009 Parent Survey conducted during Spring 2010, improved delivery model: 1. Letters sent to Schools 2. Announcing the Survey- March 2010 3. Surveys Distributed- March 2010 4. Surveys Returned- May 2010 5. Individualized Report Issued to each school- August 2010 6. Systemic Report Issued- August 2010	Completed	Parents voicing comments on SWD educational program in the current school year. This provided for more valid data collection.
Utilization of BIE National Special Education Advisory Board Priority Area recommendations on parent involvement	Completed 1. Revision of parent survey discussion 2. Parent training 3. On-going 4. Recommend need of a Parent Information Center for BIE Parent training other parent-adopt model	Increased schools communities’ awareness in importance of parent involvement in their child’s academic success.

Improvement Activities/Timelines/Resources for SY 2010-2013:

Activity	Timeline	Resources
Utilizing systemic data analysis of Local School Performance Plans, provide feedback to the schools about their improvement activities as they related to Indicator 8.	SY 2010-2013	DPA
Provide training to schools on the impact of parent participation in their child’s IEP decision making process.	SY 2010-2013	WebEx trainings, BIE Summer Institute Special Education Academy, Consultants

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

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.

Overview of Issue/Description of System or Process:

This is an area in which BIE has had problems both with accurate data collection and meeting the required targets. A great deal of effort has been done in both these areas.

The data reported is from the monitoring system. All schools received an on-site visit to be able to:

- Verify that previous out-of-compliance practices are corrected;
- Identify new incidences of non-compliance; and
- Identify numbers of referrals and record those in which the timelines were not met and the reasons they were not met.

The results of the on-site visits are recorded in and then later reported from an Access based data collection tool developed by BIE. This process allows the BIE to look at individual students' timelines as well as identify when a school reflects a pattern of non-compliance. If non-compliance is identified the school is tracked and receives on-going monitoring until it is determined that the individual issues as well as the pattern of practice has been corrected. The NASIS system also allows tracking of this information and all state level special education has received training on use of NASIS to monitor schools. These additional abilities has allowed the BIE to accurately count and report on students receiving the evaluations in a timely manner.

Baseline Data from FFY ____2008____ :

Data reported for FFY 2008 on the previous APR was incorrect data. The reported numbers included all files reviewed rather than only initial referral evaluations. There were 382 files reviewed, however of those 382, six files showed valid reasons for that non-completion within 60 days. Five students were not made available for assessment per parents' choice and one child transferred out of the school prior to the 60 days.

	FFY2008
a. Number of children for whom parental consent to evaluate was received	376
b. Number of children whose evaluations were completed within 60 days	372
Percent of children with parental consent to evaluate, who were evaluated within 60 days	99.20

Of the four children whose evaluations exceeded 60 days three were due to no evaluator and one was due to the teacher being in an accident and there was no follow-up at the school during their absence.

The numbers reported above represent a review of data previously reported for FFY 2008. Due to an improvement in data collection it was determined that the numbers reported in the FFY 2008 APR were based on all assessments, initial or reevaluation. BIE has worked diligently with records and schools to correct this error.

Discussion of Baseline Data:

During SY 2009-2010, the data collection tool was revised to be more inclusive. The collection tool is an Access data based program; the tool contains one item subtest that captures data for this Indicator. DPA conducted training on the revised monitoring data collection tool with the compliance monitoring reviewers to ensure the data being collected would be congruent. The revised data collection tool also includes students that were referred and evaluated for special education services and determined not to be eligible.

The tool not only reports numbers but we also have the data by student, using the NASIS ID numbr to track each student. This supports using NASIS as a follow-up tool. Future planning includes using NASIS for desk audits to limit on-site visits.

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 61 compliance items 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?

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

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
<p><u>Data Analysis Activities</u></p> <p>1. Data will be collected/analyzed from monitoring system initially, with data capacity added to BIE NASIS System</p>	Completed	continuing
2. Collect baseline student data on initial evaluations completed within the 60-day timeline.	Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
3. Annually update initial evaluation data	Completed	Compliance monitoring conducted during school years 2006-2007, 2007-2008
4. Incorporate into the student information system (NASIS)	Completed	continuing
5. Development of parent information packet clarifying evaluations, school and parent’s responsibilities.	Completed Procedural Safeguards	continuing
6. Train school staff on indicator and activities.	Completed	Schools are now required to submit Local School Performance Plans (LSPP) beginning with school year 2008-2009; the LSPP addresses each indicator’s targets and how the school will meet the targets.

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
Disseminate information to Education Line Offices and Schools on implementing a backup plan if a lapse for contract services for an evaluator/school psychologist should occur.	February 2011	BIE/DPA Staff ELO Staff
Provide training to schools and line offices on Indicator 11 through: <ul style="list-style-type: none"> • Special Education Webinar Training • Special Education Academy • Summer Institute 	Ongoing activity Throughout the year	BIE/DPA Staff Consultants
Conduct desk audit activities on schools that were found to be out of compliance the previous year.	Ongoing activity Throughout the year	BIE/DPA Staff NASIS

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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 service 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.

Overview of Issue/Description of System or Process:

The BIE has 60 schools that have high school programs. There are occasionally students who turn 16 before completing 8th grade and when this occurs these numbers will also be reported. The IEPs are now available for review in then NASIS and state level staff is able to look from their desks at each student’s IEP. This will make the monitoring of this activity.

Baseline Data from FFY ____2009____ :

While BIE has used FFY 2008 for baseline data for other indicators this data was not reported in the FFY 2008 APR and therefore BIE will use FFY 2009 data.

Files Reviewed	# 100% Compliance	% Compliance
585	346	59.14%

Discussion of Baseline Data:

The BIE is reporting a 59% compliance rate with this indicator based on student IEPs. During SY 2009-2010, the BIE conducted compliance monitoring through site visits to all 174 schools, including the 60 schools with high school programs. A percentage of files were reviewed based on the population of SWD. The monitoring tool had 64 items, including the 8 Indicator 13 requirements. A total of 585 files were reviewed for those students aged 16 and above. Of those 585, 346 were found to be in 100% compliance for a compliance percentage of 59%. The BIE did not meet the target of 100% compliance.

The 585 files reviewed were from 62 schools, 38 schools comprise the 346 files that were compliant in all areas of the Indicator 13 requirements while 24 schools (239 files) were found to be non-compliant in at least one area. When looked at by school 61.29% schools were 100% compliant with this indicator.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
1. Regional trainings on transition requirements under IDEIA.	Completed fall of 2006;	Continuing through the annual special education academy beginning February 2008; thereafter September 2008, and 2009;

<p>2. Schools will review 100% of student IEPs to document that transition is addressed in IEPs for students and the Agency staff will check fulfillment through 2nd Tier Monitoring.</p>	<p>Completed during the annual 2nd Tier file review process</p>	<p>Renamed the compliance monitoring process, a percentage of files were reviewed at all high schools beginning spring of 2008</p>
<p>3. Discussion of MOU will be initiated between the BIE and states housing Bureau funded schools to allow student transition plans to follow the state requirements that the school is located in, including boarding schools.</p>	<p>Not completed</p>	<p>The Off Reservation Boarding Schools (ORBS) currently follow the IDEA regulations when completing the transition section of the IEP.</p>
<p>4. School level transition specialists will receive training in plan development, i.e., goals writing, activities, etc.</p>	<p>Completed</p>	<p>Continuing through the annual special education academy beginning February 2008; thereafter September 2008, and 2009; the academy includes breakout sessions on secondary transition requirements; in addition, the DPA conducts monthly WebEx trainings, beginning SY 2009 on a variety of topics, including secondary transition.</p>
<p>5. Train school staff on indicator and activities.</p>	<p>Completed</p>	<p>Continuing through the annual special education academy beginning February 2008; thereafter September 2008, and 2009; the academy includes breakout sessions on secondary transition requirements; in addition, the DPA conducts monthly Webex trainings, beginning SY 2009-2010 on a variety of topics, including secondary transition.</p> <p>Beginning SY 2009-2010, schools also submit their Local School Performance Plans (LSPP) addressing how they will meet targets on all indicators applicable to them.</p>

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
1. WebEx training to all the schools is offered throughout the school year on special education topics including secondary transition services	Throughout the school year on a monthly basis	DPA Outside contractors on occasion
2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.	Distributed fall and spring of each year	DPA Schools
3. Desk audit file reviews of IEPs for those students 16 years old and older will be conducted using the NASIS special education module; targeted technical assistance to specific schools may result from this process.	Throughout the school year	DPA
4. On-going technical assistance in transition requirements provided to schools in the use of the special education module in NASIS. 5. Regularly scheduled trainings on updates and the use of the special education module in NASIS.	Ongoing as the need arises Annually	Infinite Campus BIE NASIS Support Personnel DPA
6. National Annual Special Education Academy for all schools on a variety of topics as determined by annual data reviews/analysis.	September of each year	DPA Outside contractor(s)

<p>7. Regional work sessions with schools on AYP calculation and data analysis.</p>	<p>July – September of each year</p>	<p>DPA Data unit</p>
<p>8. Design and implement effective dropout prevention and graduation models and practices.</p>	<p>January 2011 through December 2013</p>	<p>BIE STAT team. Intensive technical assistance – National Dropout Prevention Center for Students with Disabilities.</p>

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- a. Enrolled in higher education within one year of leaving high school.
- b. Enrolled in higher education or competitively employed within one year of leaving high school.
- c. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

Overview of Issue/Description of System or Process:

In July 2010, the 60 high schools in the BIE were instructed to begin data collection on the 2008-2009 leavers using a survey monkey tool. The schools were informed of how to access additional guidance from the National Post School Outcomes Center, the *Frequently Asked Questions* document. The deadline to submit the data was September 30, 2010. 55 high schools submitted complete data while 5 schools did not. The schools reported a total of 314 respondents who consisted of 196 males and 118 females.

Baseline Data for FFY2009 (2009-2010):

Display 14-1: Number and Percent of Exiters Engaged in Employment and/or Education

Category	Number	Percent
Interviewed Exiters	314	100.0%
Measurement A: Percent of youth enrolled in higher education within one year of leaving high school;	79	25.2%
Measurement B: Measurement A plus percent of youth competitively employed within one year of leaving high school	147	46.8%
Measurement C: Measurement B plus percent of youth enrolled in any other type of post-secondary education/training or employed in any other type of employment	228	72.6%

Display 14-2: Number and Percent of Exiters in each of Three Categories

Category	Number	Percent
1. Enrolled in higher education as defined in measure A	79	25.2%
2. Engaged in Competitive employment as defined in measure B (but not in 1.)	68	21.7%
3. Enrolled in other postsecondary education or training as defined in measure C (but not in 1. or 2.) or engaged in some other employment as defined in measure C (but not in 1. or 2.)	81	25.8%
Not in any of the above three categories	86	27.4%
Total	314	100.0%

Discussion of Baseline Data:

There were 86 Exiters of the 314 that indicated that they had not participated in any post-secondary education or employment activities. However, this is somewhat misleading given that some of these students returned to high school in 2009-10. For the 2011 data collection, the BIE plans to add this category for internal information and to emphasize the fact that many of our students take more than 4 years to complete high school.

Results were analyzed by gender to determine if any systematic differences existed between males and females. As Displays 14-3 and 14-4 show, females were more likely than males to be enrolled in higher education. Males were more likely than females to be enrolled in some “other” type of post-secondary education and some “other” type employment. As such the percent meeting the overall indicator (Measurement C) is very similar for males and females; however, the way in which they meet the overall indicator varies.

This data will be shared with the high schools to encourage a discussion of why these differences exist and what strategies can be carried out to increase males' enrollment in higher education.

Category	Number	Percent
Interviewed Exiters	314	100.0%
Measurement A: Percent of youth enrolled in higher education within one year of leaving high school;	79	25.2%
Measurement B: Measurement A plus percent of youth competitively employed within one year of leaving high school	147	46.8%
Measurement C: Measurement B plus percent of youth enrolled in any other type of post-secondary education/training or employed in any other type of employment	228	72.6%

Targets:

FFY	Original Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	
2007 (2007-2008)	73% 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.
2008 (2008-2009)	78% 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.
2009 (2009-2010)	83% 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.
2010 (2010-2011)	14A: By 2011, 25.2% of youth with IEPs and are no longer in secondary school will be enrolled in higher education within one year of leaving high school. 14B: By 2011, 46.8% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or competitively employed within one year of leaving

FFY	Original Measurable and Rigorous Target
	high school. 14C: By 2011, 72.6% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.
	<p align="center">Revised Measurable and Rigorous Target</p>
<p align="center">2011 (2011-2012)</p>	14A: By 2012, 25.5% of youth with IEPs and are no longer in secondary school will be enrolled in higher education within one year of leaving high school. 14B: By 2012, 47.1% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or competitively employed within one year of leaving high school. 14C: By 2012, 72.9% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.
<p align="center">2012 (2012-2013)</p>	14A: By 2013, 26.0% of youth with IEPs and are no longer in secondary school will be enrolled in higher education within one year of leaving high school. 14B: By 2013, 47.5% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or competitively employed within one year of leaving high school. 14C: By 2013, 73.5% of youth with IEPs and are no longer in secondary school will be enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
1. Develop a uniform data collection system to establish baseline data on 2006 students.	Partially completed	
2. School/Transition Specialist will educate students on need for data collection about their status following leaving secondary school.	Not measured	The training provided to the schools on secondary transition requirements includes this expectation

<p>3. Train school staff on indicator and activities.</p>	<p>Completed</p>	<p>Continuing through the annual special education academy beginning February 2008; thereafter September 2008, and 2009; the academy includes breakout sessions on secondary transition requirements; in addition, the DPA conducts monthly Webex trainings, beginning SY 2009 on a variety of topics, including secondary transition.</p> <p>Beginning SY 2009-2010, schools also submit their Local School Performance Plans (LSPP) addressing how they will meet targets on all indicators applicable to them.</p>
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Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
<p>1. WebEx training to all the schools is offered throughout the school year on special education topics including secondary transition services.</p>	<p>Throughout the school year on a monthly basis</p>	<p>DPA Outside contractors on occasion</p>
<p>2. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs and providing information on resources and best practices.</p>	<p>Distributed fall and spring of each year</p>	<p>DPA Schools</p>
<p>3. Desk audit file reviews of IEPs for those students 16 years old and older will be conducted using the NASIS special education module; targeted technical assistance to specific schools may result from this process.</p>	<p>Throughout the school year</p>	<p>DPA</p>

<p>4. On-going technical assistance in transition requirements provided to schools in the use of the special education module in NASIS. Regularly scheduled trainings on updates and the use of the special education module in NASIS.</p>	<p>Ongoing as the need arises</p> <p>Annually</p>	<p>Infinite Campus</p> <p>BIE NASIS Support Personnel</p> <p>DPA</p>
<p>5. National Annual Special Education Academy for all schools on a variety of topics as determined by annual data reviews/analysis.</p>	<p>Fall of each year</p>	<p>DPA</p> <p>Outside contractor(s)</p>
<p>6. Regional work sessions with schools on AYP calculation and data analysis.</p>	<p>July – September of each year</p>	<p>DPA Data unit</p>
<p>7. Design and implement effective dropout prevention and graduation models and practices.</p>	<p>January 2011 through December 2013</p>	<p>BIE STAT team.</p> <p>Intensive technical assistance – National Dropout Prevention Center for Students with Disabilities.</p>

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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))

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).

Overview of Issue/Description of System or Process:

All 173 BIE-funded schools (BIE-Operated and Tribally Controlled Schools) in 23 states with an academic program receive an 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 2004, (3) identify any noncompliance issues, and (4) 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 written notification. The written notification of finding includes the four criteria—written, citations, description, and qualitative/quantitative.

The reviewer collects, enters, and verifies data as they review the required documentation in student special education files. A school aggregate report, entrance/exit forms, and student review sheets identified by a NASIS number is provided the school that is useful in identifying, analyzing, and correcting the noncompliance items identified through the data collection tool.

As required by the OSEP Memo 09-02, the BIE verifies correction of each school’s noncompliance findings identified (addressed through the corrective action plan) through the two prongs of correction:

- Prong 1—the school corrects each individual case of noncompliance findings; each subpart has to be corrected at 100 percent.
- Prong 2—the BIE/DPA ensures that schools are correctly implementing the regulatory requirements (the practice) based on the BIEs review of updated data.

The BIE’s examination of updated data through NASIS desk audits determines whether a school had corrected previously identified noncompliance and was correctly implementing the specific regulatory requirements. Examples of updated data include:

- Review of subsequent student files (through desktop review of electronic IEPs) to verify correction and provides a high degree of confidence and flexibility that those student files would be corrected:
 - 3 current student files (IEPs, enrollment, settings, etc.) are reviewed for schools that have less than 50 students with disabilities.
 - 5 current student files (IEPs, enrollment, settings, etc.) are reviewed for schools that have more than 50 students with disabilities.

(Revision for FFY 2010) Prior to FFY 2010, the BIE counted a finding as being a systemic issue at a school, more than a one-time occurrence of noncompliance of a specific requirement of IDEA or accompanying regulations. Beginning FFY 2010, the BIE counts each individual instance of noncompliance as a separate finding. For example, if there are three students at a school whose initial evaluations were completed past the 60 day timeline, the school has three findings of noncompliance particular to 34 CFR §300.301(c)(1). In the past, it would be counted as one finding of noncompliance.

Data from FFY 2009 :

Findings of Non-Compliance	# of corrections completed as soon as possible but in no case later than one year from identification	% Corrected within Required Time
231	134	58.01%

Discussion of 2009 Data:

For the FFY 2009 verification of correction, from the table above, the remaining 109 that were not verified corrected within one year of identification, 67 were subsequently verified corrected beyond the one-year timeline.

During the 2008-2009 compliance monitoring, the written notification date of non-compliance identified varied because each reviewer left the written notification at the time of the review (beginning March 2009 through July 2009). This resulted in staggered start dates for correction of non-compliance. The verification of correction during 2009-2010 often occurred beyond that one year notification date. Therefore, 67 non compliances were corrected but reported as corrections beyond the one year time line.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
<p><u>Data Analysis Activities</u></p> <p>1. Conduct validity and reliability studies of monitoring data collected to ensure more consistent results during the monitoring process</p>	Partially completed	
<p>2. Develop and implement an automated tracking system for all monitoring data, including timelines, corrections and sanctions.</p>	<p>Partially completed</p> <p>Compliance monitoring conducted during school years 2006-2007, 2007-2008, 2008-2009, 2009-2010</p> <p>Schools were required to complete corrective action plans to address their non-compliances</p>	<p>Compliance monitoring conducted during school years 2006-2007, 2007-2008, 2008-2009, 2009-2010</p> <p>Schools were required to complete corrective action plans to address their non-compliances</p>
<p>3. Develop criteria based on data analysis to determine if schools are in need of assistance, need</p>	<p>Completed during first annual Data Summit April 2007</p>	<p>continuing</p>

ACTIVITY	RESULTS	STATUS
intervention, or need substantial intervention consistent with Section 616 of IDEA.	Schools received Level of Determination beginning SY 2007-2008	
<p>4. Annually, review all monitoring data to determine:</p> <ul style="list-style-type: none"> • status of corrections • system-wide issues • examples of effective corrections • any needed changes to the system 	Completed	<p>Compliance monitoring conducted during school years 2006-2007, 2007-2008</p> <p>Schools were required to complete corrective action plans to address their non-compliances</p>
<p><u>Monitoring Activities</u></p> <p>1. The BIE will revise its current monitoring system to include the provision of specific levels of assistance consistent with Section 616 of IDEA</p>	<p>Completed</p> <p>Schools received Level of Determination beginning SY 2007-2008</p>	continuing
<p>2. Develop policies and procedures on enforcement actions and application of sanctions for non-compliances of schools not corrected within the 1 year time line.</p>	Partially completed	continuing
<p>3. Identify what needs to be evident in schools for closeouts to be determined effective.</p>	Partially completed	
<p><u>Technical Assistance</u></p> <p>1. Train monitoring staff on how to determine effective closeouts in one year.</p>	Completed	
<p>2. Require technical assistance to all schools that are not close to compliance by the 8th month of the corrective action plan.</p>	Partially completed	

Improvement Activities/Timelines/Resources for SY 2010-2013:

Activity	Timeline	Resources
<p>3. Implement sanction/enforcement actions for schools that continue to show noncompliance to correct.</p> <p>a. BIE-Operated Schools—Education Line Officers, Associate Deputy Directors, BIE Director</p> <p>b. Tribally Controlled Schools—Tribal Education Departments, Education Line Officers, Associate Deputy Directors, BIE Director</p>	SY 2010-2013	<p>BIE/DPA</p> <p>BIE School Operations</p> <p>Education Line Officers</p> <p>Associate Deputy Directors</p> <p>BIE Director</p> <p>Solicitors</p>
<p>4. Training for schools and education line offices on sustaining correct practices of specific regulatory requirements.</p>	SY 2010-2013	<p>BIE/DPA</p> <p>Schools</p> <p>Education Line Offices</p>
<p>5. Refine data base program to track noncompliance findings.</p>	SY 2010-2013	BIE/DPA
<p>6. Desk Audit file reviews of IEPs will be conducted using the NASIS special education module to ensure schools are correctly implementing the specific regulatory requirements based on updated data.</p>	SY 2010-2013	BIE/DPA

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma.</p> <p>2. Percent of youth with IEPs dropping out of high school.</p> <p>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 training program, or both, within one year of leaving high school.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>			
<p>3. Participation and performance of children with disabilities on statewide assessments.</p> <p>7. Percent of preschool children with IEPs who demonstrated improved outcomes.</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>			
<p>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.</p> <p>4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity,</p>	<p>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other</p> <p>Dispute Resolution: Complaints, Hearings</p>	<p>NA</p>		

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy 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.				
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings			
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			
	Dispute Resolution: Complaints, Hearings			
9. 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			
10. Percent of districts with disproportionate representation	Dispute Resolution: Complaints, Hearings			

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.				
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	67	67	61
	Dispute Resolution: Complaints, Hearings			
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			
	Dispute Resolution: Complaints, Hearings			
13. Percent of youth aged 16 and above with 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 service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	34	34	25
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance:	Monitoring Activities: Self-	129	129	47

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	01	01	01
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
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			231	143
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	58.01%

Note: The 180 individual items of noncompliance reported were from 67 schools (67 findings of noncompliance). 146 individual items of noncompliance were verified corrected within one year of notification from 61 schools (61 findings of noncompliance corrected). 8 findings of noncompliance. 34 individual items of noncompliance were verified corrected beyond one-year of notification from 6 schools (6 findings of noncompliance). All findings of non-compliance (180 individual items/10 findings), have been verified as corrected (timely and subsequent).

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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

Overview of Issue/Description of System or Process:

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. Schools receive training at the Annual National meeting as well as via WebEx training on how to handle these complaints when received.

Baseline Data from FFY 2009 :

During school year 2009-2010, the BIE received 2 signed written complaints. One complaint was withdrawn by the parent. The other complaint resulted in the investigation being completed within the 60-day timeline, however, the final report was issued past the time line. There was an error in reporting this data in the state report for November 1, 2010. The information reported was that the complaint was resolved within extended timelines, however, the actual investigation with a draft report was completed within the timeline but the final written report was issued four days past the 60-day timeline. BIE/DPA has recently assigned an Education Specialist to oversee all Dispute Resolution requests.

Discussion of Baseline Data:

Baseline data indicates that BIE is in compliance with this indicator.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
<p><u>Data Activities</u></p> <p>1. BIE will implement a tracking system to monitor actions, progress, findings and closure.</p>	completed	Continually updating as needed
<p><u>Technical Assistance Activities</u></p> <p>1. DPA will provide training for all agency/school level staff on all aspects of procedural safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes.</p>	Completed September 2009 at Special Education Academy	continuing
<p>2. DPA will arrange for training for all complaint investigators with an emphasis on timelines</p>	completed	On going
<p>3. BIE will staff the dispute resolution position at DPA with person with “expert” knowledge (i.e., special ed. law background, paralegal, etc.)</p>	Completed March 2010	

Improvement Activities/Timelines/Resources for SY 2010-2013:

ACTIVITY	TIMELINE	RESOURCE
1. (Preventative): Do follow-up on SY 2009-2010 findings to ascertain whether schools have implemented changes as needed.	Ongoing Activity	BIE/DPA STAFF
2. Training on resolution process.	Ongoing activity through WebEx training	BIE/DPA STAFF
3. Revise and disseminate policies and guidance.	<p>The following are posted on the BIE Website under 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 	BIE/DPA STAFF

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2010-2011 :)

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

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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

Overview of Issue/Description of System or Process:

The BIE has a limited number of due process hearing requests received. The adjudication process is contracted out. Due to the constraints of the federal contract system it can be difficult to meet the timely response requirements. For FFY 2008 there were no due process hearings that went to adjudication.

Schools receive training at the Annual National meeting as well as via Webex training on how to handle these complaints when received.

Note that the baseline data indicates that all three requests for a due process hearing went to resolution where all three were resolved. The process of resolution or some other mediation process is not uncommon in the communities served by BIE.

Baseline Data from FFY 2009 :

Zero due process complaints were filed during the FFY of 2009-2010.

BIE met the target.

Discussion of Baseline Data:

The BIE does not find resolution an un common action. They continue to have few actions in this area. The expectation of 100% resolution is based on prior data. The numbers are so small that the BIE may typically not be required to report.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
<p><u>Data Activities</u></p> <p>1. BIE will implement a tracking system to monitor actions, progress, findings and closure.</p>	completed	Continually updating as needed
<p><u>Technical Assistance Activities</u></p> <p>1. DPA will provide training for all agency/school level staff on all aspects of procedural safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes.</p>	Completed September 2009 at Special Education Academy	continuing
<p>2. DPA will arrange for training for all complaint investigators with an emphasis on timelines</p>	completed	On going

3. BIE will staff the dispute resolution position at DPA with person with “expert” knowledge (i.e., special ed. law background, paralegal, etc.)	Completed	Continuing to recruit additional staff with expert knowledge
4. BIE will structure the process so that the hearing officer is responsible for timelines once hearing officer has been designated	Not completed	
5. Develop and disseminate guidance/standards/formats for documenting and justifying extensions of hearing timelines	Not completed	

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

ACTIVITY	TIMELINE	RESOURCE
1: (Preventative): Do follow-up on SY 2009-2010 findings to ascertain whether schools have implemented changes as needed.	Ongoing Activity	BIE/DPA STAFF
2. Training on resolution process.	Ongoing activity through WebEx training	BIE/DPA STAFF
3. Revise and disseminate policies and guidance.	The following are posted on the BIE Website under Special Education link: 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	BIE/DPA STAFF

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources
for (2010-2011 :)**

The target is to maintain 100 percent compliance with resolving issues surrounding around due process hearing requests.

Part B State Performance Plan (SPP) for 2005-2012

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 request that went to resolution sessions that were resolved through resolution session settlement agreements.
 (20 U.S.C. 1416 (a)(3)(B))

Measurement: Percent = (a) divided by 3.1] times 100.

Overview of Issue/Description of System or Process:

The BIE has a limited number of due process hearing requests received. The adjudication process is contracted out. Due to the constraints of the federal contract system it can be difficult to meet the timely response requirements. For FFY 2008 there were no due process hearings that went to adjudication.

Schools receive training at the Annual National meeting as well as via WebEx training on how to handle these complaints when received.

Note that the baseline data indicates that all three requests for a due process hearing went to resolution where all three were resolved. The process of resolution or some other mediation process is not uncommon in the communities served by BIE.

Baseline Data from FFY 2009 :

BIE’s numbers are too small in this area for analysis other than noting the very small number of complaints.

Discussion of Baseline Data:

It is hypothesized that the small community structure served by BIE schools leads to a less formal approach to possible problems.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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%

Overview of Issue/Description of System or Process:

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.

Schools receive yearly guidance and training on what to do when they receive a hearing request. They forward the information to the special education supervisor for the BIE. Resolution sessions are offered to the originator of the complaint and BIE will arrange for a trained individual to lead this process.

Baseline Data from FFY 2009 :

BIE received 1 mediation request. . The mediation is still pending.

Discussion of Baseline Data:

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

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100%
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Improvement Activities/Timelines/Resources (through 2013):

ACTIVITY	TIMELINE	RESOURCE
1: (Preventative): Do follow-up on SY 2009-2010 findings to ascertain whether schools have implemented changes as needed.	Ongoing Activity	BIE/DPA STAFF
2. Training on resolution process.	Ongoing activity	BIE/DPA STAFF
3. Develop and disseminate policies and guidance.	The following are posted on the BIE Website under Special Education link: 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	

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan 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
2005 (2005-2006)	100% compliance
2006 (2006-2007)	100% compliance
2007 (2007-2008)	100% compliance
2008 (2008-2009)	100% compliance
2009 (2009-2010)	100% compliance
2010 (2010-2011)	100% compliance
2011 (2011-2012)	100% compliance

FFY	Measurable and Rigorous Target
2012 (2012-2013)	100% compliance

Overview of Issue/Description of System or Process:

The BIE has a student information system (Native American Student Information System – NASIS) which is being used to gather 618 data (except Personnel) and data for the Indicators on the State Performance Plan. For many of the items audit reports have been developed which allow BIE to identify items such as missing data, overlap students, data outside the expected range and others.

Training is provided at the yearly Interchange, held in the fall of each year, for system administrators at the school level, registrars who have responsibility to enter much of the data, special education teachers and others as decided by the school. There is also a BIE employed person that works with each of the three regions. These individuals respond to questions from the schools, go to individual schools to ensure data is being entered into the system properly. There is a dedicated Help Desk for BIE maintained at the vendor’s location that both answers questions but also proactively call schools to prompt them in submitting required when it is noted that there is a lack of entry into the system. The NASIS system also contains an on-line special education component which allows viewing such items as IEPs and documents at DPA. Each child on the Child Count is on a roster generated from NASIS and all count and placement data is verified as accurate.

Actual Target Data for FFY 2009:

100% Indicator score

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

- 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 but 3 schools have their IEPs and other documents on line which enables the DPA staff to conduct desk audits. 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.

Continued technical assistance provided by the Data Accountability Center will help the BIE/DPA identify, analyze, and improve processes and systems.

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. The BIE is currently working with DAC to redesign their monitoring system and accurately track non compliances. 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 is currently completing the Special Education Integrated Monitoring manual (draft attached).
- 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 NASIS is in progress which will give precise guidance to data entry and will define the data for each entry.

Improvement Activities/Results/Status: FFY 2005 – 2009

ACTIVITY	RESULTS	STATUS
The initiation of a single web-based system-wide student information system.	NASIS was implemented Bureau-wide with virtually all schools adopting it in SY 2006-2007.	Some schools continue to balk at entering much of their students’ information into NASIS due to privacy concerns. BIE is working to overcome these obstacles.
The IEP as well as all related special education data will be available for review within the system. Everything from student schedules and attendance to assessment results will also be available.	Pilot school process for special education module fall 2008 All schools expected to begin using module SY 2009-2010	Implemented. DPA-Special Education Unit is currently developing a Desktop Auditing system that utilizes NASIS IEPs to address issues with program implementation in a timelier manner. Additionally, Special Education Staff consistently evaluate the NASIS IEPs to identify problems in data collection and the potential for future upgrades.

Improvement Activities/Timelines/Resources (FFY 2010 through 2013):

ACTIVITY	TIMELINE	RESOURCE
Utilizing the same sets of data for reporting to OSEP and to EdFacts. The BIE has been cleared to go “EdFacts-Only” on Tables 1, 2, 3,	SY 2010-2012	DPA Data unit

ACTIVITY	TIMELINE	RESOURCE
and 6. However, Tables 4 & 5 will require further development to ensure congruency is met with SY2010-11 reporting.		
The BIE will implement a newer, easier reporting system for behavior events based on the NCES' "Safety in Numbers" schema.	SY 2010-2012	DPA Data unit, special education unit NASIS staff
Continued training to schools on entering their data into NASIS accurately and timely	SY 2010-2012	DPA Data unit, special education unit, NASIS staff WebEx sessions
Increase collaboration between the Data Unit and the Special Education Unit to streamline Special Education data collection and reporting.	SY 2010-2012	DPA Data unit, special education unit DAC and the Mountain Plains Regional Resource Center