

Part B State Annual Performance Report (APR) for 2006-2007 (Insert FFY)

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

Beginning with the 2007-2008 the Bureau of Indian Education plans to change the measurement for graduation. The comparison will be a year to year direct comparison between the graduation rates reported in the BIE for non-disabled peers and the rates reported for students with disabilities. The goal will be to maintain a reported rate equal or better than that reported for non-disabled peers.

a = graduation rate for non-disabled peers; b = graduation rate for students with disabilities;

If the distance between (a) and (b) shows at least a 1 % decrease from the 2005-2006 gap, 4.29 points difference, then the goal is met.

$$(((2nd\ year\ (a-b)) = 1\% < (1^{st}\ year(a-b))))$$

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-2007.

Based on the recommendation to revise the calculation used to look at Indicator #1- “Percent of youth graduating from High School”, the BIE will change their goals for graduation rates to better reflect the goal of overall graduation rates for students with disabilities maintaining or exceeding the same trend lines in graduation rates as those for non-disabled peers. To compare graduation rates across states with slightly different calculations is not as meaningful as looking at how students with disabilities are performing as compared to their non-disabled peers. Baseline data will be the BIE overall graduation rates for the two groups. The expectation should be that all graduation rates increase; for this reporting the BIE will look at comparability of trend data.

ADDED

The BIE gets graduation data through two different collections. The table reflects the data as gathered via the Annual Report from the schools for the general student group and through the 618 data for special education. The 618 data as reported here was taken from the Native American Student Information System (NASIS) to populate the 618 Table 4. In the future this data will come from NASIS for both student groups.

2006-2007

Tool	Group	Number Seniors	Number Graduated	Percent
Annual Report	All	2,187	1,534	70.14%
NASIS	SWD	227	170	74.88%

2005-2006

Tool	Group	Number Seniors	Number Graduated	Percent
Annual Report	All	2,187	1,587	72.57%
NASIS	SWD	310	277	89.35%

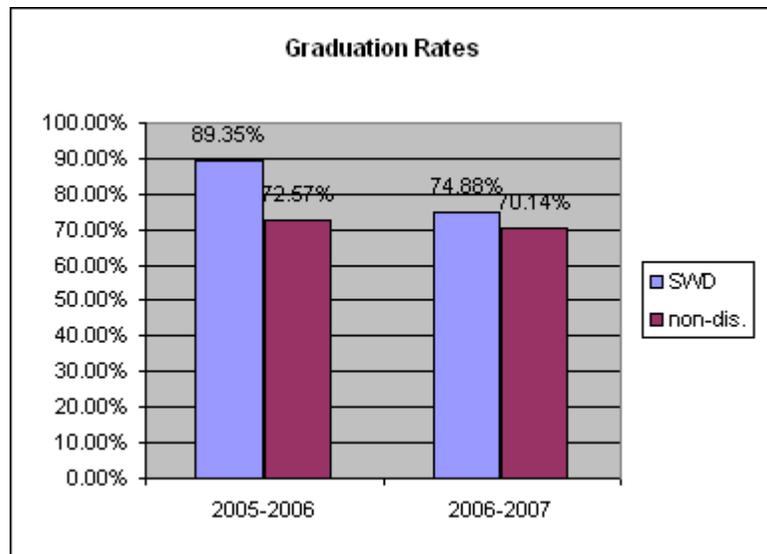
Baseline Data for 2006-2007: BIE will use 2006-2007 data as the baseline data. The use of 618 data as compared to the BIE Annual Report from the schools uses different sources and calculations from those previously and therefore are not comparable to the previous year’s reporting as had been done.

The data reported in this format shows that the graduation rates for SWD is higher than that of their non-disabled peers. However it should be noted that the gap has decreased since last year. Both the SWD and their non-disabled peers

Figure 1: Graduation Trend Data:

Graduation Rates - 05-06/06-07

	2005-2006	2006-2007
SWD	89.35%	74.88%
non-dis.	72.57%	70.14%



The data reported above is currently collected via the BIE on-line Annual Report system for the non-disabled group and from 618 data for the SWD group.

2007 (2007-2008)	The graduation rate for SWD will not be less than that of non-disabled peers.
2008 (2008-2009)	Maintain
2009 (2009-2010)	Maintain

2010 (2010-2011)	Maintain
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Discussion: *The goal as previously stated:* “Increased graduation rate of 2/6th 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 2/6th.”

The goal as reported: The gap between graduation rates for non-disabled students as compared to students with disabilities, as an overall average across all states.

As reported, the numbers used are the overall average of graduation rates, combining the rates as reported by each high school. The data is collected in this way in the reporting tool currently being used by the BIE for annual reporting from the schools. It can not be reported from the Native American Student Information System until the system has been in use for four years. Even though the BIE as a whole will report by the overall across states, each school will see the BIE average within the state in which they are located.

In the alternative Adequate Yearly Progress (AYP) process that is available to tribes and school boards under 12 CFR Part 30, BIE has been working with a consortium of schools that have requested an alternative AYP graduation rate more consistent with research on graduation rates for Native American students. The request is to allow credit for all students who graduate within a four, five or six year period. The research supports the trend from several perspectives.

- Native American students have the lowest overall graduation rates (BIE schools or public schools)
- The indigenous concept of the transition from youth to adulthood is a standard’s based concept rather than a point in time. Based on a readiness for the recognition, a youth was “tested” to prove adulthood. Graduation is a parallel activity currently based on time rather than readiness.
- The BIE funds students until 21 (non-disabled or 22, disabled). This funding formula recognizes the importance of allowing students to attend school until ready for graduation rather than only until they have completed a four year time span.

Ultimately this may have an important impact on graduation rates for all students as well as those with disabilities. In a joint meeting with the BIE, the Department of Education (Title 1) and the Oceti Sakowin Education Consortium, December 2007, the concept was presented to the Department of Education for review. Initial responses are positive however a written response has not been received.

See discussion under Indicator #2 (Drop-out Rates) regarding the discrepancy between graduation and Drop-out rates.

Activities:

The survey that was to be used was not processed through OMB in a timely manner. During the 2007-2008 it is expected that the data will be gathered via alternative methods.

The numbers in many BIE high school graduation classes is frequently very small. This means that averages may vary a great deal year to year. Until a third year of data is available it can not be determined whether the gap trend reported above is reflective of school level trends.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for *(Insert FFY):*

There is over all slippage in both graduation rates for non-disabled peers and for SWD. It is believed that the move to four year graduation calculations has impacts this rate calculation. The gap is positive for SWD.

Activity for 2006-2007	Time	Status
2. Ensure that the Transition Plan addresses unique challenges for meeting graduation requirements.	Annually - SY 2005-2006 Continuous to SY 2010-2011	On-going
3. Develop and disseminate a survey for high school students regarding what keeps them in school.	Spring 2007	Survey not completed due to OMB requirements for survey distribution.
5. When students come from another state evaluate past academic knowledge to determine if it aligns with state standards.	Fall 2006 – Spring 2011 Continuous	Guidance provided via transition newsletter and trainings.
6. Establish collaboration between feeder schools and high schools, (OIEP Schools).	Fall 2006-2007	Individual school effort. Data not collected
Added Activities	Time	Responsible Party/Comments
1. BIE will prepare a Newsletter to be distributed to all schools having a 12 th grade.	Minimum of twice yearly Fall 2007 ->	(started 2006-2007 On-going
2. Research will be initiated to look at the number of past graduates remained in school longer than the traditional four year period.	Completed by Fall 2008	BIE – DPA staff.
3. Through use of the Native American Student Information System (NASIS) graduation data will be available in the system.	4 year data available by Spring of 2010.	School staff – data entry DPA staff – data retrieval

Part B State Annual Performance Report (APR) for 2006-2007 (Insert FFY)

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

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

Measurement

Data Source

All Bureau funded schools are required to report drop-out rates on their Annual Report, due August of each year. Students with disability data is gathered via Table 4 (618 data).

Measurement:

Measurement for youth with IEPs will be the same measurement as for all youth. Calculation is as follows:

Definition: A student in grades 9-12 who (a) was enrolled in the school at sometime during the current school year and is not present at the end of the school year; but, (b) has not graduated or completed a program of studies by the maximum age established by the State; (c) has not transferred to another Bureau funded, public, non-public or State approved educational program; and (d) has not left school because of death, illness, or school-approved absence, or (e) if enrolled the preceding school year was not enrolled at the beginning of the succeeding school year and fits the criteria defined in (b, c, and d); (based on the NCES definition). This will be reported for grades 9-12. • Count the total number of students enrolled anytime during the school year, grades 9-12. Subtract the number of students who are remaining in school at the end of the school year, including the graduating seniors. • From the remainder subtract the number of students who left and you know enrolled at another educational facility (c above) or met criteria (d or e above). • The remainder is the number of drop-outs. This must be calculated for all students, grades 9-12th including Special Education Students and LEP students. Special Education and LEP students grades 9-12th are each to be disaggregated and are reported separately.

Calculation

- (a) Includes any student in grades 9-12 who was enrolled at some time between end of year 1 and end of year 2. (Total)
- (b) A student who was enrolled (a) and who is not present at the end of that school year but has graduated, completed a program of studies by the maximum age established by the State; has transferred to another Bureau funded, public, non-public or State approved educational program; or, has left school because of death, illness, or school-approved absence.
- (c) Number of students present at the end of year 2.

Formula for number of drop-outs: (a-b)-c = number of dropouts
 Formula for drop-out rate: number of drop-outs / (a - b)

2006 (2006-2007)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.6%
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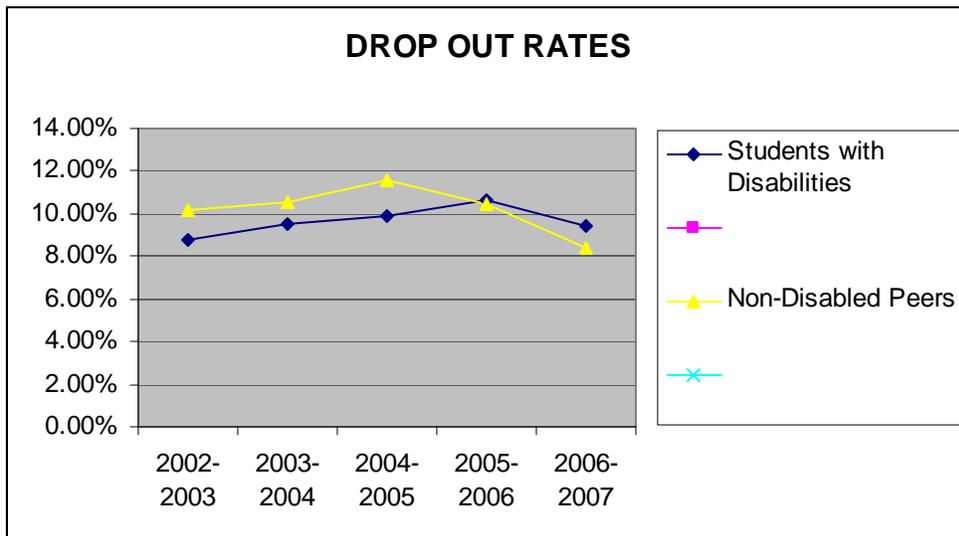
Actual Target Data for 2006-2007: Drop-out rate will be no greater than 9.6%.

Target met.

Figure 2: Five Year Trend

Note: Numbers reported in the 2005-2006 APR as baseline for the current year have been revised with the addition of data from New Mexico BIE schools. This data was not available at the time of the 2007 APR submission. Numbers reported for the 2006-2007 have been revised based on revisions submitted by a very large high school after the submission of the 2006-2007 APR. The numbers as reported are taken from the BIE Annual Report from the schools. This is high school dropout rates. The numbers vary slightly from the 618 data that is gathered by age rather than grade span.

	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2006-2007 numbers
Students with Disabilities	8.74%	9.54%	9.89%	10.65%	9.40%	Total 1394
						DO 131
Non-Disabled Peers	10.18%	10.51%	11.62%	10.42%	8.40%	Total 12119
						DO 1018



Drop out data is gathered via the current BIE Annual Report. The data is reported as a percentage by each school. The raw data is not available at this time. A report via NASIS will allow BIE to report raw data starting with the 2007-2008 school year.

The above graph shows that in the baseline year the drop-out rates for both students with disabilities and their non-disabled peers differed by only .17%. During SY 2006-2007 the non-disabled group showed a reduction in their drop-out rate. The students with disabilities group showed no change in their drop-out rate between the two years. The goal of not exceeding a drop-out rate of 9.6% for BIE students with disabilities was not met.

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

Discussion: The drop-out rates reported in this indicator do not appear to be consistent with the graduation rates reported under indicator number 1. Preliminary investigation into this possible discrepancy has focused on two issues. A) In looking at enrollment records it can be seen that there is some level of overlapping data in that it is commonly reported that there are students who do not drop out of school but also who do not have credits to graduate in a typical four year time frame. Therefore a student may not be reported as a drop-out but they are also not reported as a graduate. B) The BIE policy, supported by funding, is to allow an ISEP student (qualified Native American) to stay in school until the school year during which they turn 21 for non-disabled students and the school year during which they turn 22 for students with disabilities.

The Native American Student Information System (NASIS) now allows us to track this data better and BIE will do so for future reports.

In the 2006 APR activities were added or revised that have not been completed due to organizational factors within BIE. It is felt that while the activities are worthwhile, they are nor realistic for the BIE at this time. Several other activities did take place however.

- A team was established that is comprised of DPA staff, Line office staff, school personnel and parents has been established and communicates regularly with schools around all secondary issues, drop-outs included.
- An action plan was developed and circulated to all schools in October of 2006. The plan identified the SPP indicators, action steps that should be taken at each school, included were practical and specific such as offering on-line credit recovery courses.
- Information has been disseminated, via the *Secondary Life Transitions* newsletter, about schools that have been successful in various aspects of maintaining students in school.
- Secondary issues have been addressed at the national BIE meetings and trainings.
- A team from the BIE attend the national secondary transition meeting. Schools were also encouraged to send other appropriate staff.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-2007.

Activity	Timeline	Responsible Party
1. Present information on drop-out issues at the Summer 2007 national BIE Partnership Meeting. Present at the February	2007-2008	DPA Secondary Transition Action Team (STAT)

Special Education Academy		
2. Continue with the <i>Secondary Life Transitions</i> newsletter dissemination to schools.	On-going. Minimum of twice yearly	DPA STAT
3. Train schools on tracking drop-outs via accurate data entry into the NASIS system	February 2008 On-going	DPA NASIS staff

Part B State Annual Performance Report (APR) for 2006-2007 (Insert FFY)

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

- A. Percent of districts that have a disability subgroup that meets the State’s minimum “n” size meeting the State’s AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

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

Measurement:

A. Percent = [(# of districts meeting the State’s AYP objectives for progress for the disability subgroup (children with IEPs)) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size in the State)] times 100.

B. Participation rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);
- c. # of children with IEPs in regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
- d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100); and
- e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = [(b + c + d + e) divided by (a)].

C. Proficiency rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in assessed grades who are proficient or above as measured by

the regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);

c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = [(c) divided by (a)] times 100);

d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100); and

of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = [(b + c + d + e) divided by (a)].

A.

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

B.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	B. 95%

C.

FFY	Measurable and Rigorous Target
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.

Actual Target Data for (2006-2007):

A. AYP: Target Met

In SY 2004-2005 four schools, with sufficient ‘n’ to calculate AYP for students with disabilities, were identified as schools in which the students with disabilities subgroup made AYP. In SY 2005-2006 the

number was four and for SY 2006-2007 the number is 5. The goal of one more than the preceding year has been met.

ADDED: The total number of schools with a SWD ‘n’ sufficient for calculation of AYP was 14. Of these 5 made AYP for students with disabilities. (35.71%). In 2005-2006 four of 24 schools with sufficient ‘n’ made AYP (16.66%)

B. Participation Rate: Target Met

The following Figures provide assessment results for Language Arts, Reading and Math. In some states Language Arts is used and in some states Reading is used. These numbers are not duplicated individual students.

Participation rate for 2005-2006 was above 95% across all assessments grades third through eighth. Assessment participation for high school was not properly calculated because of the differences in assessments across states. For example some states used end of course exams, some use state exams at a given grade and some use state exams at several grades until a student “passes” because they are also a high school graduation issue. Better training has enabled better reporting in this area. All areas met participation rate for SY 2006-2007.

The data provided are correct and the Target was met. Please refer to the attached Comments documentation for explanation. Numbers reported on the 618 data is as follows:

Math Test Pool = 3698; number assessed = 3624. Met Target - (97.9%)

Reading: Test Pool = 3654; number assessed = 3570. Met Target – (97.7%)

C. Achievement Data: Target not met

Figure 3 Language Arts Achievement

2005-2006

Language Arts						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	1532	99.61%	52.49%	37.48%	10.03%	47.51%
Males	728	99.59%	57.66%	34.90%	7.45%	42.34%
Females	804	99.63%	47.82%	39.83%	12.36%	52.18%
Race and Ethnicity						
Native American	1532	99.61%	52.49%	37.48%	10.03%	47.51%
Other Groups						
IEP	429	60.84%	80.08%	15.71%	4.21%	19.92%
Limited English Proficient	978	99.90%	52.81%	36.85%	10.34%	47.19%

2006-2007

Language Arts						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	1463	97.74%	48.39%	38.11%	13.50%	51.61%
Males	730	97.67%	55.40%	33.94%	10.66%	44.60%
Females	733	97.82	41.42%	42.26%	16.32%	58.58%
Race and Ethnicity						
Native American	1463	97.74%	48.39%	38.11%	13.50%	51.61%
Other Groups						
IEP	269	97.77%	70.72%	22.81%	6.46%	29.28%
Limited English Proficient	919	97.50%	46.99%	41.07%	11.94%	53.01%

In the area of Language Arts both students with disabilities and non-disabled peers showed growth in the percent of students following at the proficient and advanced range of achievement. The gap was reduced from 27.59 percentage points in 2006-2007 to 22.33 percentage points in 2006-2007. The target was a reduction of the gap by 20%.

STEP 1: $.20 \times 27.59 = 5.52$

STEP 2: $27.59 - 5.52 = 22.08$ (gap required to meet target)

STEP 3: $22.33 - 22.08 = .25$ (gap target missed by this fraction of a percent)

The small discrepancy from target expectancy can be expected when the group size, the 23 different assessments and methods of determining proficiency, and the rigor of the target are considered.

The BIE reports participation rate for students with disabilities in Language Arts, Reading and Math. All students with disabilities are reported in the content area of math. Either Language Arts or Reading is reported dependent upon which is used across each of the 23 states. In each state participation is calculated based on the state's definitions which vary slightly in counting tests attempted and tests completed.

Figure 4 Reading Achievement

2005-2006

Reading						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	24083	96.77%	63.69%	33.57%	2.74%	36.31%
Males	12123	96.66%	68.07%	29.59%	2.34%	31.93%
Females	11960	96.87%	59.26%	37.60%	3.14%	40.74%
Race and Ethnicity						
Native American	24083	96.77%	63.69%	33.57%	2.74%	36.31%
Other Groups						
IEP	4721	93.52%	85.50%	13.61%	0.88%	14.50%

Limited English Proficient	9363	96.71%	75.63%	23.09%	1.28%	24.37%
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2006-2007

Reading						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	19659	98.38%	61.50%	34.94%	3.56%	38.50
MalesX	8742	98.23%	66.12%	31.12%	2.76%	33.88%
Females	8640	98.40%	57.56%	38.74%	3.69%	42.44%
Race and Ethnicity						
Native American	17382	98.31%	61.86%	34.91%	3.22%	38.14%
Other Groups						
IEP	3257	97.73%	84.67%	13.79%	1.54%	15.33%
Limited English Proficient	6735	95.86%	75.06%	23.51%	1.43%	24.94%

In the area of Reading both students with disabilities and their non-disabled peers showed a slight gain. (SWD gain .88 of a percentage point.) There was not a 20% reduction in the gap. (While more states have moved to using Reading as the AYP indicator some states in which BIE schools are located are still using Reading).The SY2005-2006 gap was 21.81 percentage points. The gap in SY 2006-2007 was 23.17 percentage points. No decrease in the gap was reported; the gap increased by 1.39 percentage points. (See comments that impact this calculation in the preceding section.)

Figure 5 Math Achievement

2005-2006

Math						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	24500	96.73%	70.68%	25.56%	3.76%	29.32%
Males	12282	96.56%	71.97%	24.29%	3.74%	28.03%
Females	12218	96.91%	69.39%	26.83%	3.78%	30.61%
Race and Ethnicity						
Native American	24500	96.73%	70.68%	25.56%	3.76%	29.32%
Other Groups						
IEP	4777	92.28%	86.21%	12.25%	1.54%	13.79%
Limited English Proficient	9636	96.05%	79.33%	18.18%	2.49%	20.67%

2006-2007

Math						
	Number of Students	Participation Rate	Basic %	Proficient %	Advanced %	Proficient + Advanced %
All Students	20080	98.25%	66.56%	28.74%	4.70%	33.44%
Males	10078	98.17%	68.18%	27.26%	4.56%	31.82%
Females	10002	98.33%	64.92%	30.23%	4.85%	31.82%
Race and Ethnicity						
Native American	20080	98.25%	66.56%	28.74%	4.70%	33.44%
Other Groups						
IEP	3671	98.20%	84.83%	13.18%	2.00%	15.17%
Limited English Proficient	7615	95.93%	75.80%	20.36%	3.85%	24.20%

As was seen in the other academic areas an increase in the percent proficient was reported for both students with disabilities (+1.38 percentage points) and their non disabled peers, the gap however increased by 2.74 percentage points rather than decreasing as desired. The goal was not met.

The assessment data as included in the February 2007 APR did not include all schools due to late acquisition of some state assessment data. Corrected assessment data for 2005-2006 is included in the above tables and data.

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

Activities completed included the development and dissemination to all schools an ACCESS based program which allows every school to look at five years of achievement, attendance, drop-out stats, graduation rates and teacher data for their own school, by agency and by BIE as a whole. Training was provided on the use of the tool and analysis of the data obtained from the program. This addressed several aspects of the activities listed below.

Growth was seen in all areas (Making AYP, Participation, and Achievement) For Part C the growth did not close the gap as projected.

Information has been disseminated to schools regarding assessment data. Focused monitoring was not used by the BIE during the 2005-2006 school year.

ACTIVITY	TIMELINE	STATUS
<u>Data Analysis Activities</u> 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	Fall - 2005-2006 to 2010	On-going

education teachers, special education teachers as needs are indicated on instructional use of assessment data.		
2. Analyze data across indicators related to academic achievement to establish corollary relationships for focused monitoring.	SY 2006 – 2007 Continuous through 2010 - 2011	On-going
3. Rank order schools according to data analysis of system and establish targets for focus monitoring.	SY 2006 – 2007 Continuous through 2010 - 2011	On-going
<u>Monitoring Activities</u>		
1. Establish priorities for focus monitoring based on review and analysis of achievement data.	SY 2006 – 2007 Continuous through 2010 - 2011	See reference in above narrative
2. Revise monitoring procedures to require schools with below average reading achievement scores for SWD to complete root cause analysis and develop an improvement plan.	SY 2007 – 2008 Continuous through 2010 - 2011	Included in plans required under NCLB
3. Develop a best practices manual to be disseminated to all schools outlining effective strategies for increasing student achievement.	SY 2007 - 2008	Under NCLB activities
<u>Policy and Administration Activities</u>		
1. Secure MOU's with all 23 states in which BIE schools are located related to the use of the state assessment system.	SY 2006 – 2007	On-going.

New Activity: Update the Access data provided to schools. This will allow them to continue to see the yearly change and to consider the effectiveness of the instruction being provided.

Part B State Annual Performance Report (APR) for 2006-2007 (Insert FFY)

Overview of the Annual Performance Report Development:

Monitoring Priority:

Indicator –: Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

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

Measurement: FAPE in the LRE

FFY	Measurable and Rigorous Target
	<p>Measurement:</p> <p>A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.</p> <p>B. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity) divided by the (# of districts in the State)] times 100.</p> <p style="text-align: center;">Include State’s definition of “significant discrepancy.”</p>

Actual Target Data for:

2006 (2006-2007)	No more than 2 of the BIA agencies will report suspensions and expulsion rates greater than two times the OIEP average.
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In the original the BIE identified the significant discrepancy as an agency that had greater than twice the discipline removals as compared to the BIE average. This significant discrepancy was based on looking at all agencies and the removal rate for that agency. Expulsion and suspension rates were ranked by agency and the cut for significant discrepancy was determined. That definition will continue to be used.

The original State Performance Plan included a target based on Agency rates of suspensions and expulsions. Since the original plan was approved the BIE has undergone reorganization that changes the composition of Agencies and therefore direct comparisons cannot be made with previous data.

In June of 2007 BIE convened a stakeholder group meeting to look at the indicators and determine what would be appropriate data to use for levels determinations. At that time it became clear that, different from a public school district that typically serves students from kindergarten to 12th grade, the BIE schools are vastly different because each school is essentially a “district” and we have many schools that do not serve high school at all. The incidences of suspensions and expulsions tend to increase per student bodies that include the higher grades. These facts mean that the schools with only lower grades, or an agency without a high school will have a much lower rate of suspensions and expulsions than will a school or agency comprised of more schools that extend to 12th grade. The stakeholder group determined that suspensions and expulsion data would be a factor for high schools.

At this time the BIE would like to report for Indicator 4. by the school groupings listed below. As can be seen there are twice the students in the lower grades. The student numbers are from the Fall 2006 Child Count. The Elementary count includes the Middle school students as well as the two kindergarten only programs. The percentages of discipline removals by category supports the proposal to report this indicator by identified groupings based on the percentage discrepancy between the two grade sets.

CHART: Numbers of Academic Programs by Grade Spans

% Discipline Removals

HIGH		MIDDLE		ELEMENTARY		KINDERGARTEN	
k-12th	40	7-8th	1	k-11th	1	k only	2
9-12th	15	6-8th	3	k-9th	2	TOTAL	176
7-12th	5	5-8th	1	k-8th	64		
6-12th	2			k-7th	2		
4-12th	1			k-6th	25		
1-12th	0			k-5th	5		
				k-4th	4		
				k-3rd	2		
				k-2nd	1		
TOTAL	63		5		106		
#	2088			#	4325		
Removals	77.59%			%	22.41%		

The following Table looks at Suspensions and Expulsions for the overall school population. It is necessary to consider grade population differences when interpreting this data. For special education the 1-6 group and 7-8 group are more than twice the numbers than for the 9-12 group yet their numbers for expulsions are smaller than for lower.

Table 2: Numbers of Suspensions and Expulsions by Reason (SY 2005-2006)

SUSPENSIONS¹				
Grades	Physical Fighting	Weapons	Alcohol	Illicit Drugs
1-6	848	46	16	86
7-8	845	40	62	225
9-12	580	33	266	521
EXPULSIONS				
Grades	Physical Fighting	Weapons	Alcohol	Illicit Drugs
1-6	3	7	0	7
7-8	37	7	12	51
9-12	48	14	27	72

Please note that the changes made are due to the data clean-up process that took place between February 1, 2008 and the current time.

The suspension and expulsion rate for students with disabilities has increased to an average of 29.58. BIE This change is contributed to extensive training on the reporting and the direct collect from the NASIS system.

There were 34 schools that exceeded this average. Of the 34 24 were schools with high schools. This is 36.36% of the high schools. There were only 10 (9.3%) of the elementary schools that exceeded the average. The agencies do not all have high schools, or even a comparable number of students with disabilities in high school (if they have high schools. This means that to look at the measure as stated is not a discrimination factor on this issue.

BIE is reporting that they have 4 agencies with out of school actions at a rate that exceeds the BIE average for students with disabilities. All agencies have high school populations.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (Insert FFY):

ACTIVITY	TIMELINE	STATUS
1. Program the Annual Report from the schools to adequately collect suspension and expulsion data for all students.	Spring 2006	Completed
2. Analyze data for patterns.	Summer 2006	Completed
3. Provide Agencies with information and/or training on positive behavioral interventions.	Summer SY 2005-2006	On-going

4. Implement school level training on positive behavior intervention programs including procedural safeguards school wide.	Fall SY2006-2007	On-going
5. Identify and train school level data entry personnel to have consistency in reporting information.	December 2005	Done each school, on-going
6. Implement a system-wide student information system that will allow better tracking of suspensions and expulsions.	SY 2006-2007	Initiated, continued refining
7. Ensure each school develops and implements suspension and expulsion policies to be followed for all students, including those with disabilities.	Fall 2006	On-going

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2008

(See discussion above) For the 2007-2008 school year it is proposed that a removal rate per High School be calculated and an average rate be determined for schools that include a 12th grade. A second average will be calculated for the schools that do not include a 12th grade. Further analysis will be completed that will consider schools that contain middle school grades (6-7-8) and the average rate of discipline removals as different from schools that include grades beginning with kindergarten and no higher than 6th.

The data gathered and analyzed in this manner will be more useful for the BIE in focusing guidance.

ACTIVITY	TIMELINE	RESOURCES
1. Data analysis will be completed to determine rates of discipline removals for high schools, middle schools and elementary schools as described in above narrative.	2007-2008	DPA Research Analyst
2. Training will be provided to all schools regarding definition of terms for suspensions and expulsions. This will include data entry into the NASIS.	2007-2008	DPA

<p>3. The secondary news letter will disseminate information regarding drop-out prevention. This will also be provided to middle and elementary schools.</p>	<p>2007 – 2008 and on-going.</p>	<p>DPA STAT team</p>
<p>4. Further analysis of this data will be completed so as to inform the new Line Officers (reorganized) about discipline removal patterns within their agencies.</p>	<p>2007-2008 and on-going</p>	<p>DPA Research Analyst.</p>

Part B State Annual Performance Report (APR) for 2006-2007 (

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Measurement:

- A. Percent = # of children with IEPs removed from regular class less than 21% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- B. Percent = # of children with IEPs removed from regular class greater than 60% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.

Source: 618 data – Table 3.

Actual Target Data for 2006 – 2007:

<p>2006 (2006-2007)</p>	<p>Show at least a 1% growth in the numbers of students receiving appropriate special education services outside the general education <21 % of the time.</p>
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Target Met

Table 3 ; Environments data was used for this indicator. BIE reported 6,684 students with disabilities attending

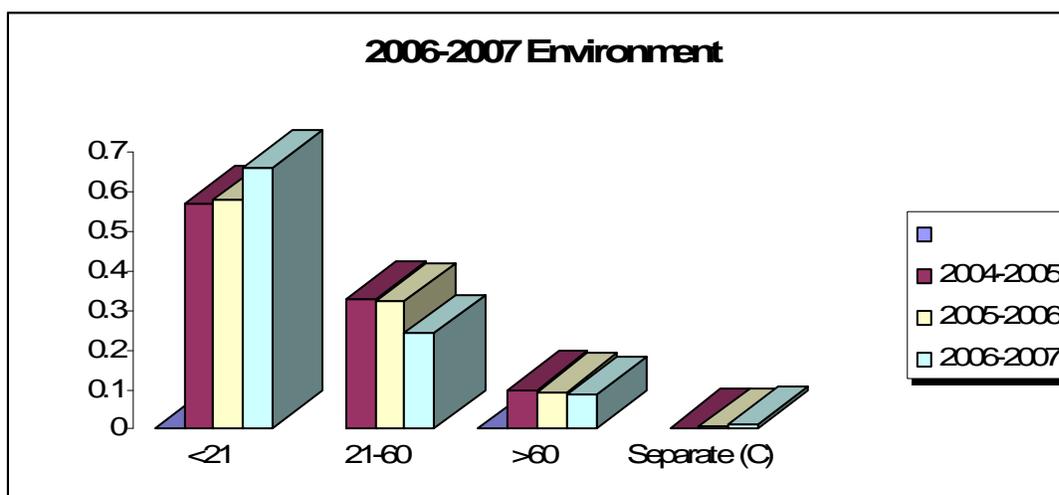
A total of 6918 students with disabilities were reported on Table 1 and 3 for 2006-2007. Of these the distribution by environment was as follows:

Category	3-5	6-21	Total
Inside gen. ed. ≥ 80%	215	4345	4560
Inside gen. ed. 40-79%	1	1687	1688
Inside gen. ed. <40%	2	596	598
Separate combined	16	56	72
Total	234	6684	6918

Figure 4 SY 2004-2005, 2005-2006 Placement by Environment

Placement	<20 (A)	21-60	>60 (B)	Separate (C)
2004-2005	56.64%	32.96%	9.95%	.45%
2005-2006	57.56%	32.20%	9.50%	.74%
2006-2007	65.01%	25.23%	8.92%	.84

Note: BIE does not have early Part B programs. There are a few 4 and 5 year olds in BIE schools in kindergarten. Those students are considered school age per 25 CFR. For that reason the BIE mapped the 3-5 year old placement codes to the 6-21 year old codes. Those numbers have now been removed.



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

The Target was met on this indicator and there was no slippage. BIE continues to provide training regarding placements at all national trainings. A focus was placed on training every school on data entry and data clean-up regarding this area as well as all other needed special education data. This has allowed a better data collection via NASIS.

ACTIVITY	TIMELINE	RESOURCE
<p><u>Data Analysis Activities</u></p> <p>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.</p>	<p>SY 2006 - 2007</p>	<p>Data analysis completed.</p>
<p><u>Technical Assistance Activities</u></p> <p>1. 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.</p>	<p>SY 2006 – 2007</p> <p>Continuous through 2010 - 2011</p>	<p>On-going</p>

Future Activities:

ACTIVITY	TIMELINE	RESOURCES
<p>1. Continue training on accurate data input and data clean-up activities with schools.</p>	<p>On-going</p>	<p>NASIS staff DPA Staff</p>
<p>2. During the monitoring process validate the appropriateness of placements.</p>	<p>On-going</p>	<p>DPA Line offices School staff</p>

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

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

Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target
2005	Baseline Year – Based on survey, 31%
2006 (2006-2007)	34.1%
2007 (2007-2008)	37.5%
2008 (2008-2009)	41.3%
2009 (2009-2010)	45.4%
2010 (20010-2011)	49.9%

Actual Target Data for 2006-2007:**Display 8-1: Percent of Parents Who Report the School Facilitated Their Involvement**

	FFY2006
Total number of Parent respondents	2,087
Number who reported school facilitated their involvement	689
Percentage who reported school facilitated their involvement	33%

The target of 34.1% was not met. However, there was a 2% increase from the previous year in the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

SY 2006-2007 was the second year data was gathered to determine “the percentage of parents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.” The previous tool, the National Center for Special Education Accountability Monitoring (NCSEAM) Parent Survey, was used to gather the data. The survey was printed in a scannable format and distributed to all schools in September 2007.

Reliability and Validity

All parents throughout the BIE schools were given the opportunity to complete the survey. Once schools received copies of the survey, they were to distribute the forms to parents and assist parents in completing the surveys if necessary. The schools had 5 weeks to complete the survey with parents and return the forms for scoring and analysis.

Consideration must be given to the fact that the numbers of students with disabilities is small, and therefore the number of parents is relatively small. There was an approximate 28% total response rate, which decreases the overall numbers involved.

Parents of students in BIE schools are frequently second language English speakers and/or are not of the mainstream culture and either factor may have an impact on parent understanding of the questions. While schools were encouraged to read the surveys or provide translation as needed, parents are often not able/willing to communicate their inabilities in order to comprehend what is being asked.

It is important to note that the summary data described above include a range of 0 - 100%. Looking at individual schools, there were response sets that had 0% of the responses meet the standard set in order to form a positive response to this indicator as well as schools with 100% satisfaction (always remembering the large discrepancy in school sizes).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:

The last year, 2005-2006, the analysis relative to the SPP indicator # 8 reported that 31% of the respondents met the survey standard for reporting the schools facilitated parent involvement as a means of improving services and results for children with disabilities. In 2006-2007, the analysis relative to the SPP indicator # 8 reported that 33% of the respondents met the survey standard for reporting that the schools facilitated parent involvement as a means of improving services and results

for children with disabilities. That was an increase of 2% from the previous year 2005-2006. The score of 33% indicated one-third of parents of students with disabilities served at BIE sites had measures high enough to support the claim that schools facilitate parent involvement at the level deemed desirable and appropriate by the BIE.

Display 8-2: Response rate

Surveys distributed	Sites	Surveys returned	Sites
7, 591	175	2,087	108

Overall return rate of 27.49%.

During SY 2006-2007, there was a 2% increase in the score for Indicator #8, “the percent of parents with a child receiving special education services who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.” However, the overall response rate decreased from 33% to 28%. The decline in response rate signifies the necessity to train on the purpose of the surveys and the importance of completing them. Also, an emphasis on returning surveys in a timely manner needs to be reiterated to school sites. Some surveys were turned in after the deadline, and therefore could not be incorporated in the analysis.

Many of the data related improvement and analysis activities outlined below will be performed and reviewed at the National BIE Special Education Conference in February 2008. At the BIE National Special Education conference, the subsequent activities will be addressed by the Division of Performance and Accountability:

- Identify schools having a low response rate and give guidance in ways to generate a higher rate of return; Have school personnel analyze what may affect the completion of survey rate.
- Identify schools having a high rate of survey completion. Share practices with other school.
- Review results of parent survey and determine appropriate activities to be provided to schools, agencies and parents.
- Give guidance to schools in types of activities which could enhance parental satisfaction based on areas of concerns identified by the survey.
- Identify “Best Practices” for parental involvement and disseminate that information to all schools

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

ACTIVITY	TIMELINE	RESOURCE
<p><u>Data Related Activities</u></p> <p>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.</p>	<p>SY 2006 - 2007</p>	<p>NCSEAM</p> <p>Office of Management and Budget</p> <p>Contracted provider</p>

<p>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.</p>	<p>SY 2007-2008</p>	<p>a) DPA staff b) School Staff</p>
<p>3. Identify schools having a high rate of survey completion. Share practices with other schools. Update information yearly.</p>	<p>SY 2008 - 20011</p>	<p>a) DPA staff b) ELO c) School staff</p>
<p><u>Data Analysis Activities</u> 1. Review results of parent survey and determine appropriate activities to be provided to schools, agencies and parents.</p>	<p>SY 2007 - 2008</p>	<p>Department of Performance and Accountability (DPA) Staff BIE Special Ed. Advisory Bd.</p>
<p>2. Do item analysis of responses over two years to determine patterns across the system or in specific states or ELO offices.</p>	<p>SY 2008-2009</p>	<p>Data unit - DPA</p>
<p>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.)</p>	<p>SY 2008 – 2009 and ongoing.</p>	<p>Data unit – Special Education unit at DPA.</p>
<p>4. Identify “Best Practices” for parental involvement and disseminate that information to all schools.</p>	<p>SY 2008 to 2010</p>	<p>DPA Staff School staff</p>

Part B State Annual Performance Report (APR) for 2006-2007 (Insert FFY)

Overview of the Annual Performance Report Development:

Please see attached comments.

Monitoring Priority: Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).

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

Measurement: Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline).
- c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline).

Account for children included in a but not included in b or c. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.

Percent = b + c divided by a times 100.

FFY	Measurable and Rigorous Target
2006-2007	100%

Target not met.

Data collection for the 60 timeline for completion of evaluation and determination of placement was planned as a part of the NASIS system. The design for collection was not functional to meet this indicator’s focus.

The process of data collection for this indicator did not provide the full scope of the indicator. Once the data collection problem was identified the tool used for data collection was the 2nd Tier monitoring. The reorganization process in the BIE has meant that there are no longer Special Education Coordinators at the Line Office level to gather the data from the schools. From each Line Office personnel were assigned to review files at schools to determine compliance with required IDEA regulations. The item used to reported this indicator was stated, “The school completes the assessment within 60 days of parent consent, (CFR 300.301 I(1)(I), SPP Indicator”. The personnel reviewing the files looked at the 60 day item as they looked at all files, no matter when or where the

original permission and resultant evaluation took place. There was also, in many instances, no discrimination between those delays that were caused by legitimate reasons such a child not being present for the scheduled evaluation or waiting for an external specialty medical evaluation. In many instances this type of documentation has not been retained at the school. A second problem has been the fact that few centralized records or lists have been maintained for students who have been referred yet not determined to need special education services.

While the data collection process did not result in all the needed data the BIE has gained useful information regarding records of students. Three-thousand, two hundred and sixty-seven files were reviewed. Of those reviewed, 247 were noted as being non-applicable. (Some reviewers did not include referrals that came from outside the BIE system). Of the 3,020 records reviewed and applicable 2,597 (85.99%) met the 60 day requirement.

Actual Target Data for (2006-2007):

Agency	Files Reviewed	# NA	% NA	# <= 60	# > 60	% Compliance
Arizona North	132	0	0.00%	131	1	99.24%
Arizona South	181	25	13.81%	106	50	67.95%
Billings	97	0	0.00%	90	7	92.78%
Central Navajo	161	12	7.45%	123	26	82.55%
Cheyenne River	137	0	0.00%	135	2	98.54%
Crow Creek	120	8	6.67%	99	13	88.39%
Eastern Navajo	196	5	2.55%	151	40	79.06%
Ft Defiance	109	1	0.92%	108	0	100.00%
Minneapolis	310	23	7.42%	255	32	88.85%
NM North	79	5	6.33%	62	12	83.78%
NM South	174	0	0.00%	106	68	60.92%
Northern Navajo	152	0	0.00%	152	0	100.00%
Oklahoma	65	9	13.85%	55	1	98.21%
Pine Ridge	165	2	1.21%	151	12	92.64%
Portland	206	126	61.17%	59	21	73.75%
Rosebud	40	0	0.00%	32	8	80.00%
South & East	315	16	5.08%	256	43	85.62%
Sacramento	54	8	14.81%	32	14	69.57%
Standing Rock	139	3	2.16%	112	24	82.35%
Turtle MT	192	0	0.00%	188	4	97.92%
Western	243	4	1.65%	194	45	81.17%
TOTALS	3267	247	7.56%	2597	423	85.99%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:

Above is baseline. The required compliance of 100% is the goal. Based on the identified problems seen above the BIE will address two facets of this indicator.

1. Data collection:

- There is a need to adequately correct the data collection concerns. The NASIS system will be revised to track dates a parent signature is received and the date a determination is made regarding the eligibility and need for special education services. Special education status is currently tracked (01 = not currently or ever a student receiving special education services; 02 = a student for whom parent permission for evaluation has

been received; 03 = a student currently with an IEP in place and receiving services; 04 a student who has exited special education)

- Tracking of the dates a student enters and exits each status is being upgraded.

Training of personnel who are gathering the data will be provided. Clearly defining the time scope as well as what is meant by non-applicable will be addressed.

2. Service providers:

- Historically it has been difficult for the BIE funded schools to employ related services personnel. Many schools are too small to economically afford, or need, full time staff. Even for schools with sufficient budget or need it is often very difficult to attract high quality personnel who are also in high demand in many more attractive locals. For this reason most services are provided by contract service providers and often they are not available on a timely schedule, if available at all. often

The proposed target must be 100%. The BIE will focus activities as outlined above.

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

ACTIVITY	TIMELINE	RESOURCE
Agencies will be ranked lowest to highest in rate of compliance. Those with the lowest compliance rate will be provided extra assistance in either identifying the reason for the lack of compliance and training if that is the issue or in identification of needed resources if that is the concern.	Spring 2008	BIE Staff • DPA • ELO • ADD
Training will be provided regarding both data collection and requirements for this indicator at the BIE national special education personnel meeting.	Spring 2008	BIE staff
NASIS will be upgraded for better process tracking	Fall 2008	NASIS vendor
BIE will provide guidance for those entities who wish to develop cooperative units for provision of related service staff.	On-going	BIE/DPA staff Agency staff who have Cooperative Units

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective Supervision Part B / Effective Transition

Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post secondary goals.

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

Measurement: Percent = [(# of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

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

Actual Target Data for 2006-2007:

The 2nd Tier monitoring process was conducted late spring 2007 using a revised monitoring tool. Each line office was required to review files as follows:

- 100 or more special education student files, 30% must be reviewed;
- Less than 100 special education student files, no less than 20 files (or all) must be reviewed.
- *The instructions included a reminder to the reviewers that in a K-12 school, the file reviews should reflect proportionately to the total number of special education students spanning the K-12 levels.

Of the 61 schools with 9-12 programs, the BIE reviewed 565 files applicable to 16 year olds and older. The transition section of the 2nd Tier checklist has 6 items. One of those items addresses transition services specifically:

Item (8) . *Transition services, including courses of study, will enable the student to meet the postsecondary goals.*

Out of the 565 total files, 509 were in compliance equaling a 90% compliance rate.

The following is a breakdown of line office averages from the 20 education line offices reviewed;

- 8 averaged 100% compliance;
- 6 averaged 90% or higher;
- 4 averaged 80% or higher;
- 1 averaged 70% or higher;
- 1 averaged 50% or higher;

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:

The target was not reached. The data indicates that there is not 100% compliance in this area, but is an improvement over the 86% reported in the 2007 APR.

The 2006 2nd Tier process to correct areas of noncompliance was not completed for the following reasons:

- For 4 months there was 2 staff members assigned to special education at the DPA which resulted in minimal follow up to the schools to correct areas of noncompliance.
- The 2007 line office data reflects the new alignment of schools and does not correlate with the line office data in the previous APR because some schools were moved to different line offices.
- The organizational restructuring of the BIE removed the special education coordinators at the line office level who were responsible for this assignment. SY 2006-2007 was the first year the BIE felt the impact of not having those special education coordinators at the line office level. That impact continues to affect the level of technical assistance provided to the schools from the line office and limited TA from the DPA.
- The restructuring resulted in some line offices having a minimal staff and expertise in special education to work with schools and do follow up in completing noncompliance issues.
- In November 2006, the monitoring position became vacant. A new staff member was assigned to monitoring July 2007.
- BIE is unable to report on the timely correction of noncompliance related to this indicator. The data for the time period being questioned is not available. The BIE has developed a process for both identification and tracking of such non-compliance currently and in the future. Each school receives a file review via the 2nd Tier monitoring so BIE is aware of any student whose IEP does not meet this requirement. With that information the BIE will require documentation of correction in a timely manner.

Improvement Activities that occurred in FFY 2006	Update of Activities	Progress of Activities
1. Regional trainings on transition requirements under IDEIA.	The DPA and MPRRC hosted 3 regional trainings late Fall 2006 on IDEA 2004, which included the SPP Indicator data requirements.	Completed
3. 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 2 nd Tier Monitoring.	During the 2007 2nd Tier , a certain percentage of files were reviewed at the schools according to their enrollment, not 100%.	Not completed

<p>4. 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>The Coordinated Services Plan (CSP, a required component of the BIE from IDEA 2004, is currently being revised for implementation and will include this issue.</p>	<p>Not Completed SY 2008 -2009</p>
<p>5. School level transition specialists will receive training in plan development, i.e., goals writing, activities, etc.</p>	<p>Secondary Transition Newsletter distributed Fall 2006 and Spring 2007 with information for transition specialists. March 2007, the Summary of Performance form and instructions was once again distributed to all high schools.</p>	<p>Not completed specifically to transition specialist but to all high schools</p>
<p>5. Train school staff on indicator and activities.</p>	<p>The DPA and MPRRC hosted 3 regional trainings late Fall 2006 on IDEA 2004, which included the SPP Indicator data requirements.</p>	<p>Completed</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2011:

ACTIVITY	TIMELINE	RESOURCE
<p>1. National special education academy to include transition requirements under IDEA 2004.</p>	<p>SY 2007-2008</p>	<p>DPA MPRRC</p>
<p>2. Targeted technical assistance to school level transition specialist in plan development, goal writing, etc., with specific emphasis for school with a Level 3 and 4 Determination.</p>	<p>On going through 2011</p>	<p>DPA Contracted provider</p>
<p>3. The Secondary Transition Newsletter will be distributed to all schools showcasing successful programs.</p>	<p>SY 2007-2008</p>	<p>DPA</p>
<p>4. 100% files reviews are completed during the Indian Student Equalization Program</p>	<p>SY 2007-2008 and on going</p>	<p>Line Office</p>

(ISEP) certification with transition one of the components.		
5. Schools will review 100% of high school students IEPs to document that transition is addressed through the 2 nd Tier Monitoring process.	2007-2008 and on going	DPA Line Office

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

Measurement: Percent = [(# of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

Actual Target Data for 2006-2007:

On March 21, 2007, a memorandum was distributed to the 61 BIE funded high schools requesting data for Indicator 14. The memorandum defined the four categories of a student leaver (graduated, received a certificate, dropped out, aged out). The attachment to the memorandum included a post secondary student activity sheet and the post school information tally sheet. Schools were instructed to return the tally sheet by October 1, 2007. The student activity sheet **did include a definition of competitive employment (attached).**

Both the original and the corrected student activity are attached.

- 30.5% of youth who had IEPs were competitively employed within one year of leaving high school; the total from the submitted tally sheets for the Employment Section was 174.
- 23.9% of youth who had IEPs enrolled in some type of postsecondary school within one year of leaving high school; the total from the submitted tally sheets for the Postsecondary Section was 136.

- 13.0% of youth who had IEPs were both employed and enrolled in some type of post secondary school within one year of leaving high school; the total from the submitted tally sheets for the Employment and Postsecondary Section was 74.

These three categories total 67.4% of the reported 2006 leavers. The percentage of students in the unknown category is 45.8%. Together this would equal 113%. However, without the *both* percentage, the *employment, postsecondary and unknown* percentages total 100.2%. It appears, the third category of students reported as both employed and attending a postsecondary may or may not have been included in the employment section **and** the postsecondary section, which would have resulted in the student being counted twice. Because we recognize an overlap exists and do not know to what extent those numbers may have affected the first and second category, **the baseline will be established at 50%.**

FFY	Measurable and Rigorous Target
2007 (2007-2008)	55% 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)	60% 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)	65% 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)	70% 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.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006:

Improvement Activities that occurred in FFY 2006	Update of Activities	Progress of Activities
1. Develop a uniform data collection system to establish baseline data on 2006 students.	The current data was reported by submitting the tally sheets to the DPA from the schools. The schools are now aware of this	Completed

	<p>data gathering activity and that it will occur yearly.</p> <p>Data on the 2007 leavers will be gathered and reported in the same manner for the 2009 APR.</p>	
<p>2. School/Transition Specialist will educate students on need for data collection about their status following leaving secondary school.</p>	<p>The schools were told in a national meeting (April 2006) that they were expected to gather this data. The information included a suggested demographic form for the schools to use for contact purposes.</p> <p>The Spring 2007 secondary transition newsletter distributed to all schools featured an article on the purpose of this activity.</p>	<p>Completed</p>
<p>3. Train school staff on indicator and activities.</p>	<p>Fall 2006, the BIE hosted 3 regional IDEIA trainings on the SPP Indicators.</p> <p>The Fall 2006 and Spring 2007 Secondary Newsletters featured articles on the transition related SPP Indicators.</p>	<p>Completed</p>
<p>4. Other activities will be based on first year data collection.</p>	<p>See below</p>	

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2011:

ACTIVITY	TIMELINE	RESOURCE
<p>1. The BIE will host a national special education academy to include information on Indicator 14 reporting procedures to clarify issues of double counting the student responses.</p>	<p>February 2008</p>	<p>DPA MPRRC</p>
<p>2. Develop a uniform data reporting system through the NASIS on 2008 leavers.</p>	<p>Late spring 2008 SY 2008-2009 and on-going</p>	<p>DPA</p>

3. Provide targeted technical assistance to high schools with a Level 3 and 4 Determination	SY 2008-2009 and on -going	DPA Contract Providers

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

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

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.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.

Actual Target Data for 2006-2007:

The target was not met. The BIE completed the Continuous Improvement Monitoring Process (CIMP) six year cycle during school year 2005-2006 with 23 schools receiving the on site monitoring visit. 71 noncompliance citations were found during this final year of the cycle. Of those 71 noncompliance items, the BIE has received verification that 66 have been closed resulting in a 93% compliance rate. The remaining 5 noncompliance items are from two schools. This office has issued a request for verification from the schools that the noncompliance items have been corrected. One school is BIE operated, the other is tribally controlled. Of the 71 noncompliance items identified, the two most cited concerns were in the areas of:

- Evaluation – eligibility determination
- FAPE – services not being provided; no continuum, lack of staff, lack of related service providers

Of the remaining 5 noncompliance items, 4 are related to evaluation and eligibility determination, the fifth is a PLAAFP citation.

School Year	# non compliances	# corrected	# remaining
2003-2004	44	29	15
2004-2005	119	119	0
remaining	15	0	15
Total:	134	119	15
2005-2006	71	66	5
remaining	15	0	15
Total:	86	66	20

Of the 5 non-compliances from 2005-2006 that had not been corrected in a timely manner, the BIE received verification that the issues were corrected. The week following the submission of the 2006-2007 APR, the BIE received said verification. Of the 15 non-compliance issues from the preceding years, BIE also worked with each school individually and verified each issue was corrected. At this time all issues identified above are corrected.

Per the above chart

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:

- The organizational restructuring of the BIE removed the special education coordinators at the line office level.
- The level of technical assistance provided to the schools from the line office and DPA was limited due to minimal staff.
- The BIE had two staff members in the special education division from November 2006 to March 2007 to provide follow up to the schools.
- From March 2006 to March 2007, the special education division was under the direction of a half time supervisor.

Non-compliances found as a result of complaints and due process hearings are as follows for SY 2006-2007:

Findings from the Complaint Investigators' Reports include the following:

Complaint Findings	Total # of Findings	Corrections	
		Yes	No
Case #1 <ul style="list-style-type: none"> Denied free and appropriate public education while being suspended School failed to follow written notice agreements, and failed to implement IDEA 04. 	2	X	
Case #2 <ul style="list-style-type: none"> No Findings found 	0	X	

Total corrected: 2

Two complaint cases have been successfully closed with the necessary corrective actions completed.

Improvement Activities occurred in FFY2006	Update of Activities	Progress of Activities
<u>Data Analysis Activities</u> 1. Conduct valid and reliable monitoring data collection to ensure more consistent results during the monitoring process.	The schools submitted self-assessments. Data Summit was completed June 2007. The 2 nd tier Monitoring tool has been revised for utilization for SY07-08	<u>Completed:</u> Fall of 2007 - Revised 2 nd Tier Monitoring tool to be aligned with the SPP and APR indicators.
2. Develop and implement an automated tracking system for all monitoring data, including timelines, corrections and sanctions.	Native American Student Information System (NASIS) was utilized for the June 2007 Data Summit.	<u>Completed</u>
3. Develop criteria based on data analysis to determine if schools are in need of assistance, need intervention, or need substantial intervention	Spring 2007 - Data Summit held with stakeholders to develop criteria to determine Special Education Levels of	<u>Completed</u>

consistent with Section 616 of IDEA.	Performance.	
<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 	These activities were included in the June 2007 Data Summit.	<u>Completed</u>
<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>	Fall 2007 – Developed interim monitoring system for SY07-08 to include targeted technical assistance based Special Education Level of Determinations.	Completed
<p>2. Develop policies and procedures on enforcement actions and application of sanctions for noncompliance issues/items of schools not corrected within the 1 year time period.</p>	Fall 2007 – Schools received a Special Education Level of Determination 1 – 4 based on criteria developed at the Data Summit in the Spring of 2007 based on 05-06 data.	Completed
<p>3. Identify what needs to be evident, in schools, for closeouts to be determined effective.</p>	Schools submit documentation to verify correction of noncompliance findings. Results from various monitoring instruments (2 nd Tier, ISEP Audit, Self Assessment) are used to ensure the corrections are effective.	Completed
<p><u>Technical Assistance</u></p> <p>1. Train monitoring staff on how to determine effective closeouts in one year.</p>	April 2007, the DPA provided training to the Education Line Office staff on 2 nd Tier progress monitoring and update of closeouts.	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>	Minimal follow up from due to limited staff at the DPA and line office.	Not completed

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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006:

Activity	Timeline	Resource
1. Conduct 100% ISEP audit of student special education files in fall in conjunction with Indian Student Equalization Program certification. Data to be submitted to DPA on or before December 1, of every year.	SY 2007-2008 Continuous to 2010-2011	DPA
2. Conduct on-site 2 nd Tier Monitoring and reporting of noncompliance findings. Line office responsible for ensuring correction of noncompliance findings as soon as possible and no later than one year.	SY 2007-2008 Continuous to 2010-2011	DPA Line Office
3. Develop and implement interim monitoring system for SY07-08.	SY 2007-2008	DPA
4. Request verification from the 7 schools that they have corrected non compliance items from SY 2003-2004 and 2005-2006.	SY 2007-2008	DPA
5. Provide training to all schools and Education Line Officers on procedural safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes.	SY 2007-2008 Continuous to 2010-2011	DPA Contracted Providers
6. Data analysis of monitoring results will be used to compare with due process findings to determine if systemic issues have been identified.	SY 2007-2008 Continuous to 2010-2011	DPA
7. Use Legal Network Collaboration to keep abreast of all current legal issues relating to	SY 2007-2008 Continuous to 2010-2011	DPA

dispute resolution.		MPRRC
8. Pilot the Special Education Integrated Monitoring Process (SEIMP).	Spring 2008	DPA
9. Research a data system to replace the current system that will accurately maintain data for Dispute Resolution for implementation Fall of 2008.	Spring 2008 - Ongoing	DPA
10. Implement the SEIMP.	SY 2008-2009	DPA

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline extended for exceptional circumstances with respect to a particular complaint.

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

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

FFY	Measurable and Rigorous Target
SY 2006-2007	100%

Actual Target Data for 2006-2007): Target Met

$((5=0)/5 \times 100) = 100\%$

There were 5 signed complaints received during the 2006-2007 school year. Of those signed complaints all five were investigated with a report of findings completed within the required timelines. There were no extended timelines for any investigations.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006-2007):

For SY 2005-2006, BIE reported 5 complaints with one withdrawn and 4 reports issued within the required timelines. For SY 2006-2007 the percent completed within the required timeline remain the same. This indicates that there is no slippage and the same amount of complaints indicates there is a positive secondary indicator where parents are more involved and are more aware of procedural safeguards in their child’s education.

The BIE has developed and is implementing a tracking system in order to effectively manage Procedural Safeguards timelines.

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>RESOURCE</u>	<u>ACTION</u>
<u>Data Activities</u>			
1. BIE will implement a tracking system to monitor actions, progress, findings and closure.	SY 2005-2006	DCMA Staff	Completed
<u>Technical Assistance Activities</u>			
1. DCMA will provide training to all agency/school level staff on all aspects of procedural safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes.	SY 2006-2007	DCMA Staff Contracted Expert Providers	Completed
2. DCMA will arrange for training for all complaint investigators with an emphasis on timelines.	SY 2006-2007	DCMA Staff Contracted Expert Providers	Completed
3. BIE will staff the dispute resolution position at DCMA with “expert” knowledge (i.e. special ed. Law background, paralegal, etc.)	SY 2008-2009	DCMA Staff BIE Human Resources Office	On-going

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-2011:

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>RESOURCE</u>
<u>Data Activities</u>		
1. BIE will research and implement appropriate software program to help monitor actions, progress, findings, and closures of Due Process.	SY 2007-2008 Continuous to 2010-2011	DPA Staff
2. Review Monitoring Report to identify continued non-compliance related to findings previously identified.	SY 2007-2008	Education Line Officer DPA Staff

<p><u>Technical Assistance Activities</u></p> <p>1. DPA will provide training to all Schools and Line Offices on aspects of procedural safeguards and dispute resolution options, emphasizing the promotion of early and alternative resolution processes.</p>	<p>SY 2007-2008 Continuous to 2010-2011</p>	<p>DPA Staff Contracted Expert Providers</p>
<p>2. Use Legal Network Collaboration to keep abreast of all updated and current legal issues relating to due process hearings.</p>	<p>SY 2007-2008 Continuous to 2010-2011</p>	<p>DPA Staff MRPPC Staff</p>

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

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

FFY	Measurable and Rigorous Target
SY 2006-2007	100%

Actual Target Data for 2006-2007: Target Met

There was no fully adjudicated due process hearing session held for SY 2006-2007. Target of 100% was met.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2006-2007:

BIE is using a tracking system in keeping track of all dispute resolution activities. BIE is collaborating with the schools on training parents about their rights and responsibilities which put a positive impact on their parental role. BIE is requesting solicitor’s presence at all hearing officers, and special education related trainings to provide technical assistance to schools. DPA has drafted an Internal Procedures for complaint investigations, mediation and due process hearings.

APR Template – Part B (4)

ACTIVITY	TIMELINE	RESOURCE	ACTIONS
<p><u>Data Activities</u></p> <p>1. BIE will utilize a tracking system to monitor actions, progress, findings and closure</p>	<p>SY 2006-2007</p>	<p>DCMA Staff</p>	<p>Completed</p>
<p><u>Technical Assistance Activities</u></p> <p>1. DCMA 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>	<p>SY 2006-2007 Continuous to 2010-2011</p>	<p>DCMA Staff Contracted Expert Providers</p>	<p>Completed</p>
<p>2. DCMA will arrange for training for all hearing officers with an emphasis on timelines</p>	<p>SY 2006-2007 Continuous to 2010-2011</p>	<p>DCMA Staff Contracted Expert Providers</p>	<p>Completed on Dec. 14 & 15, 2006</p>
<p>3. BIE will staff the dispute resolution position at DCMA with person with “expert” knowledge (i.e., special ed. Law background, paralegal, etc.)</p>	<p>SY 2008-2009</p>	<p>DCMA Staff BIE Human Resources Office</p>	<p>On-going</p>
<p>4. BIE will structure the process so that the hearing officer is responsible for timelines once hearing officer has been designated</p>	<p>SY 2007-2008</p>	<p>DCMA Staff Contracted Provider for HO's</p>	<p>On-going</p>
<p>5. Develop and disseminate guidance/standards/formats for documenting and justifying extensions of hearing timelines</p>	<p>SY 2007-2008</p>	<p>DCMA Staff Contracted Expert Providers</p>	<p>On-going</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006-2011:

ACTIVITY	TIMELINE	RESOURCE
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<p><u>Data Activities</u></p> <p>2. BIE will continue to use a tracking system to monitor actions, progress, findings and closures.</p>	<p>SY 2007-2008</p>	<p>DPA Staff</p>
<p><u>Technical Assistance Activities</u></p> <p>6. 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>	<p>SY 2007-2008 Continuous to 2010-2011</p>	<p>DPA Staff Contracted Expert Providers</p>
<p>7. DPA will arrange for training for all hearing officers with an emphasis on timelines</p>	<p>SY 2007-2008 Continuous to 2010-2011</p>	<p>DPA Staff Contracted Expert Providers</p>

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

FFY	Measurable and Rigorous Target
<p>2006 SY 2006-2007</p>	<p>100%</p>
<p>2007 SY 2007-2008</p>	<p>100%</p>

<p>2008 SY 2008-2009</p>	<p>100%</p>
<p>2009 SY 2009-2010</p>	<p>100%</p>
<p>2010 SY 2010-2011</p>	<p>100%</p>

Actual Target Data for SY 2006-2007: Target Met

SY 2006-2007 there were a total of eight mediation requests, of which two were mediations related to due process, and four mediations not related to due process. Six mediations were completed within the required timelines and resulted in mediation agreements. Two mediations were not held due to parent refusal to participate in the meetings.

Metric: $((0 + 6) / 6) (100) = 100\%$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for SY 2006-2007:

1. Efforts were made during SY 2006-2007 to ensure that all past issues that had been identified were addressed. In this process both Agencies and schools became more aware of the process to be followed when mediation requests were made.
2. Overall there were five trainings completed. 1) In December of 2006, three Regional Trainings were held regarding IDEA 2004 regulations. 2) From January 9 – 11, 2007, a workshop on IDEA 2004 Regulations on Special Education: Rights of Parents was provided at a Symposium held for Navajo Regional BIA funded schools in Phoenix, AZ. 3) and the second one at Eastern/Western Region Symposium in Nashville, Tennessee from March 5th - 6th, 2007.
3. BIE has given the Advisory Board updated information on all mediations held during the year.

Improvement Activities/Timelines/Resources:

ACTIVITY	TIMELINE	RESOURCES	ACTIONS
1. Provide training for all agency staff on all aspects of parental rights, due process, etc.	August 2005	Solicitor – Department of Interior IDEIA P.L. 108-446	Completed Dec. 2006 & Jan. 2007
2. Within each agency guidance will be provided to schools to provide training to all parents regarding their rights within the special education process.	SY 2006-2007	DCMA guidance Local translators as needed Parent Training Centers	Completed

APR Template – Part B (4)

3. All mediation agreements will be followed by closure letters from DPA to the school and agency.	SY 2005-2006	DCMA School/Agency Principal	Completed
4. Status of mediation requests and system impact based decisions will be disseminated within 60 days.	SY 2006-2007	Director, Deputy Director, Supervisory Ed. Spec. for Special Education	Completed Information shared with Advisory Board, ELO's, and Deputy Director
5. Revise the Eligibility Document to reflect roles and responsibilities	SY 2006-2007	DCMA and Agency Staff	On-going

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for SY 2006-2011:

ACTIVITY	TIMELINE	RESOURCES
1. Status of mediation requests and system impact based decisions will be disseminated within 60 days.	SY 2007-2008	Director, Deputy Director, Supervisory Ed. Spec. for Special Education
2. Revise the Eligibility Document to reflect roles and responsibilities	SY 2007-2008	DPA and Agency Staff
3. Provide on-going training to keep abreast of updated Special Education Regulations for DPA Staff, ELO Staff, School Staff, and Parents.	SY 2007-2008	DPA and Agency Staff
4. Coordinate and implement a BIE Parent website to include online resources they can access at schools, tribal meeting places, and other community centers.	SY 2007-2009	DPA Staff

Part B State Annual Performance Report (APR) for 2005

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

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

Measurement:

State reported data, including 618 data 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 February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

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

Actual Target Data for 2005 – 2006:

- a. The Bureau of Indian Education (BIE) Tables and the State Performance Plan (required submissions) were submitted on time during SY 2006-2007.
- b. Assessment Tables were submitted in a timely manner however they did not include data from all states. One state did not deliver assessment data to BIE schools in time to include in the 2005-2006 APR. That data has now been received and a revised Table 6 for 2005-2006 as well as a Table 6 for 2006-2007 has been completed with assessment data included herein.
- c. It is believed that the indicator **has been met**. All data that was available to the BIE was reported in a timely manner. The data revision ensures that the data is more accurate.

Please see comments (Attached) for this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 – 2006:

The Native American Student Information System has been implemented as the data system across all schools and all states in which the BIE has schools. This is an effort that has been a requirement and a goal since 1978. Intensive training has been provided to all schools in both the correct data entry process but also the data definitions which promote better data collections.

@006-2007 was the first Child Count for which there was extensive data verification. Every school was provided a roster which included all data elements for both Tables 1 and 3. There was the opportunity to review that roster and make changes if needed. The Line Office staff verified that the school had all needed support data. This is a very big step forward for the BIE.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2006 – 2011:

None.

ATTACHMENTS

All of the following are additions.

2006-2007 APR Clarifications

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

Comments: The BIE gets graduation data through two different collections. The table reflects the data as gathered via the Annual Report from the schools for the general student group and through the 618 data for special education. The 618 data as reported here was taken from the Native American Student Information System (NASIS) to populate the 618 Table 4 In sSY 2006-2007. In school year 2005-2006 it was self reported by schools. In the future this data will come from NASIS for both student groups. The NASIS system will not have graduation data generated from enrollments until it has four years of data in the system. Until that time a drop-down has been provided which includes graduation as one of the exit reasons for students with disabilities.

2006-2007

Tool	Group	Number Seniors	Number Graduated	Percent
Annual Report	All	2,187	1,534	70.14%
NASIS	SWD	227	170	74.88%

2007-2008

Tool	Group	Number Seniors	Number Graduated	Percent
Annual Report	All	2,187	1,587	72.57%
NASIS	SWD	310	277	89.35%

The baseline for graduation rates will be the 2006-2007 rate.

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

- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

Students enrolled in BIE take the assessment of the state in which they are located. Per No Child Left Behind (NCLB) states may assess in either Language Arts or Reading. BIE has schools in states that use reading and states that use Language Arts. Included in the BIE Annual Report are the scores from both areas. The 618 data does not allow for the reporting of the two areas. The

participation rates are as reported on the APR for both reading and math. All students enrolled on the day of assessment are not in the test pool for reading. Some are reported on the Language Arts data included in the APR. BIE believes that they met the required participation rate for both reading and math.

If OSEP would have the BIE combine scores for Reading and Language Arts please provide such guidance.

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

Target A

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.

Explanation: 2005-2006.(Baseline data SPP 56.64 X.01 = .5664.) (Baseline data 56.64 + .5664 = 57.21) For Target A the actual number was 57.56. This exceeds the target. For 2006-2007 the target was again exceeded.

Target B.

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.

2005-2006 (Baseline data SPP was 9.95 X .05 = .04975) (Baseline data 9.95 - .0495 = 9.90) For Target B the actual number was 9.50. This is less than the target. For 2006-2007 the target was again exceeded.

Target C

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.

The target was not met for 2006-2007.

Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).

BIE has corrected the data collection process to ensure the collection of valid and reliable data. The 2nd tier monitoring tool has been revised so that both the time between parent consent to evaluate and the evaluation completed and an eligibility determination made is captured but the tool will also collect the reason for delay if the process was not completed in the required time-line.

Along with making the correction on the tool the BIE has provided training to all individuals doing 2nd tier monitoring. If there is not someone in a given agency with sufficient knowledge of the regulations and review process special education staff from the Division of Performance and Accountability will collect the data at the school level.

Indicator 14: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post secondary goals.

The BIE cannot provide other information at this time. The BIE has taken steps to improve the data collection. Attached (Appendix) can be found a copy of the survey that allowed the possibility of a duplicate student count. Also attached is the revised survey and the direction to school personnel regarding the completion of the survey.

618 Data Rating:

Table 6 Assessments. The BIE funded schools are required (CFR25, Part30) to use the curriculum and the assessments of the state in which they are located. The BIE does not have an assessment system of its own nor does it have any control over the assessment vendors used by the states. For SY 2005-2006 the BIE had access to student achievement too late for the schools to add that information to their Annual Report and allow BIE review of that data. BIE only receives assessment data from the schools, not directly from the vendor. BIE was diligent in reporting the data that was not available for reporting on Table 6, even though the circumstances were beyond their control.

The BIE included in the 2006-2007 APR the missing assessment data. For 2006-2007 the data was reported on time. The data reported was complete. (Refer to the information provided under item 3. regarding our unique assessment situation regarding reading and Language Arts. It is requested that OSEP provide guidance to BIE regarding how they wish to have this reported.



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Division of Performance and Accountability**
1011 Indian School RD, NW Suite 332
P.O. Box 1088
Albuquerque, New Mexico 87104-1088

IN REPLY REFER TO:

Memorandum

To: Education Line Officers
Attn: High School Principals

From: Chief, Division of Performance & Accountability

Subject: 2008 Indicator 14 Activity

Please distribute the attached to the high schools within your jurisdiction regarding data required for the special education State Performance Plan (SPP), Indicator 14 which states:

Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

All high schools are asked to contact students who left high school at the end of school year 2007 (graduated, received a certificate, reached maximum age, or dropped out) to obtain the information on the attached 2008 Post Secondary Student Activity form. The data gathering time period for this activity is April through September 2008. High schools are asked to compile the results on the attached 2008 Post Secondary Tally Sheet and send to Sally Hollow Horn, Education Specialist fax number (505) 563-5281 no later than September 30, 2008. Further information and instructions are on the attached forms. If you have any questions, please call Ms. Hollow Horn, at (505) 563-5276.

Attachments

cc: Director, BIE
Education Special, S Hollow Horn

Acting Associate Deputy Director, Navajo-Jim Hastings
Acting Associate Deputy Director, East and West- Bart Stevens

(Original has school and date info here)
2008 POST-SECONDARY TALLY SHEET

EMPLOYMENT SECTION

1. Number of students who had been competitively employed at any time since leaving high school _____.

POSTSECONDARY SCHOOL SECTION

2. Number of students enrolled in any type of school, training, or educational program since leaving high school _____.

EMPLOYMENT AND POSTSECONDARY

3. Number of students who have done both since leaving high school _____. (**DO NOT** count these students in 1 and 2 or they will be double counted)

4. TOTAL NUMBER OF STUDENT LEAVERS IN 2007: _____ *

***THIS SHOULD BE THE SAME NUMBER YOU REPORTED FOR DATA YEAR JULY 1, 2006 – JUNE 30, 2007 ON TABLE 4 – EXITS:**

- Graduated with regular high school diploma
- Received a certificate
- Reached maximum age
- Dropped out

5. TOTAL NUMBER OF STUDENT LEAVERS IN 2007 YOU WERE UNABLE TO CONTACT: _____

PLEASE FAX THIS TALLY SHEET TO SALLY HOLLOW HORN, DPA

(505) 563-5281 BY SEPTEMBER 30, 2008. THANK YOU !!
2008 Post Secondary Student Activity

THIS INFORMATION MUST BE GATHERED BETWEEN APRIL AND SEPTEMBER OF THE YEAR FOLLOWING THE STUDENT'S EXIT FROM HIGH SCHOOL.

For each student who left school via graduation, age-out, drop-out, or received a certificate. (Unless you know a student who left before graduating enrolled in another school, they must be counted as a drop-out).

EMPLOYMENT SECTION

1. Since the student left high school, has he/she been competitively employed at any time? *“Competitively employment means work-(i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.” (Authority: Sections 7(11) and 12(c) of the Act; 29 U.S.C. 705(11) and 709(c)).*

(1) NO

(2) YES

POSTSECONDARY SCHOOL SECTION

2. Since the student left high school, has he/she enrolled in any type of school, training, or education program, whether full- or part-time? (i.e. *GED, Job Corps, Vocational Technical School-less than 2 year program, Community College-2 year program, College/University-4 year program, Enrolled in studies while incarcerated*)

(1) NO

(2) YES

EMPLOYMENT AND POSTSECONDARY (BOTH)

3. Since the student left high school, has the student been competitively employed at any time **AND** been enrolled in any type of school, training, or education program?

YES

Reminder – some students may answer yes to #1 and #2; indicate this on #3 and on the Tally Sheet, #3. Do not count them in #1 or #2 or they will be double counted.

Original

Post Secondary Student Activity

POST-SCHOOL INFORMATION

THIS INFORMATION MUST BE GATHERED BETWEEN APRIL AND SEPTEMBER OF THE YEAR FOLLOWING THE STUDENT’S EXIT FROM HIGH SCHOOL.

For each student who left school via graduation, age-out, drop-out, or they received a certificate. (Unless you know a student who left before graduating enrolled in another school they must be counted as a drop-out).

EMPLOYMENT SECTION

1. Since the student left high school, has he/she been competitively employed at any time? Competitively employed means being compensated at or above minimum wage (would include military).

(1) NO

(2) YES

POSTSECONDARY SCHOOL SECTION

2. Since the student left high school, has he/she enrolled in any type of school, training, or education program?

(1) NO

(2) YES

APR Template – Part B (4)

Bureau of Indian Education

State

Reminder – some students may answer yes to both, indicate this on the tally sheet #3.

3-21-08