

**Bureau of Indian Affairs
Office of Indian Education Programs
State Performance Plan
Submitted December 1, 2005**

The Bureau of Indian Education (BIE) funds schools located on 63 reservations in 23 states across the nation. Of the 184 schools 60 are Bureau operated and 124 are tribally controlled. One-hundred and sixteen schools provide instructional programs, 55 provide instructional as well as boarding services and 12 peripheral dormitories provide only boarding services (these students attend the local public school). Seven schools are Off Reservation Boarding Schools (ORBS) that provide both instructional and boarding facilities to students from many different states. The BIE is not a school system organized into districts as are the majority of the states, the 184 Bureau funded schools are organized under 22 Education Line Offices or Agencies. The smallest agency has two schools providing academic services and one boarding facility where the students receive their academic services in a public school. The largest agency serves 17 schools, 10 of which also provide boarding service. In the BIE schools are also meeting the reporting requirements of the LEA. This difference is greater than just terminology in that the Education Line Officers do not have the same line authority over the LEA/schools in their agency as do district superintendents in the public school system.

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

This 2010 revision of the State Performance Plan (SPP) aligns reporting with what is used to report under the ESEA.

- Final copies of the revised SPP will be made available to each Agency office for their staff. The agencies will distribute the document to schools.
- Schools will be asked to disseminate the SPP to parents and other community members in a manner deemed to be most appropriate for that school and community.
- Each involved tribal entity will receive a final copy of the SPP for distribution to their respective communities.
- Each member of the Advisory Board and each staff member at the central office level of OIEP will receive a copy of the final document.
- The approved SPP will be reviewed at the next national gathering of Education Line Officers, Special Education Coordinators, and Field Education Specialists.
- A final copy will be posted on the BIE web-site. (www.bie.edu)

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: FAPE in the LRE

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

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

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

The BIE reports the graduation calculated as a four year cohort.

Overview of Issue/Description of System or Process:

The BIE has moved to the four year cohort formula for calculating graduation rates. All measures will be reported for the All group as well as the Students with disabilities (SWD). The BIE will use the four year cohort concept for graduation calculations.

Baseline Data for FFY 2008 (2008-2009):

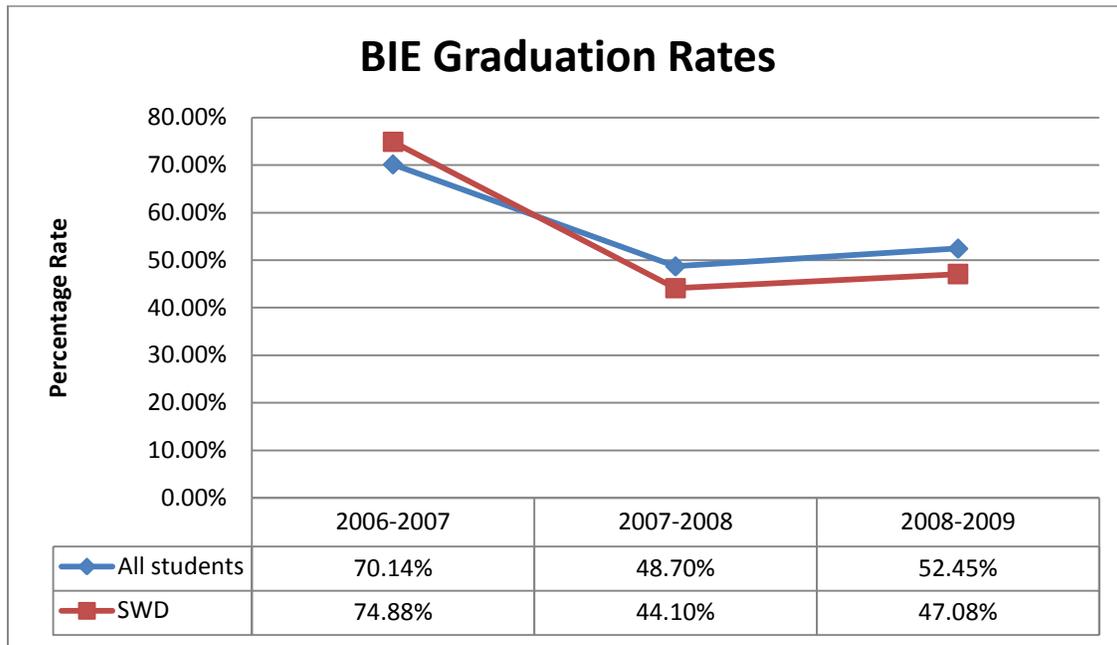
General Education	52.45%
Students with Disabilities	47.08%

The national graduation rate for American Indian students is reported as between 51% and 54%. The Manhattan Institute has published an *Education Working Paper* (September 2003) that references the fact that rates vary by regions of the country (p19). They indicate that in the Northwest region the graduation rate for American Indians is as much as 40% below that of white students. (p30).

National data for American Indian students with disabilities was not found.

The following table shows the graduation rates by state. This is provided for better understanding of the format of the Targets. The numbers shown are the *average* graduation rate of the school(s) in the identified state. If averaged, the result is not equivalent to the average reported above due to varying numbers of schools in each state and varied numbers of students in each school.

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



Discussion of Baseline Data:

The above data shows a three year trend that reflects the change between using the varied methods of calculation by state to using the four year cohort concept across all 23 states.

Targets:

Explanation: Each school would need to show growth toward the graduation rate of the state in which they are located. In New Mexico the average rate (for OIEP schools) is 42% and the New Mexico expectancy is 90%. The difference is 48% which would require a growth of 8 percentage points each year (1/6th of the gap). The example is for the average graduation rate reported in the state. In actuality each school would have a unique gap and a unique desired gain.

Original Targets:

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Increased graduation rate of 1/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 1/6 th .
2006 (2006-2007)	Increased graduation rate of 2/6 th of the gap between baseline rate and the end-goal of the state. Will be reported as the number of schools who reduced the gap between baseline and final goal by 2/6 th .

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

The targets below are used so that in each state, which has a different graduation rate requirement, it can be determined if a single school has or has not made progress toward meeting the goal for graduation rate in that state. For ESEA reporting the graduation rate, BIE or by school is submitted. The 22 different AMOs or final goals are not submitted.

Revised Targets:

2009 (2009-2010)	The gap between non-disabled peers and students with disabilities will decrease by 1.5 percentage points over previous year.
2010 (2010-2011)	The gap between non-disabled peers and students with disabilities will decrease by 1.5 percentage points over previous year.

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

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

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

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

Overview of Issue/Description of System or Process:

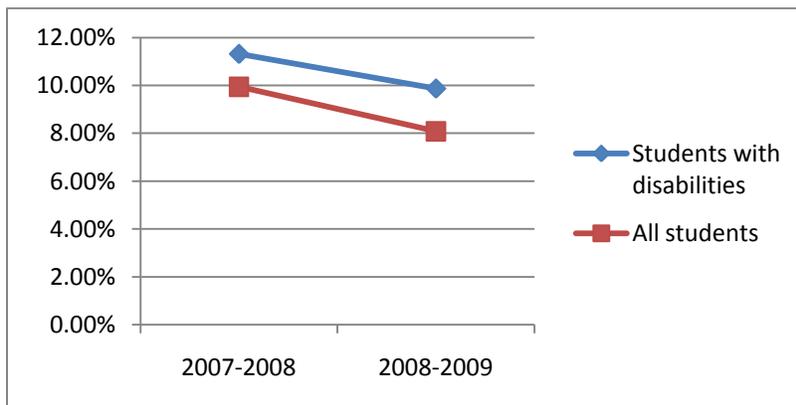
The BIE has the same responsibility as do public schools to take positive actions to address the student drop-out problem. It is different in that American Indian students have a choice between attending a BIE school or a public school. Movement between the BIE and the local public school is often frequent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

Baseline Data for FFY 2008 (2008-2009):

Bureau wide summary

All students	8.08%
Students with Disabilities	9.89%

Two Year Trend:



Discussion of Baseline Data:

SPP Template – Part B (3)

There was a reduction of the drop-out rate for both the All and the SWD group.

Targets Targets:

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.89%
2006 (2006-2007)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.6%
2007 (2007-2008)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.6%
2008 (2008-2009)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.3%
2009 (2009-2010)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.3%
2010 (2010-2011)	The drop-out rate of students with disabilities attending OIEP operated High Schools will not exceed 9.0%

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Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

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

- A. Percent of schools (OIEP does not have districts) meeting the State's Adequate Yearly Progress (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. AYP percent = $[(\# \text{ of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup}) \div (\text{total \# of districts that have a disability subgroup that meets the State's minimum "n" size})] \times 100$.
- B. Participation rate percent = $[(\# \text{ of children with IEPs participating in the assessment}) \div (\text{total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math})]$. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent = $[(\# \text{ of children with IEPs enrolled for a full academic year scoring at or above proficient}) \div (\text{total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math})]$.

Baseline Data for FFY 2008 (2008-2009):

Summary Actual Target Data - Combined A., B. and C.

FFY 2008	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)*			
Targets for FFY 2008 (2008-2009)	9 schools		Reading		Math		Reading		Math	
			95%		95%		%		%	
Actual Target Data for FFY 2008 (2008-2009)	#	%	#	%	#	%	#	%	#	%
	13	25.00**	3787	96.95%	3739	97.75	595	15.71	567	15.17

BIE has some schools that use Language Arts and some states that use Reading. Per OSEP guidance, BIE combines results for the two and reports all under the Reading reporting.

Targets

A. Adequate Yearly Progress Targets: (no change)

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Of the schools with sufficient “n” for calculation one more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2006 (2006-2007)	Of the schools with sufficient “n” for calculation 2 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2007 (2007-2008)	Of the schools with sufficient “n” for calculation 4 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2008 (2008-2009)	Of the schools with sufficient “n” for calculation 6 more schools than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2009 (2009-2010)	Of the schools with sufficient “n” for calculation 8 more schools than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.
2010 (2010-2011)	Of the schools with sufficient “n” for calculation 10 more school than baseline (3 schools) will achieve AYP for the students with disabilities subgroup.

NOTE: The numbers seem small but there were only 20 schools with sufficient “n” for students with a disability for calculation.

B. Participation Rate Targets: (no change)

FFY	Measurable and Rigorous Target
2005 (2005-2006)	95%
2006 (2006-2007)	95%
2007 (2007-2008)	95.5%
2008 (2008-2009)	95.5%
2009 (2009-2010)	96%
2010 (2010-2011)	96%

NOTE: The participation rate is not based on that reported on the report card. Please reference explanation in that section

C. Proficiency Rate Targets

(1) Language Arts, Reading and Math: Because the BIE uses the assessments and the AYP calculations of 23 different states they cannot report a single goal in any of the academic areas. For ESEA reporting the BIE reports the total number proficient as identified by each States’ assessments and AMOs. All scores are cross-walked to *basic, proficient or advanced* and summed based on this score. Because BIE does not have a single goal (for All students or SWD) that is reported under ESEA they will continue to work toward closing the gap.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the baseline year gap..
2006 (2006-2007)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.
2007 (2007-2008)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.
2008 (2008-2009)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.
2009 (2009-2010)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.
2010 (2010-2011)	Reduce the gap between the percent of “All” students achieving at the proficient/advanced level and the percent of students with disabilities achieving at the proficient or advanced level by 20% of the preceding year gap.

State guidelines for assessments, including but not limited to guidelines for accommodations, alternate assessment participation, and types of alternate assessments will be followed. Schools will be required to attend, as do state schools, all assessment trainings and to follow all procedural guidelines.

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of agencies (OIEP does not have districts) identified by OIEP 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 agencies identified by OIEP 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:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Include State’s definition of “significant discrepancy.”

Overview of Issue/Description of System or Process:

Suspension and expulsion data is collected via the Native American Student Information System (NASIS). BIE is currently in the process of reviewing the behavior codes and terminology so as to ensure accurate and consistent data in this area.

Baseline Data for FFY 2008 (2008-2009):

High School (Secondary Schools) Suspension-Expulsion data:

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

Secondary Suspensions and Expulsions > 10 Days

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

The BIE has determined that 'n's below 20 may yield data of limited reliability. The schools in this category will be notified of their numbers just as the other schools. With their low numbers of SWD, an individual incident of suspension and/or expulsion can have a significant effect on their rate.

Elementary Suspension-Expulsion data:

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

Elementary Suspensions and Expulsions > 10 Days

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

SPP Template – Part B (3)

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Choctaw Central Middle	7-8	30	6.67%
Ojibwa Indian	K-8	39	12.82%
Turtle Mountain Middle	6-8	58	15.52%

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

Discussion of Baseline Data:

In a recent NCES report 38% of American Indian students between grades 7th to 12th have been suspended at some time. In comparison Blacks were reported at 35%, Hispanics at 20%, Whites at 15% and Asians at 13%. The indicator here is based on a single year while the NCES report was over a multiple year period, however, when extrapolated the overall numbers for the BIE are low.

BIE choose to separate Elementary schools vs High schools based on the different patterns of behaviors. In districts, as reported by states, each entity has the k – 12 span. This is not the case when reporting by schools.

A. Rates of Suspension and Expulsion Targets

FFY	Measurable and Rigorous Target
2009 (2009-2010)	No school will report suspensions and expulsion rates greater than two times the BIE average.
2010 (2010-2011)	No school will report suspensions and expulsion rates greater than two times the BIE average.

B. Targets (Above by ethnicity) – Non applicable to OIEP

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan 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.

Overview of Issue/Description of System or Process:

Data for environment are currently collected via NASIS. This information is verified against school enrollments with each school by all elements for each individual child. For the BIE any child who is five by December 31st of any school year is school age. That means that the Child Count and Environment data we collect includes students as young as four to age 22. For this report we provide the data for six to 22 year olds as is required but we also report numbers for four and five year olds. This supports reporting to the communities as they understand BIE schools.

Baseline Data for FFY 2008 (2008-2009):

The baseline data reflects the percentage of students served in each of the environment categories as calculated from the count and description of placements as reported on the October 30, 2009, Table 3 submission. The separate facilities and homebound/hospital categories are combined due to the very small numbers.

FFY 2008 Environments Distribution

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

SY 2006-2007, 2007-2008, 2008-2009 Placement by Environment

Environment SY2008-2009 SY 2006-2007, 2007-2008, 2008-2009 Placement by Environment

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

Environment SY2008-2009

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

Environment Trends

	FFY 2006 Data	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target
A. Inside the regular class 80% or more of the day	65.01	64.17	69.48	65.17
B. Inside the regular class less than 40% of the day	8.92	9.08	7.41	8.58
C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	.84	.82	.81	.45

Discussion of Baseline Data:

As a system OIEP has a high percentage of students (56.64%) served outside the general education classroom less than 21% of the school week. The above data shows that a majority of students receive services with their non-disabled peers. The fall 2004 data is consistent with data from the 2003 fall count, when compared to other states, OIEP was three percentage points higher than the national average. (OIEP 62%; National Average 59%, US DOE, OSEP, Data Analysis System)

When looking at the very small numbers reflected as being placed in the most restrictive environments note that placement of students in such facilities is slightly different than most states. When a OIEP student is in need of a separate facility placement there is close coordination with the states and a student may be placed in a state-run facility and transfer to the state reporting, i.e., a child is enrolled in the state facility for the deaf.

A. Removed from regular class Less than 21% of day

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

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

FFY	Measurable and Rigorous Target
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<p>2009 (2009-2010)</p>	<p>Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.</p>
<p>2010 (2010-2011)</p>	<p>Show at least a .5% decrease in the numbers of students receiving appropriate special education services outside the general education >60 % of the time.</p>

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

<p>FFY</p>	<p>Measurable and Rigorous Target</p>
<p>2009 (2009-2010)</p>	<p>No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.</p>
<p>2010 (2010-2011)</p>	<p>No more than .45% of students with disabilities will receive services in separate schools, residential placements, in hospital settings or in homebound settings.</p>

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

NOTE: OIEP does not serve pre-school children (Early Childhood Part B) Five year olds in kindergarten are served in school-age programs.

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

NOTE: OIEP does not serve pre-school children (Early Childhood Part B) Five year olds in kindergarten are served in school-age programs.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

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

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

Monitoring Priority: FAPE in the LRE

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

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

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

Overview of Issue/Description of System or Process:

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

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

Baseline Data for FFY 2008 (2008-2009):

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

	FFY2006	FFY2007	FFY2008
Total number of Parent Respondents	2,087	3,143	4,052

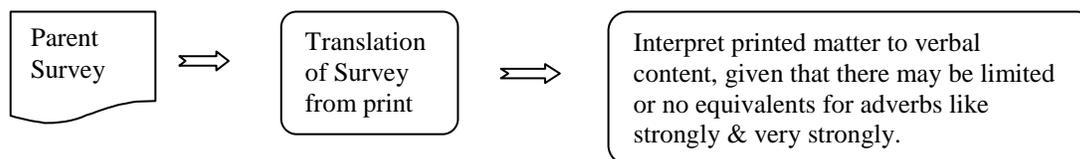
Number who reported school facilitated their involvement	689	1,037	1,363
Percentage who reported school facilitated their involvement	33%	33%	34%

Discussion of Baseline Data:

The above baseline data was developed using the aforementioned tool exactly as is indicated in its development. For that scoring rubric scores are (high to low) Very strongly agree, strongly agree, agree, disagree, strongly disagree, very strongly disagree. The BIE asserts that the three top categories and separately the three bottom categories do not have the same conceptual distinction to many parents from the Native community as this has for non-Native. Therefore BIE is also submitting baseline data which includes all categories of ‘agree’ as indicating parents satisfaction.

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

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

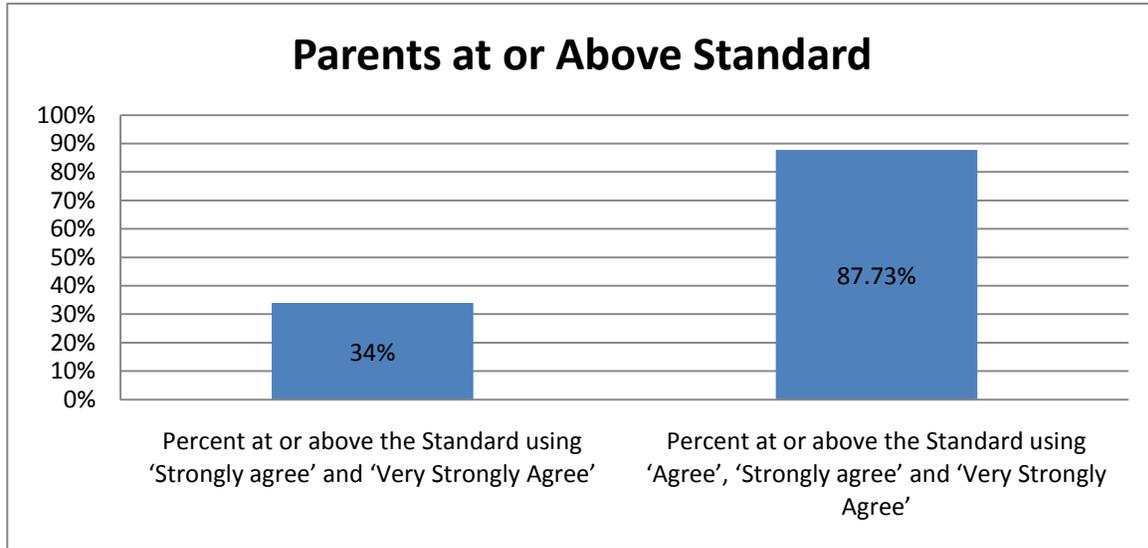


Based on one example, would one ask a parent if they ‘agree’ with a statement or if they ‘agree, agree, agree’ or yet perhaps if they ‘agree, agree, agree’? This would simply be a redundant question. One would simply agree or disagree with no need to further qualify the response.

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

Percent of Parents at or Above Standard (Graph Below)

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



Targets:

FFY	Measurable and Rigorous Target
2009 (2009-2010)	Increase percent at or above the standard by 1%.
2010 (2010-2011)	Increase above preceding year percent at or above the standard by 1%.

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Dis-proportionality

Indicator 9: Percent of agencies with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

Measurement:

Percent = # of agencies with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100.

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Source: Indian Student Equalization Program (ISEP)

Note: The data vary from the data shown on Table 1 (618 Child Count) because the data reported here are from the student roster used for funding purposes. The Child Count includes non-ISEP eligible students (primarily students who do not qualify as American Indian for funding purposes but who may have some blood quantum American Indian and attend Bureau funded schools).

Overview of Issue/Description of System or Process:

BIE does not report on this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Dis-proportionality

Indicator 10: Percent of agencies or schools with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

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

Measurement:

Percent = # of agencies with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of agencies in OIEP times 100.

Include OIEP’s definition of “disproportionate representation.”

Describe how OIEP determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

The BIE does not report on this indicator.

Part B State Performance Plan (SPP) for 2005-2010**Overview of the State Performance Plan Development:**

BIE does not report on this indicator.

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

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: 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:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in a. but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

Overview of Issue/Description of System or Process:

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

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

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

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

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

SPP Template – Part B (3)

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

Baseline Data for FFY 2004 (2004-2005):

For SY 2007-2008 the findings were reported as each individual file which contained a parent signature for evaluation, referral and assessment data, and documentation of a completed evaluation. For SY 2008-2009 (correction due in SY 2009-2010) findings will be a systemic pattern in a school.

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

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

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

Discussion of Baseline Data:

BIE has had some difficulty with compliance with this indicator. Many BIE schools are located in isolated areas that little access to the related service personnel who provide these services, no close communities in which these services are available and even when available, the schools are not large enough to direct hire and services are on a limited schedule.

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

SPP Template – Part B (3)

Bureau of Indian Affairs
State

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

NOTE: The OIEP does not administer the Part C or Part B Early Childhood programs. OIEP has no direct responsibility until a student enters kindergarten in a Bureau funded school.

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

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

The BIE does not report on this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / 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 IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

Overview of Issue/Description of System or Process:

A review of files, which includes a determination of whether an IEP for a student 14 or older is completed correctly, is done during the Compliance Monitoring process which is on-site verification. The information gathered is logged into an electronic program and the summary reports are forwarded to DPA.

During the compliance monitoring process each Agency Staff is required to review all files of students 16 or older.

Baseline Data for FFY 2008 (2008-2009):

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

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

Discussion of Baseline Data:

SPP Template – Part B (3)

Bureau of Indian Affairs
State

The baseline data indicates that there is not 100% compliance in this area. There is improvement over the observation referenced in 2007 Annual Progress Report.

Note that the BIE definition of a finding and the reported issues may include multiple issues at one site.

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

Improvement Activities/Timelines/Resources:

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / 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.

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

Measurement:

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

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

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

Overview of Issue/Description of System or Process:

Up to one year post spring graduation schools were asked to respond to a questionnaire asking about the status of recent graduates relative to employment or school status at that time. The responses received reported on 327 graduates. Of those 75% were either employed (46.1%) or engaged in a learning activity (53.9%).

Category	#	%¹
Total number of leavers:	413	100%
Students unable to contact:	44	10.65%
Students reported on:	369	89.35%
Students employed:	150	40.65%
Students in post secondary school:	73	19.78%
Students in both categories:	77	20.87%
Students reporting no activity	69	18.70%

¹Percent reported is percent of responders, last four rows.

Baseline Data for FFY 2004 (2004-2005):

Care must be taken when looking at employment statistics for American Indian exits from high school to consider the employment rate reported for Native Americans as a whole. Since OIEP schools are located in twenty-three the national rates for unemployment will be used as a criteria in determining realistic targets for this indicator.

National rates of unemployment are reported as falling between 42% (National American Indian Housing Council, Sept. 2005) to 46% (Center for Community Change, 2004 data). These numbers are corroborated by 2002 census data reporting that only 59.1% of Native American house holds have reported a householder holding a full-time job.

To collect the data required to respond to this indicator schools will be asked to do the following:

1. Each school must identify all students 16 years and older who exited the system during SY 2004-2005 (July 1 to June 30) as follows:
 - a. Graduated with a regular diploma
 - b. Received a certificate of completion
 - c. Dropped out
 - d. Students who did not return from the previous year and are not known to be enrolled elsewhere
2. Between April and May of SY 2006 the school will:
 - a. Establish contact with student or individual having knowledge of the student and
 - b. Ascertain if the individual is
 - i. Competitively employed,
 - ii. Enrolled in a post secondary learning experience, or
 - iii. Neither of the above.
3. Collate information into a single report and forward results to CSI.

The calculation of the rate of employment or engagement in a post secondary learning experience will be done at DPA.

Discussion of Baseline Data:

The BIE has a high rate of return for this indicator. That rate of return indicates that the data provide is an accurate representative of graduates and their activities one year later.

Targets:

A. Percent enrolled in higher education

FFY	Measurable and Rigorous Target
2009 (2009-2010)	20.00%
2010 (2010-2011)	20.5%

B. Percent enrolled in higher education or competitively employed within one year of leaving high school.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	21%
2010 (2010-2011)	21.5%

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment

FFY	Measurable and Rigorous Target
2009 (2009-2010)	60%
2010 (2010-2011)	60.5%

Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

FFY	Measurable and Rigorous Target
FFY 2009	a. 100%, b. 100%
FFY 2010	a. 100%, b. 100%

Overview of Issue/Description of System or Process:

The BIE is currently revising its monitoring system.

- Schools will receive a site visit on a three year cycle
- Prior to the site visit each school must complete and submit a self-assessment during which they review their own program, identify areas of non-compliance or concern, develop a plan to address the issue and then complete a plan to address the issues.
- BIE has developed a Compliance Monitoring tool that will be used for on-site file review
- Due process activities that result in identification of non-compliance will be tracked
- BIE will be adding fiscal monitoring.

- After the monitoring, schools are advised of their areas of non-compliance and are required to submit a Corrective Action Plan.

Baseline Data for FFY 2008 (2008-2009):

A. Data gathered relative to **Indicator 15. A** is from any school which was monitored and for which the resultant time line of one year ended during SY 2008-2009.

- During the time period specified 173 schools were monitored by DPA.
- 32 of 35 schools had non-compliance citations (91%).
- 156 non-compliance citations were found in the above monitoring.
- Of the 156 non-compliance citations, 44 (35%) were not corrected within one year.
- Of the 32 schools that received citations for non-compliance, 17 still had uncorrected non-compliance one year later. (53%)

II. The following data is provided in response to the request in the November 21, 2005 letter received from OSEP in response to the 2003-2004 Annual Performance Report.

- In the area of IEP content regarding assessment (34 CFR 300.347(a)(5)) specific information is not available. The overall area of IEP content (34 CFR 300.347) had 28 citations with only 13 corrected in a timely manner.
- Placement based on individual needs received 10 citations, only 4 of which were corrected in a timely manner.
- Meeting notices to parents have been more successfully addressed with only 4 citations and only one corrective action not corrected in a timely manner.
- CIMP monitoring data listed 17 citations (35 schools) for ESY for 2004-2005. Nine were reported as corrected. It is clear that this continues to be a systemic concern for OIEP. Actions to be taken in such circumstances will be addressed in the restructuring of monitoring (outlined in Appendix C).

B. None available at this time.

C. 31 findings were the result of ten complaint investigations. Corrective actions were developed. There is no documentation of implementation of these required actions.

Discussion of Baseline Data:

The baseline data indicates that many non-compliance issues have not been successfully corrected. OIEP understands that the current monitoring process, from the self assessment to the required successful closure for any factor in non-compliance status (however determined) must be reviewed. Each component must be analyzed and systemic issues must be addressed. For this process to result in a system that truly identifies and, within required timelines, will facilitate remediation of non-compliances it must be planned and well executed. Please reference the plan attached as Appendix C. Note that the plan (Appendix C) is designed to identify both the identification of areas of non-compliance, but also, the

provision of assistance to the schools in remediation of non-compliances and sanctions that must be applied as appropriate. Follow-up to identification of a concern is critical.

OIEP has contracted with Mountain Plains Regional Resource Center (MPRRC) to provide technical assistance to schools. Bureau funded schools can be eligible for technical assistance from contract technical assistance providers for the following reasons:

- a recommendation from CSI staff;
- a request of the school principal and/or Agency Education Line Officer;
- a recommendation from the CIMP monitoring team upon completion of an on-site validation visit; or
- random selection by CSI to ensure corrections have been made.

Mountain Plains Regional Resource Center (MPRRC) is provided with a list of schools which have been referred for TA based upon the onsite validation visit and resultant non-compliance citations. (In the future the name and non-compliance identified areas will be forwarded to MPRRC for each school that is monitored). MPRRC automatically gets a copy of all final monitoring reports.

When a school is cited for non-compliance MPRRC will do follow-up and provide technical assistance. A tracking system will be developed to maintain records for all citations, submission of corrective action plans, and documentation of correction as soon as possible but in no case later than one year.

Targets:

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.
2006 (2006-2007)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.
2007 (2007-2008)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.
2008 (2008-2009)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.
2009 (2009-2010)	100% of areas of non-compliance will be corrected as soon as possible, but in no case later than one year.
2010	100% of areas of non-compliance will be corrected as soon as possible, but in

(2010-2011)	no case later than one year.
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Improvement Activities/Timelines/Resources:

These will be developed after receipt of response from OSEP regarding 2008-2009 APR.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100.

Above from Attachment 1.

Overview of Issue/Description of System or Process:

Parents of students with disabilities, and students themselves when age appropriate, are provided a copy of the procedural safeguards pamphlets in which are outlined the process to be followed if they wish to take formal steps to initiate a complaint, mediation, a resolution session or a due process hearing. Included in the literature is a contact number at CSI if a parent does not wish to inform the school.

If a school receives a signed written complaint they are to forward that complaint to the Agency, who in turn sends that document to the Supervisory Education Specialist or other identified contact person at CSI. It is the responsibility of CSI to notify the solicitor and to ensure all appropriate actions ensue.

The OIEP contracts with Mountain Plains Regional Resource Center (MPRRC) to provide complaint investigators, mediators, and due process hearing officers. When CSI is notified of a complaint (or request for mediation or due process hearing) MPRRC is contacted and an individual is selected on a rotating basis to serve in the capacity required. Individuals serving in the identified capacity receive training coordinated by MPRRC prior to having their name added to the respective availability list.

Parents of students with disabilities, and students themselves when age appropriate, are provided with a copy of the procedural safeguards pamphlets in which are outlined the process to be followed if they wish to take formal steps to initiate a complaint, mediation, resolution or due process hearing. Included in the literature is a contact number at CSI if a parent does not wish to inform the school.

If a school receives a signed written complaint they are to forward that complaint to the Agency Special Education Coordinator who in turn sends that document to the contact person at CSI. It is the responsibility of CSI to ensure all appropriate actions ensue.

Baseline Data for FFY 2004 (2004-2005):

In SY 2004-2005 there were twelve signed written complaints brought forward. Of these complaints eleven were investigated and findings issued within the 60 day time line. The twelfth was withdrawn.

Discussion of Baseline Data:

Per the measurement provided above, OIEP has demonstrated 100% compliance for this indicator. The numbers shown above are uncommon in that OIEP does not generally receive this number of complaints in a single year.

Targets

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

SPP Template – Part B (3)

2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%

Improvement Activities/Timelines/Resources:

ACTIVITY	TIMELINE	RESOURCE
1. Provide training for all Agency staff on all aspects of parental rights, due process, etc.	August 2005	IDEIA MPRRC Solicitor - Department of Interior
2. CSI will implement a tracking system to monitor actions, progress, findings and closure.	SY 2005-2006	CSI-Procedural Safeguards Education Specialist @ CSI Technical Staff
3 a) Provide training for all agency staff on all aspects of parental rights, due process, etc. b) The Agency will train their respective schools and parents of students with disabilities.	August 2005 Each fall - 2010	IDEIA MPRRC Solicitor.
4. Incorporated a Principal interview in the CIMP process. Include question regarding current actions to resolve differences of opinion.	SY 2005-2006	CIMP Monitors
5. Develop and disseminate a tracking flow chart, with roles	Fall 2006	CSI Education Specialist

SPP Template – Part B (3)

Bureau of Indian Affairs
State

and responsibilities. Put in indicator 8.		
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Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

Measurement:

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

Overview of Issue/Description of System or Process:

See indicator # 16.

Baseline Data for FFY 2004 (2004-2005):

To be gathered SY 2005-2006. As described under Indicator 16, all requests/actions related to procedural safeguards must be reported to the CSI. When received the pertinent information will be entered into a secure data base and all further actions will be tracked. This will include timelines and required close-out information such as resolution results if applicable.

Discussion of Baseline Data:

Based on data to be gathered.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	To be determined
2006 (2006-2007)	To be determined
2007 (2007-2008)	To be determined
2008 (2008-2009)	To be determined
2009 (2009-2010)	To be determined

SPP Template – Part B (3)

<p>2010 (2010-2011)</p>	<p>To be determined</p>
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Improvement Activities/Timelines/Resources:

ACTIVITY	TIMELINE	RESOURCE
<p>1. (Preventative): Do follow-up on 2004-2005 findings to ascertain whether schools have implemented changes as needed.</p>	<p>SY 2005-2006</p>	<p>Records of findings and required corrective actions. Agency Staff input</p>
<p>2. Training on resolution process.</p>		
<p>3. Develop and disseminate guidance.</p>		

Part B State Performance Plan (SPP) for 2005-2010**Overview of the State Performance Plan Development:***(The following items are to be completed for each monitoring priority/indicator.)***Monitoring Priority: Effective General Supervision Part B / General Supervision****Indicator 19:** Percent of mediations held that resulted in mediation agreements.

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

Measurement:

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by (2.1) times 100.

Overview of Issue/Description of System or Process:

When a parent or guardian of a student with a disability voices a concern which focuses on services for a child with a disability or a request for a due process hearing is received the following actions will occur:

- the parents or guardian of the child will be advised of the opportunity to enter into a mediation session and will be notified of the legal parameters of that process, i.e., the establishment of a legally binding agreement
- if a mediation session is not accepted the school will proceed with a resolution session unless the parents and school waive the sessions in writing. 20 u.s.c.1415(f)(1)(B)
- if neither of the above result in resolution of the concerns and a due process hearing has been requested it must be provided within 30 days of the request.

Baseline Data for FFY 2004 (2004-2005):

One mediation session was held during 2004-2005. The mediation resulted in a mediation agreement.

The OIEP system is very small compared to state system. The OIEP system also has a very small rate of due process proceedings in the area of services for students with disabilities. The process requires all due process requests or any complaints to be forwarded to CSI immediately.

Discussion of Baseline Data:

It is difficult to develop measurable and rigorous targets for this indicator based on little past history surrounding this area. The very small numbers that might be found within the system make targets difficult to develop.

Considering that there is not a compliance factor which requires mediations to result in mediated agreements it is also difficult to set a target.

Targets:

SPP Template – Part B (3)

FFY	Measurable and Rigorous Target
2005 (2005-2006)	To be developed
2006 (2006-2007)	To be developed
2007 (2007-2008)	To be developed
2008 (2008-2009)	To be developed
2009 (2009-2010)	To be developed
2010 (2010-2011)	To be developed

Improvement Activities/Timelines/Resources:

ACTIVITY	TIMELINE	RESOURCE
1. Provide training for all agency staff on all aspects of parental rights, due process, etc.	August 2005	IDEIA P.L.108-446 Solicitor - Department of Interior
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 2005-2006	CSI guidance Local translators as needed Parent Training Centers
3. All mediation agreements will be followed by closure letters from CSI to the school. And agency.	SY 2005-2006.	CSI, School/Agency, Principal
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.

5. Revise the Eligibility Document to reflect roles and responsibilities.	SY 2005-2006	CSI and Agency Staff
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Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 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 accuracy).

Overview of Issue/Description of System or Process:

The OIEP collects data for the yearly OSEP data tables as is required. There are some unique issues in the manner in which student information is maintained within the Office of Indian Education (OIEP) system that impact this data reporting. Bureau funded schools are found in 22 agencies and 23 different states. The OIEP develops a roster that includes all students eligible for funding across the states. Students who are not eligible (commonly non-Native American or not enrolled in a recognized tribe) are not included in that count. (While there are students who are not counted during that time who are enrolled in some schools there are also schools with no such enrollment. That number varies by school and area of the nation.)

The definitions to be used for each category of disability became those as defined within P.L. 108-446 and those categories to be reported on the OSEP Table 1. Prior to this date, the system-wide count used codes that were both definers of exceptionalities and placement at either a high or moderate level. Neither was completely aligned with the OSEP definitions for exceptionalities or placement.

The current process for collecting and verifying the data required for the OSEP Tables 1-5 is outlined below.

TABLE 1 and TABLE 3

1. The OSEP data collection date was changed from December 1 to the last Friday in October so that it would coincide with the ISEP process.
2. A roster is completed at each school which lists all ISEP eligible students.
3. The students are listed by name, social security number, date of birth, tribal code, grade, and programs.
4. The roster indicates any student who receives any special services: Residential, Exceptional Child Residential, Bilingual, Gifted, or Special Education.
5. Students who have been identified as a SWD and are receiving special education services are coded as to disability category and environment for services on the roster.
6. The Agency staff will verify the information for the OSEP Table 1 and Table 3.

TABLE 2

The OIEP funds schools under the Tribally Controlled Schools Act as well as directly operates schools. There is not a single personnel system for all schools. Information about personnel is gathered as follows:

1. For Bureau operated schools licenses are required to be submitted during the contract process.
2. Each school (grant or Bureau operated) must maintain a file of license information for each position that requires a license. Because the OIEP follows the license requirements of the state in which the school is located there may be different requirements for similar positions in different schools. There must also be documentation of whether a teacher is highly qualified for the subject or area they are teaching.
3. If related service providers are on staff the school or agency (if employed at that level) must maintain copies of license. If the related services are contracted this information must be provided by the contractor.
4. The licenses and/or highly qualified status of those providing services are to be reviewed.
5. To gather the data required for the OSEP report the CSI posts Table 2 on the OIEP web site <http://enan.bia.edu>. The Agency staff work with the schools to gather and verify the personnel information.. Technical assistance is provided to the Agency staff and they, in turn, give this guidance to the schools.
6. The Agency staff then collates the information from each school in their agency and submits an agency Table to CSI. It is requested that this be submitted electronically (disk or e-mail).
7. The data is based on a full school year and is submitted to CSI after the school year is completed.
8. Once received at the CSI the information is reviewed, checked for errors, and collated into the OIEP Table 2 that is then submitted.

TABLE 4 and TABLE 5

The information needed for completion for these two tables is gathered from schools by the Agency staff. There is no system-wide procedure for the maintenance of this data. Some schools have a logging system for retrieval of the exit and discipline information but more schools do not. The information is extracted from IEPs, Manifestation Determination documents, enrollment documents, file notes or other logs specifically set up for the respective purpose at each school. The information is self-reported and there is more difficulty in verifying the data than there is in the other areas. The data year is July 1 to June 30

1. As with the other Tables, Tables 4 and 5 are posted on the web.
2. Technical assistance is provided by CSI to the Agency staff as to how the Table is to be completed.
3. The SEC works with each school in the agency to gather/verify the required information and collates the data into an agency report.
4. The agency report is sent to CSI as are the other tables. It is reviewed and collated for the BIA tables which are submitted to OSEP.
5. The information for completion of these tables is requested at the end of the school year.

6. Tracking of exits from special education is an area in which it has been difficult to collect accurate information. Specific requirements for tracking exits will be expected as part of a transition initiative currently being implemented.

ASSESSMENT INFORMATION

All Bureau funded schools must complete an Annual Report and a School Report Card each year. On that report card the school indicates the number of students receiving special education services. Academic results for those students are reported both (included) in the All and as disaggregated results. Test scores are collected in Language Arts and Mathematics for Adequate Yearly Progress purposes. They are also gathered in the area of Reading for school improvement purposes. Schools are located in twenty-three states and use the assessment systems of the state in which they are located. This means that in each of the categories required by No Child Left Behind (NCLB) schools have been reporting a variety of grades within each span. It also means that different assessments are used and therefore different guidelines may be in place for accommodations and / or who takes alternate assessment. Many of the Bureau funded schools are small and the numbers of students receiving special education services are too small to be reportable at the school level. Those students and their results are reported to the CSI to be included in the OIEP wide results.

When submitting the Annual Report to CSI (in which schools self report assessment data) schools are to also submit a hard copy of the reports from the assessment company. OIEP is currently negotiating Memorandums of Agreement (MOU) with the states in which Bureau funded schools are located to address assessment access factors. Included in the MOU are details of getting assessment reports directly into the student information system (NASIS) which is expected to be fully operational by SY 2006-2007.

Baseline Data for FFY 2004 (2004-2005):

All 618 Tables were submitted on time. Errors were corrected as guided by WESTAT reports.

The 2003-2004 Annual Report was a few days late due to getting the report from CSI (New Mexico) to OIEP in Washington DC for signatures prior to submission.

Discussion of Baseline Data:

With the use of a student information system (NASIS) data collections will have consistent definitions and codes as well as be less susceptible to the human error factor inherent in manual computations. This should lessen the number of errors on reports submitted to OSEP and WESTAT.

Data submitted by OIEP has been “flagged” in the past due to significant changes. After discussion with WESTAT it was agreed that where the criteria for a “flag” is a percent (i.e., a 10% change in the number of students identified as autistic) the 10% is not a significant indicator due to small size considerations.

Targets:

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

SPP Template – Part B (3)

2007 (2007-2008)	100% compliance
2008 (2008-2009)	100% compliance
2009 (2009-2010)	100% compliance
2010 (2010-2011)	100% compliance

Improvement Activities/Timelines/Resources:

ACTIVITY	TIMELINE	RESOURCE
1. Agency training on all data requirements under IDEIA.	Fall 2005	Adaptation of materials provided by WESTAT Regional meetings to include school level personnel.
2. If a school has a new 618 data person, contact the Agency. The agency will set up mentorship.	Annually to 2010-2011	ELO School Principal Special Education. Coordinators
3. Develop an across the board report due date calendar. Give out consistently and put online.	Disseminate quarterly.	CSI
4. Provide regional trainings for Agency and school level staff relative to 618 data collections as well as other data as identified in the SPP.	Beginning Fall 2005 Continuous until Fall 2011	CSI Agency staff

**Part B SPP /APR Attachment I (Form)
Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act
Complaints, Mediations, Resolution Sessions, and Due Process Hearings**

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	12
(1.1) Complaints with reports issued	11
(a) Reports with findings	11
(b) Reports within timeline	11
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	1
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	1
(2.1) Mediations	
(a) Mediations related to due process	1
(i) Mediation agreements	1
(b) Mediations not related to due process	0
(i) Mediation agreements	0
(2.2) Mediations not held (including pending)	0

SECTION C: Hearing requests	
(3) Hearing requests total	2
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	1
(a) Decisions within timeline	1
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	1

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	0
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

APPENDIX A

Graduation Rate Calculations:

Arizona

Graduation Rate	=	$\frac{\text{Number of Cohort members who graduated after four years}}{\text{Original Cohort Membership} + \text{Transfers In} - \text{Transfers Out} - \text{Deceased}}$	X 100
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California

The four-year completion rate formula is shown below:

$$\text{HS CMP Yr. 4} / \{ \text{HS CMP Yr. 4} + (\text{Gr. 9 DPO Yr. 1} + \text{Gr. 10 DPO Yr. 2} + \text{Gr. 11 DPO Yr. 3} + \text{Gr. 12 DPO Yr. 4}) \}$$

HS = High School
CMP = Completer

Yr. = Year
Gr. = Grade
DPO = Dropouts

Florida

In Florida, the number of graduates from a four-year adjusted cohort is divided by the total number of students in the adjusted cohort. The adjusted cohort (denominator) is determined through a multi-step process in which we subtract from the 9th grade cohort the students who transfer out of the school or are deceased and add the students transferring into the school who, at the time of their enrollment, are on the same schedule to graduate as students from the first group. This definition is more accurate than the definition created by the National Center for Education Statistics.

For NCLB, we propose to use the prior year graduation rate for the calculation of AYP and the state report card. This is necessary because many districts graduate students during summer school and the deadline for AYP calculations and public reporting can occur prior to summer school conclusion for some districts.

The NCLB graduation rate will vary slightly from the graduation rate that Florida publishes annually because NCLB excludes GED recipients. At this time, all Florida high school students receiving a GED from the Florida Department of Education are included in our published graduation rate.

For the purposes of calculating the graduation rate, the classification of students in grade 9 will follow them throughout their high school career. For example, if a student is

classified as SWD in grade 9 but then by grade 11 is no longer considered to be SWD, he/she will still be counted as if the classification had not changed. This classification methodology will apply only for the purposes of calculating the graduation rate as stated above, and will not be used for any other NCLB purpose.

Idaho

Idaho uses the formula for graduation rate from the National Center for Educational Statistics (NCES). Graduation rate (G) is defined by NCES as the proportion of students that begin in ninth grade and go on to complete twelfth grade with a diploma. Idaho includes students who complete high school under the IEP exception. A General Education Development (GED) certificate does not meet requirements that are comparable for receipt of a regular high school diploma.

$$G = c_{st}^{long} = \frac{g_{st}}{g_{st} + d_{st}^{12} + d_{s(t-1)}^{11} + d_{s(t-2)}^{10} + d_{s(t-3)}^9}$$

Where

- G** = graduation rate.
- c_{st}^{long} = four-year completion rate for state *s* at year *t*.
- g_{st} = number of high school completers at year *t*.
- d_{st}^{12} = number of grade 12 dropouts at year *t*.
- $d_{s(t-1)}^{11}$ = number of grade 11 dropouts at year *t-1*.
- $d_{s(t-2)}^{10}$ = number of grade 10 dropouts at year *t-2*.
- $d_{s(t-3)}^9$ = number of grade 9 dropouts at year *t-3*.

Iowa

Graduation rates for schools and school districts in Iowa will be based upon data submitted by each district in the annual Basic Educational Data Survey (BEDS) to the DE.

The number of high school graduates collected through the BEDS is defined as the sum of the following:

- Students receiving regular diplomas. Regular diplomas are given to students for completing all unmodified district graduation requirements in the standard number of 4 years.
- Students receiving regular diplomas from an alternative placement within the district, or who have had the requirements modified in accordance with a disability.

The high school graduation rate is calculated by dividing the number of high school graduates in a given year by the estimated number of 9th grade students four years previous. The estimated number of 9th grade students (the denominator for calculating the graduation rate) is sum of the number of high school graduates in a year and dropouts over the four-year period. The number of graduates is defined as the sum of students receiving a diploma, defined above, plus the number of students defined as "other completers." Other completers are students who have finished the high school program but did not earn a diploma. More specifically, the total dropouts are defined as the number of dropouts in grade 9 in year 1, the number of dropouts in grade 10 in year 2, the number of dropouts in grade 11 in year 3, and the number of dropouts in grade 12 in year 4. The high school graduation rate in year 4 equals the number of high school graduates in year 4 divided by the number of high school graduates in year 4 plus

the sum of dropouts in grades 9 through 12 from years 1 through 4, respectively. GED recipients must have dropped out of school prior to entering a GED program and thus are already included in the dropout numbers.

Kansas

Currently in Kansas, cohort data are used to determine graduation rate. The measurement looks at the same group or cohort of students from the ninth grade year through the twelfth grade. The data are presented as a cohort rate. Dropouts and transfers over the four-year period are included when determining the class graduation rate. The graduation rate is determined by dividing the total number of 12th grade graduates by the sum of twelfth grade graduates and all students who dropped out or transferred in during the ninth to twelfth grade years. Students who transfer out are subtracted from the total number of students. Since Kansas has previously allowed the inclusion of students earning the GED in calculating graduation rate, that change will be made to data collected for school year 2002-2003 and following.

Louisiana

Louisiana's Total School Growth measure accounts for high school graduation rate through the inclusion of a *dropout* statistic. The national (NCES-CCD) definition of dropout is used.

While “dropout” and “graduation rate” may have some very slight technical differences, in essence they are measuring the same thing – the school or LEA's ability to hold students in school until graduation. In most cases, students who do not graduate are considered dropouts.

Louisiana is proposing to continue to use this measure until an appropriate methodology and standard can be incorporated into policy. Louisiana will develop a method for accurately calculating graduation rate for each cohort that accounts for students that receive a “regular” high school diploma in four years as outlined in guidance.

Louisiana will establish a baseline with this school year's (2002-2003) ninth grade cohort, making the first graduation rate based on the number of students receiving diplomas in the school year, 2005-2006. Because graduation rate will have a one-year lag, the baseline data will be released in 2007 and the first year of AYP decisions based on this cohort data will be in the Summer of 2008.

Maine

The process that is used to determine graduation rate is to divide the number of students graduating in a given class by the number of graduates plus the number of dropouts from the 9th plus the 10th, plus the 11th, plus the 12th grade years for that class. Each of these four dropout counts include students who dropped out during the school year, as well as students who dropped out during summer vacation.

The method used in this profile is the methodology recommended by a task force or representatives from the U.S Department of Education and several State Departments of Education. This information is published on the Maine Department of Education website at: <http://www.state.me.us/education/profiles/datadesc/htm>

- A. For students who move within the state, the school they attended for the majority of time for that academic year will become the accountable school.
- B. Pursuant to Chapter 127, Section 7.B.4 which states that “Secondary students are eligible for extended years of study to complete the requirements of a diploma if they have not reached the age of 20 at the start of the school year. . . .Extended study for students with disabilities shall be specified in the student’s IEP.” Students who qualify for this category will be counted as newly enrolled seniors for their fifth year and will not be counted as dropouts for their fourth year of enrollment, provided this has been included in the students’ Personal Learning Plans and they have been recommended by the school’s principal as qualifying for a fifth year.

Michigan

This calculation does not include students who complete graduation requirements through the GED program. Michigan plans to begin using cohort data to calculate graduation rates in 2006 using the method detailed below.

1. For purposes of calculating graduation rate, a “school year” will be considered as from the start of a school’s academic year through August 31. This allows the graduation rate to include seniors who graduate during the summer.
2. A beginning target percentage graduation rate will be established for the state. This beginning target will be established in a manner similar to the calculation of achievement targets for adequate yearly progress in English Language Arts and Mathematics. All high schools in the state will be arranged in descending order of graduation rate percentage, along with the enrollment for each school. The graduation rate of the high school at the 20th percentile of total state high school enrollment will become the initial target graduation rate for the state. The initial target graduation rate will remain constant for two years, 2003-04 and 2004-05, but will be increased in 2005-06, 2008-09.
3. It estimated at this time that the 20th-percentile-of-total-enrollment formula will result in a beginning statewide target graduation rate of approximately 80%.
4. Schools above this rate will be considered as making AYP. Schools below the rate will be considered making AYP if they achieve a certain percentage growth within the first two years of establishing the target rate, and a certain percentage growth every year thereafter (“safe harbor”).
5. For schools whose graduation rate is initially below the state target rate, the amount of improvement needed to achieve “safe harbor” will be calculated by subtracting a school’s actual graduation rate from the state target rate. In order to be considered making AYP by a “safe harbor” approach, a school will be expected to reduce this gap number by ten percent (10%), to be achieved over a period of two years.

6. Four years will be considered the normal period of time for a high school student to earn a regular diploma. For a high school containing grades below grade 9, e.g. 7-12 high school, only grades 9-12 will be considered. For a 10-12 high school, the normal period will be four years and, for purposes of calculating graduation rate, it will be necessary to begin tracking the cohort in grade nine in the district's middle or junior high school. For a student with disabilities (special education student), the student's Individualized Educational Program Team (IEPT) may determine a specific "normal period" for this student.
7. Graduation rate will be computed on following ninth grade students as a cohort through the years of high school. Graduation rate will be calculated on the percentage of the cohort who earn a regular diploma. When students exit from a school district, an exit code for the student must be entered into the Single Record Student Database (SRSD) at the Center for Educational Performance and Information (CEPI). These codes will be used to determine what students will remain in the cohort being followed, to calculate the graduation rate.
8. Students with the following CEPI codes will be considered as in the cohort and will be included in the calculation of graduation rate:
 - 01 – Graduated from general education with a diploma.
 - 02 – Graduated from general education with a diploma and applied to a degree granting college or university.
 - 03 – Graduated from an alternative program.
 - 04 – Graduated and applied to a non-degree granting institution.
 - 05 – Completed general education with an equivalency certificate.
 - 06 – Completed general education with other certificate.
 - 07 – Dropped out of school.
 - 10 – Expelled from the school district (no further services).
 - 11 – Enlisted in military or Job Corps.
 - 13 – Incarcerated.
 - 16 – Unknown.
 - 17 – Placed in a recovery or rehabilitative program.
 - 19 – Expected to continue in the same school district.
 - 20 – Special Education student – received certificate of completion.
 - 21 – Special Education student – reached maximum age for service.
 - 22 – Special Education student – no longer receiving services and returned to general education program.
9. The cohort will be reduced by students who exit from school during the high school grades according to the following CEPI exit codes:
 - 08 – Enrolled in another district in Michigan.
 - 09 – Moved out of state.
 - 12 – Deceased.

- 14 – Enrolled in home school.
- 15 – Enrolled in a non-public school.
- 25 – Special Education student – enrolled in special education in another district.
- 26 – Special Education student – enrolled in another district, not in special education.

The following CEPI exit codes would require the student to remain in the denominator but would not be counted as “graduating” in the calculation of graduation rate:

- 05 – Completed general education with an equivalency certificate.
- 06 – Completed general education with other certificate.
- 07 – Dropped out of school.
- 16 – Unknown.
- 20 – Special education student – received certificate of completion.
- 21 – Special education student – reached maximum age for services.
- 22 – Special education student – no longer received services and returned to general education program.

The following CEPI exit codes will be used to calculate dropout rate:

- 07 – Dropped out of school.
- 16 – Unknown.

10. For purposes of calculating AYP for a high school, a four-year (grades 9-12) cohort will be used for all Michigan high schools.
11. It is not an expectation that, like student proficiency in English Language Arts and Mathematics, the target goal for graduation rate in Michigan should reach 100% by 2013-14. The reality of high school enrollment, in Michigan and elsewhere, would make this an improbable if not impossible goal to reach. It is expected, however, that growth toward higher targets should be encouraged. Based on a beginning target graduation rate of 80% for 2002-03, the following are Michigan’s intermediate target goals as approved by the Michigan State Board of Education:

2005-06 – 85%

2008-09 – 90% This rate would be remain in effect through 2013-14.

Minnesota

Calculation Formula

This calculation **does not** include students who graduate with GEDs or any other diploma not aligned to the states academic standards. Minnesota is not currently able to collect GED data.

Students are counted as dropped if they are reported as a drop and do not re-enroll in another school during the four year period. Minnesota is not currently able to control for students who finish high school within four years from their start date.

This methodology allows for a consistent computation for all schools and districts in the state, and includes students who change schools part way through their high school career. This computation is based on students who receive diplomas in year four of the emulated cohort.

of graduates year 4

Dropouts (Grade 9 Year 1 + Grade 10 Year 2+ Grade 11 Year 3 + Grade 12 Year 4) + Completers Year 4

Based on this calculation the state expectations will be an eighty percent graduation rate or growth towards eighty percent.

Minnesota will work towards a system that is able to identify the number of years that students have been in high school and adjust the graduation rate accordingly.

Mississippi

The graduation rate is calculated by dividing the number of graduates by the number of ninth grade students four years earlier. The ninth grade enrollment number has been adjusted to reflect the number of new students entering the system, the number moving out, the number failing, and the number of deaths. Students who were originally coded by school districts as dropouts who later are determined to be transfer students may not be included in the calculations.

Montana

Montana’s graduation rate is an estimated cohort group rate that is calculated by the method recommended by the NCES:

$$g_t / (c + g_t + d^{12}_t + d^{11}_{(t-1)} + d^{10}_{(t-2)} + d^9_{(t-3)})$$

Where:

- g* = # of graduates receiving a standard high school diploma in standard # of years
- c* = completers of high school by other means
- t* = year of graduation
- d* = dropouts

12, 11, 10, 9 = class level

Nevada

For the 2001-2002 school year, graduation rate is equal to^a:

$$\frac{\text{\# of Diploma recipients (01-02) (excluding adjusted diploma recipients)}}{\text{\# of diploma recipients (01-02) (all recipients) + certificate of attendance recipients (01-02) + GED recipients (01-02) + 9th grade dropouts (98-99) + 10th grade dropouts (99-00) + 11th grade dropouts (00-01) + 12th grade dropouts (01-02)}}$$

New Mexico

In school year 2005-2006 the number of graduates divided by the number of students in the cohort will be the calculated graduation rate for schools. The cohort will include the following (add):

- students enrolled in 9th grade on the 40th day at a school in school year 2003-2004
- students entering the cohort after that date by virtue of transfer from another school
- students entering the cohort from lower grades who will graduate earlier than four years

The cohort will not include (may subtract):

- students who transfer to another school, residential treatment center, juvenile detention center (or other form of incarceration)
- students who are deceased
- students who graduate before school year 2006-2007
- students who leave the U.S. and its territories
- students who are new immigrants and are ELL, who enter the US and enroll in school after their 17th birthday

Students who drop out of school or enter a GED program or receive a GED diploma will not be subtracted from the cohort and will not be included in the number of graduating students.

North Carolina

For the longer term, we propose a prospective (forward) on-time graduation rate. The first step would be to establish a baseline for membership in ninth grade during the 2002-03 school year. Current student information management systems in North Carolina do not have the capability to track students over a four-year period anywhere in the state. Therefore, LEAs would be asked to generate student rosters for ninth graders in 2002-03 and retain them for future reference. LEAs and/or schools would record the transition outcomes for each student on the roster over the next four years and maintain that information so that it could be matched with the diploma recipient information collected through the 2005-06 master build files (or other data collection that may be more appropriate at that time). Thus the first year in

which a cohort based graduation rate could be calculated would be the 2005-06 school year, and the first year in which “progress” could be ascertained using a cohort definition for two successive graduation rates would be 2006-07.

North Dakota

The State will begin reporting graduation rates using the NCLBA definition in 2005, using collected cohort State data from 2001 – 2005. The rate will be calculated based on the following equation:

Graduates (with regular diploma) who completed high school in four years

(divided by)

[# Graduates (same as above) + # of 9th grade dropouts/retentions + # 10th grade dropouts/retentions + # 11th grade dropouts/retentions + # 12th grade dropouts/retentions + # students who complete 12th grade without a regular diploma]

Oklahoma

Beginning in 2004-2005, the graduation rate will be calculated using an estimated cohort group rate which is a recommended method by the National Center of Educational Statistics. The calculation is listed below:

Number of Students Graduating with a Regular Diploma including summer graduates in 2003-2004	
Number of Students Graduating with a Regular Diploma including summer graduates in 2003-2004	
+	
Number of Grade 12 Dropouts in 2003-2004	
+	
Number of Grade 11 Dropouts in 2002-2003	
+	
Number of Grade 10 Dropouts in 2001-2002	
+	
Number of Grade 9 Dropouts in 2000-2001	
+	
Number Receiving GEDs	

X 100

Oregon

The graduation rate is calculated using a one-year version of the modified NCES graduation rate formula:

Graduates**Graduate + Dropouts**

Where **Graduates** is the number of students who graduated with a standard diploma in the school year and following summer school session in the standard number of years, and **Dropouts** is the number of students dropping out of grades 9-12 in the school year in accordance with the NCES dropout definition.

Oregon chose to use the data for four classes in one school year instead tracking one class over four years in determining the number of dropouts, in order to better measure the immediate effect of educational policies that existed in the reporting year.

South Dakota

The formula to be utilized is as follows:

$$\frac{\text{High School Completers in Year 4}}{\text{Dropouts (Gr 9, year 1 + Gr 10, year 2 + Gr 11, year 3 + Gr 12, year 4) + HS Completers, Year 4}}$$

This proposed calculation is based on the recommendation of NCES in a publication "Public High School Dropouts and Completers from Common Core of Data: School Year 1998-99 through 1999-2000".

Utah**7.1 Accountability system includes graduation rate for high schools.**

NCLB regulation 200.19(a)(1) requires use of a graduation rate as the "other academic indicator" in determining the AYP of high schools and defines the graduation rate for this purpose as "the percentage of students, measured from the beginning of high school [presumably 9th grade], who graduate from high school with a regular diploma ... in the standard number of years."

This definition implies a cohort rate. We are exercising our option under 200.19(a)(1)(b) to adjust this definition slightly in order to ensure statewide comparability and reduce error in measurement by restricting the cohort to grades ten through twelve, since Utah high schools, which may implement any of three different grade spans, have only these three grades in

common; in fact, nearly half have only these three grades -- Grades 7-12 (21% of high schools), Grades 9-12 (33%), and Grades 10-12 (46%).

Specifically, the cohort graduation rate will be operationalized by Utah, following Utha's agreement with NCES (U.S. Dept. of Ed., August 2002, p. 3), in this way:

The number of students who graduated from 12th grade in the current year divided by the sum of: (1) these same graduates, and (2) the number of students who dropped out of 12th grade in the current year, (3) 11th grade in the prior year, and (4) 10th grade in the year before that.

In order to continue applying official NCES definitions in distinguishing "graduates" ("completers" with a "regular diploma") from "other completers" and "dropouts" from "transfers" (U.S. Dept. of Educ., January 2003, pp. 25, 79-81), which have already been incorporated into Utah State Board of Education rule (R277-419), we will also lag the rate by one year; thus, the 2003 report will include the rate for the 2002 cohort.

To illustrate further, we will calculate the graduation rate for a high school in its performance report for the 2002-03 school year by applying the following four step procedure to four files containing school level aggregates on graduates in the school year 2001-02 and dropouts from the years 1999-2000 through 2001-02:

1. From the graduates file, extract the number of "regular diploma" graduates in Spring 2002. This is the numerator.
2. From the dropout files, extract the number of 12th grade dropouts in 2001-2002, 11th grade dropouts in 2000-2001, and 10th grade dropouts in 1999-2000. Drop outs in this case will include students who completed GED or other alternative programs not resulting in a "regular diploma". Those completing a "regular diploma" through early graduation will be considered completers. Note that this simulates the movement of the Class of 2002 cohort through high school.
3. Add the numerator in (1) to the three figures in (2) to obtain the denominator.
4. Divide the numerator by the denominator. This is the cohort graduation rate that will be used for AYP.

Regular diploma graduates may include students with disabilities who can be retained as "seniors" until the age of 22. As long as such students are retained, their cohort status will be adjusted, so that their completion status will be included in the calculation of the graduation rate for the graduating class of the year in which it is finally determined.

Washington

The graduation rate is calculated as follows:

(The number of graduates, with a regular diploma in four years) divided by (the number of graduates with a regular diploma in four years plus the number of students who dropped out of high school in that cohort grades 9 through 12 plus students who have continued to be enrolled but not graduated).

number of graduates with regular diploma in four years
 number of graduates with regular diploma in four years
 + number of dropouts grades 9-12
 + number of continuing students

Wisconsin

Graduation rate: The number of “graduates” divided by the number of “graduates” plus “cohort dropouts” over four years, expressed as a percentage.

Graduate: A student who met graduation requirements for a regular diploma during a school year prior to the beginning of the fall semester of the next school year. This would include any student who graduated at mid-year, who transferred into or re-entered the high school during the year (even if the student was not included in the third Friday in September school enrollment count), who graduated in the spring of the school year, or who accumulated required credits during summer school. Students who receive an alternative diploma such as a HSED, GED, or “certificate of attendance” are not counted as graduates.

Dropout: A student who was enrolled in the school at some time during a school year; was not enrolled at the beginning of the next school year (third Friday in September); has not graduated from high school or completed a state or district-approved educational program; and does not meet any of the following exclusionary conditions:

1. Has not transferred to another public school district, private school, or state- or district-approved educational program;
2. Is temporarily absent due to expulsion, suspension, or school-approved illness; or
3. Has died.

Cohort dropout: Any student who was a 12th grade dropout for the year reported, an 11th grade dropout for the prior year, a 10th grade dropout for 2 years prior, or a 9th grade dropout for 3 years prior.

Wyoming

The rate incorporates 4 years worth of data and thus, is an estimated cohort rate. It is calculated by dividing the number of students who receive a regular diploma by the sum of dropouts from grade 9 through 12 in consecutive years, plus the number of students completing high school. If a hypothetical graduating class began as 9th graders in Year 1, this 4-year completion rate would look like:

$$\frac{\text{Students Receiving a Regular Diploma in Year 4}}{\text{Dropouts (Grade 9 Year 1 + Grade 10 Year 2 + Grade 11 Year 3 + Grade 12 Year 4) + Students Completing High School Year 4}}$$

This formula used by the Wyoming Department of Education for calculating graduation rates is an “exiter” rate. The denominator is the total of all “exiters” from a school over a 4 year period for a grade cohort. The exiters are the 9th grade drop-outs 3 years ago, the 10th grade drop-outs

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2 years ago, 11th grade drop-outs last year, and this year's 12th grade drop-outs plus completers. These are all the students that "exited" from education for that cohort. The numerator is the count of this year's regular diploma recipients. The rate gives "What percent of students exiting education do so with a regular diploma?"⁹

APPENDIX B

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QUESTIONS	STRONGLY AGREE	AGREE	DON'T KNOW	DISAGREE	STRONGLY DISAGREE	N/A
1) I was given information about the organizations that offer information and training for parents, for example, Parent Training and Information Centers, Family Resource Centers, disability support groups, ect.	45	38	3	6	3	1
2) My child's school offers parents training about special education issues.	24	25	25	16	6	0
3) My child's school provides funding, transportation, or other supports for parents to participate in training workshops.	35	32	12	14	2	1
4) My child's school gives me choices with regard to services that address my child's needs.	20	52	13	9	2	0
5) I was offered special assistance (such as child care or transportation) so that I could participate in the IEP meeting.	19	23	24	19	5	6
6) My child's school communicates regularly with me regarding my child's progress on IEP goals objectives.	25	38	10	17	3	3
7) Written justification was given for rejecting any of my proposals.	7	22	45	10	2	10
8) Teachers and administrators at my child's school invite me to share my knowledge and experience with school personnel.	18	41	13	16	6	2
9) My child's school has a person on staff who is available to answer parents' questions.	26	37	12	14	4	3
10) Written justification was given for the extent that my child would not receive services in the regular classroom.	15	29	31	11	4	6

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QUESTIONS	STRONGLY AGREE	AGREE	DON'T KNOW	DISAGREE	STRONGLY DISAGREE	N/A
11) Teachers and administrators at my child's school consider what my hopes and dreams are for my child.	22	45	8	16	2	3
12) Teachers and administrators at my child's school seek out parent input.	22	37	14	12	7	4
13) Over the past year, special education services have helped me and/or my family cope with stressful situations.	15	30	25	13	6	7
14) Over the past year, special education services have helped me and/or my family participate in typical activities for children and families in my community.	19	31	23	10	8	5
15) Over the past year, special education services have helped me and/or my family know where to go for help or support to meet my family's needs.	16	27	27	13	8	5
16) Over the past year, special education services have helped me and/or my family get the services that my child and family need.	15	33	26	9	7	6
17) Over the past year, special education services have helped me and/or my family find information I need.	15	38	16	19	2	6
18) Over the past year, special education services have helped me and/or my family communicate more effectively with the people who work with my child and my family.	10	39	25	14	1	7
19) Over the past year, special education services have helped me and/or my family understand the roles and responsibilities of the people who work with my child/family.	16	34	21	17	2	6
20) My child's school offers students without disabilities and their families the opportunity to learn about students with disabilities.	8	32	33	15	5	3
21) The school or district regularly evaluates whether special education services are effective.	15	26	37	10	2	6

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QUESTIONS	STRONGLY AGREE	AGREE	DON'T KNOW	DISAGREE	STRONGLY DISAGREE	N/A
22) My child's school provides teachers and staff with training to improve their communication with parents.	18	32	29	11	3	3
23) My child's graduation options were discussed before placement or curriculum decisions were made.	14	29	25	13	5	10
24) My child's school provides teachers and staff with training on the needs of children with disabilities and their families.	19	32	29	8	3	5
25) Summer school programs are properly staffed to accommodate the needs of students with disabilities.	14	30	33	13	1	5
26) My child's school ensures that after-school and extracurricular activities are accessible to students with disabilities.	15	39	24	10	3	5
27) My child receives all the supports documented in his or her transition plan.	16	35	29	8	1	7
28) My child's school trains teacher and staff on how to prevent and respond to harassment, teasing and bullying of children with disabilities.	10	37	28	14	4	3
29) My child's school regularly evaluates whether my child's program continues to meet his/her needs.	17	45	20	9	1	4
30) My child's teachers and service providers have the resources they need, such as books and equipment, to provide my child with effective services.	18	43	20	9	2	4
31) My child is educated in regular classes, with supports, to the maximum extent appropriate.	21	48	12	10	1	4
32) The school principal does everything possible to support the provision of appropriate special education services in the school.	16	36	18	15	7	4
33) Teachers and administrators at my child's school ensure that students with disabilities have the same opportunities to learn and participate in school programs as students without disabilities.	21	42	22	6	2	3

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QUESTIONS	STRONGLY AGREE	AGREE	DON'T KNOW	DISAGREE	STRONGLY DISAGREE	N/A
34) Teachers and administrators at my child's school have the expectation that students with disabilities will participate or have the opportunity to participate in all programs (e.g., academics, fundraising events, sports, ect.).	22	41	23	4	2	4
35) Over the past year, special education services have had a positive impact on my child's progress in academic area(s).	19	32	34	4	1	6
36) My child has the opportunity to participate in school activities such as sports, field trips, clubs and assemblies with students without disabilities.	31	43	14	3	1	4
37) My child is treated with respect.	24	46	9	12	1	4
38) My child feels safe at school.	22	46	12	11	0	5
39) My child is welcomed in his or her class.	25	43	9	15	0	4
40) My child is valued as a learner in his or her class.	31	47	8	6	1	3
41) I attend meetings of a district-level committee on special education services.	19	31	21	16	3	6
42) I attend meetings of a program/school advisory committee on special education services.	23	31	16	17	3	6
43) I attend meetings of the school's Parent-Teacher Association (PTA) or Parent-Teacher Organization (PTO).	24	40	5	17	6	4
44) I attend meetings of an organization for parents of children with disabilities.	15	31	23	18	3	6
45) I attend training sessions relating to the needs of children with disabilities and their families.	22	35	14	16	2	7
46) I meet with my child's teacher(s) to discuss my child's needs or progress.	40	37	13	1	1	4
TOTAL	923	1660	933	546	144	210

Appendix C

**Bureau of Indian Affairs, Office of Indian Education Programs
Action Plan to Review/Restructure Monitoring System
December 2005**

NEED	ACTION	PARTICIPANTS	TIMELINE*
1. Assemble a task force to address OIEP monitoring restructuring.	Hold meeting to: <ul style="list-style-type: none"> a) get input from group related to suggested needs b) review, edit proposed actions c) sub-divide for tasks as needed d) develop work schedule to complete task by Fall 2006 	Central office staff Center for School Improvement Staff Agency Staff School Representatives	First meeting by: January 31, 2006
2. Clearly identify purpose of monitoring.	<i>Possible:</i> <ul style="list-style-type: none"> a) Write policy and have included in the eligibility document. b) Determine whether to continue school-wide and if so address how. 	Central office staff Center for School Improvement Staff Agency Staff School Representatives	Finalized by Fall 2006
3. Identify components of monitoring. (From site visit to correction of non-compliances)	<i>Possible:</i> <ul style="list-style-type: none"> a) List all components such as: Self-Assessment, Site Visit, Report (all parts), Corrective Action Plan with timelines, TA needed/provided, Documentation Required (and who will verify), etc. b) Contact NCSEAM for assistance. 	Subgroup of above plus support from Mountain Plains Regional Resource Center	Finalized by Fall 2006

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<p>4. Identify roles and responsibilities of those who should be involved in monitoring.</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) Make list and provide written role definitions b) Determine value of component as is or needed change. c) Distribute to field/train 	<p>Subgroup of above plus any contract monitors</p>	<p>Finalized Fall 2006</p>
<p>5. Follow-up and ensure correction of all identified non-compliance issues in a timely manner.</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) Define who has responsibility for documenting progress toward correction of non-compliance. b) Develop documentation requirements and time-lines to show correction as required. c) Develop specific sanctions for non-corrections. d) Develop policy per who makes the determination to apply sanctions. 	<p>Lead Education Specialist – Special Education</p> <p>Central Office Staff</p> <p>Education Line Officers</p>	<p>Finalized Fall 2006</p>
<p>6. Identify options at each step of the process. (Example: what TA is available; what supports can be provided; what sanctions can be applied if needed, etc.)</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) Develop a decision tree with sequence, timelines, and clear definers of possible actions b) Identify resources to support actions 	<p>CSI staff for review by all</p>	<p>March 2006</p>

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<p>7. Address communication. Are reports useful to school and or the monitors for either giving support or tracking needed changes.</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) Survey schools that have been monitored regarding the reports received, (understandability, usefulness, guidance to further actions, etc.) b) Have team review results and design consistent format and required elements for reports. 	<p>Subgroup of above</p>	<p>May 2006</p>
<p>8. Develop a data-base that allows tracking of non-compliances, corrections and time lines</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) review current monitoring data to determine functionality, what else is needed, etc. b) Develop a data base to track all aspects of monitoring data. 	<p>Review by above. Support from IT Offices</p>	<p>Finalized Fall 2006</p>
<p>9. Develop training materials for distribution to the field regarding both the monitoring process and the reasons for the process.</p>	<p><i>Possible:</i></p> <ul style="list-style-type: none"> a) Identify varied media for training (i.e., electronic material, written material, video, perhaps some web-based, etc. b) Identify OIEP unique issues such as culturally appropriate factors, language, etc. 	<p>Include practitioners as well as media and technology expertise.</p>	<p>Finalized Fall 2006</p>

*It is anticipated each area will have subtasks and some earlier due dates.

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The above plan is a skeletal plan that will be developed by a larger team of participants which will include school level, agency level and central office staff. A member of the Advisory Council will be asked to participate. Community participation will be solicited, such as parents or other interested parties.

Box for sanctions – etc.