**Part B Special Education State Performance Plan (SPP) and
Annual Performance Report (APR)
Reporting Period: July 1-June 30**

# Instructions for Reporting Indicators 9 and 10 Data

Revised March 2022

Pursuant to Sections 616(d) and 642 of the *Individuals with Disabilities Education Act* (IDEA), the United States Department of Education (USED) requires each state to collect Part B Special Education Annual Performance Report (APR) data. The Single Sign-on for Web Systems (SSWS) Special Education Indicators Application was designed to streamline the submission process and reduce the paperwork burden of school division staff. This application includes a system for school division personnel to review, verify, and approve data submitted to the Virginia Department of Education (VDOE). The VDOE is required to report to the USED all identified noncompliance and verification of corrections each year in the State’s APR for Special Education. Data provided in the State’s APR determines if Virginia: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. In turn, data submitted by school divisions to the VDOE is used to develop their Report to the Public and Local Determination Accountability Matrix.

The VDOE strongly encourages a very thorough student record review process to examine the files of all students who are found eligible for special education and/or related services. However, for the purpose of the submission of data for Indicators 9 and 10, there are specific requirements regarding which student records should be reviewed and submitted.

The VDOE uses a two-step analysis to determine disproportionate representation of racial/ethnic groups in special education and related services that is the result of inappropriate identification. First, a risk ratio measure is applied to division-level data to identify disproportionate representation. Through an extensive analysis, VDOE has determined that a risk ratio of 2.0 or above is representative of disproportionate representation. A minimum n filter is applied to the data as a control for very small populations.

Only those school divisions who meet the established criteria for disproportionate representation are required to complete the second step of the analysis. This will be evident when logging on to the SSWS Special Education Indicators Application. **Note:** Person(s) responsible for submitting data for the school division will need to request access to the application from their local SSWS administrator. If Indicator 9 or 10, along with specifics on the race/ethnic group(s) and/or disability categories in which disproportionate representation was identified, does not appear on a division’s list of required indicators for data submission, then the division does not need to submit data for them.

The process for determining appropriate identification of a student with a disability can be found at 8VAC20-81-80 of the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (Regulations). A few additional requirements surrounding the evaluations upon which determinations are made, and that are essential to the assessment of student records for these indicators, can be found at 8VAC20-81-70 C. Specific questions from these sections of the Regulations regarding students in the race/ethnicity group(s) and/or disability categories in which disproportionate representation was found must be answered for student records that meet the following criteria.

## Indicator 9

Only review records and submit data for students who**:**

* are currently enrolled in your division;
* were found eligible for special education and related services in your division **or** a sending division between **July 1 of the previous year and June 30 of the current year**;
* were **five-year-old kindergarteners** through age 21 during that time frame; **and**
* are in the race/ethnicity group(s) in which disproportionate representation was found in the division. **Note: The division will find this information in their notification letter.**

**“Newly identified students”** under Indicator 9 include those found eligible during the time frame noted above. However, they do **not** include those identified under the category of Developmental Delay.

More specifically, newly identified students are those who:

* are first time IDEA eligible;
* underwent a change in disability category; or
* had an addition of a new disability category.

## Indicator 10

Only review records and submit data for students who**:**

* are currently enrolled in your division;
* were found eligible for special education and related services in your division **or** a sending division under one or more of the six specified disability categories of Autism, Emotional Disability, Intellectual Disability, Other Health Impairment, Specific Learning Disability, or Speech or Language Impairment between **July 1 of the previous year and June 30 of the current year**;
* were **five-year-old kindergarteners** through age 21 during that time frame; **and**
* are in the race/ethnicity group(s) in which disproportionate representation was found in the division. **Note: The division will find this information in their notification letter.**

**“Newly identified students”** under Indicator 10 include those found eligible during the time frame noted above. However, they do **not** include those identified under the categories of Deafness, Deaf-Blindness, Developmental Delay, Hearing Impairment, Orthopedic Impairment, Traumatic Brain Injury, or Visual Impairment (including Blindness).

More specifically, newly identified students under Indicator 10 are those who have been identified in categories other than the ones listed **immediately** above and:

* are first time IDEA eligible;
* underwent a change in disability category; or
* had an addition of a new disability category.

Answers to Indicators 9 and 10 questions should only be based on **documented evidence** found in each student’s file (**Note: It is acceptable to conduct an electronic student file review for this data reporting period (July 1-June 30). The director of special education’s and superintendent’s electronic signatures in the application will also serve as assurance that the division has secured all required signatures on documents under review for these indicators.**)

It should be noted that there are assessment questions that may have two or more parts. If the answer to one or more applicable parts of a question is “no,” then the answer submitted should be “N” (e.g., Question 1: If it is discovered that the eligibility group did not adhere to the school division’s compliant eligibility determination procedures for a particular student, the response to the entire question should be “N”).

## Instructions for Data Entry

Submissions for both Indicator 9 and Indicator 10 are due on or before **August 15** and should be submitted via the Special Education Indicators Application. In the event that August 15 falls on a weekend, data submissions will be due the following Monday. Instructions for data entry can be found in the application which is located in SSWS. Prior to submitting your school division’s Indicators 9 and/or 10 data please check it for accuracy (**Note:** This may be accomplished via reassessment of a random sampling of the student records to be submitted).