Part B Special Education State Performance Plan (SPP) and
Annual Performance Report (APR)
Reporting Period: July 1, 2019 through June 30, 2020

# Instructions for Reporting on Indicator 12

Pursuant to sections 616(d) and 642 of the *Individuals with Disabilities Education Act* (IDEA), the U.S. Department of Education (USED) requires each State to collect Part B Special Education Annual Performance Report (APR) data. The Virginia Department of Education (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 submitted by school divisions to the VDOE is used to develop their Report to the Public and Local Determination Accountability Matrix.

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 VDOE. Indicator 12 is reported in SSWS for all preschool children who are referred by Part C to Part B for eligibility determination. Indicator 12 must be submitted through the SSWS Application by August 15. If this date falls on a weekend, it is due the following Monday.

## COVID-19 Special Instructions

At this time, there is no waiver of federal timelines related to special education compliance. However, in some circumstances an evaluation of a child referred from Early Intervention may be delayed.

* In the event that a parent and school division agrees in writing to extend the 65 business day timeline to obtain additional data that cannot be obtained within the 65 business days, document the nature and extent of the delay, the reason for the delay, and the plan to move as quickly as possible to prevent further delay. When entering Indicator 12 data into SSWS, choose the code that best indicates the exception for missing the timeline. The VDOE recommends coding as “*D” – Enter the number of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.*
* If the parent repeatedly fails or refuses to produce the child for the evaluation, document the nature and extent of the delay, and if known, the reason the parent did not make the child available and if it is related to COVID-19. (Parents are not required to produce their child for evaluation during the pendency of any Stay at Home Order.) In SSWS, code this as “C” - *Enter the number of children that did not meet the time line because parent repeatedly failed or refused to make the child available.*
* All other reasons for delay are to be documented and coded appropriately when data is entered into SSWS.

## Reporting Indicator 12

*Indicator 12: Transition from Part C to Part B* is a compliance measure that focuses on the 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 the beginning of the school year if they turn age two by Sept. 30 of that school year or by their third birthday.

## Submitting Individual Child Outcomes Summary Ratings in SSWS

All preschool children served and referred by Part C to Part B for eligibility determination are to have data entered into SSWS. Indicator 12 data are entered as an aggregate of children referred from Part C.

* Reporting period is July 1, 2019 through June 30, 2020.
* Report only on children served and referred by Part C to Part B for eligibility determination.
* Use the date of the initial IEP meeting to determine children to report during this reporting period. If the child’s third birthday occurs during the summer and services will not begin until the start of the school year, the LEA must consider the date when the initial IEP meeting was held. If the IEP meeting was held prior to the child’s third birthday, the IEP is considered developed and implemented for the purpose of Indicator 12.

Children who met the timeline and children who did not will be entered. The Office of Special Education Programs (OSEP) recognizes that not all children referred will be found eligible, thus not have an IEP developed. Further, OSEP recognizes that there are reasons that an IEP may not be developed by the child’s third birthday that are beyond the control of Early Intervention and/or the LEA. Therefore, there are a number of exceptions that OSEP allows. These exceptions are to be indicated in SSWS.

### Section 1. Report on all children served and referred from Part C to Part B.

A. Enter the number of children who have been served in Part C and referred to Part B for eligibility determination.

B. Enter the number of children not determined eligible due to withdrawal of consent, the child moved, or any extenuating circumstance. This number is not included in the calculation.

C. Enter the number of children that did not meet time line because parent repeatedly failed or refused to make the child available. This number is not included in the calculation.

D. Enter the number of children for whom parent refusal to provide consent caused delays in evaluation or initial services (referred less than 65 business days prior to age of eligibility). This number is not included in the calculation.

E. Enter the number of children who were referred to Part C less than 90 days before their third birthdays. This number is not included in the calculation.

F. Enter the number of children determined to be NOT eligible and whose eligibility was determined prior to their third birthdays. This number is not included in the calculation.

G. The cell automatically adds B, C, D, E, and F indicating the total number of exceptions.

H. The cell automatically calculates A minus G. This number is the denominator.

 I. Enter the number of children found eligible and who have an IEP implemented by beginning of school year if two by September 30 or bythird birthday. This number is the numerator.

 J. Automatically calculated reflecting the number that did not meet timeline.

K. Automatically calculated. K is the percent that will be reported to the public and is the percent of children referred by Part C prior to age three, who are found eligible for Part B, and who have an IEP developed and implemented by the beginning of the school year if they turn age two by September 30 of that school year or by their third birthday.

### Section 2. Account for children that did not meet the timeline (indicated in J, Section 1).

L. Enter the number of children who missed Indicator 12 timeline for each range of days. Use the exact number of business days, not an average, in determining the range.

M. Enter the actual number of delays in Indicator 12 timeline for each listed applicable reason. Specify other reason not listed and the number of determinations beyond the timeframe.

Provide the first and last name and email address of the person entering the data. For each child who missed the Indicator 12 timeline, provide the STI as well as the first and last name.

J, L, and M must be the same or the application will not let you save the data. An error message in red will appear at the top of the page after hitting the save button.