

**West Virginia Part B FFY 2006 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 73.07%. These data represent progress from the FFY 2005 data of 72.7%.</p> <p>The State did not meet its FFY 2006 target of 76.5%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 4.69%. These data represent progress from the FFY 2005 data of 4.77%.</p> <p>The State did not meet its FFY 2006 target of 4.0%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 3.7%. These data represent slippage from the revised FFY 2005 data of 7.4% submitted with the FFY 2006 APR.</p> <p>The State did not meet its FFY 2006 target of 27.7%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>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.</p>	<p>The State's FFY 2006 reported data for this indicator are 97.4% for reading and 97.4% for math.</p> <p>The State met its FFY 2006 target of 95%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]		
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 39.5% for reading and 40.2% for math.</p> <p>These data represent progress from the FFY 2005 data of 38.9% for reading and progress from the FFY 2005 data of 39% for math.</p> <p>The State did not meet its FFY 2006 target of 48.5% for reading and did not meet its FFY 2006 target of 47.7% for math.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>[Results Indicator]</p>	<p>The State revised the timeline for initiating an improvement activity for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 89% of districts without evidence of a significant discrepancy between students with disabilities and without disabilities. These data represent progress from the FFY 2005 data of 87%.</p> <p>The State met its FFY 2006 target of 86%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>In reporting on this indicator in the FFY 2007 APR, due February 1, 2008, the State must describe the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State must describe the review, and if appropriate, revision, of policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2006.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p>	<p>Reporting on Indicator 4B was not required for the FFY 2006 APR.</p>	

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																
[Results Indicator]																		
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 396 1415 776"> <thead> <tr> <th></th> <th>FFY 2005 Data</th> <th>FFY 2006 Data</th> <th>FFY 2006 Target</th> </tr> </thead> <tbody> <tr> <td>A. Removed from regular class less than 21% of the day.</td> <td>60.7%</td> <td>63.6%</td> <td>57.5%</td> </tr> <tr> <td>B. Removed from regular class greater than 60% of the day.</td> <td>8.9%</td> <td>8.1%</td> <td>7.6%</td> </tr> <tr> <td>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td>1.8%</td> <td>1.7%</td> <td>1.4%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2005 data.</p> <p>The State met part of its FFY 2006 targets.</p>		FFY 2005 Data	FFY 2006 Data	FFY 2006 Target	A. Removed from regular class less than 21% of the day.	60.7%	63.6%	57.5%	B. Removed from regular class greater than 60% of the day.	8.9%	8.1%	7.6%	C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.8%	1.7%	1.4%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
	FFY 2005 Data	FFY 2006 Data	FFY 2006 Target															
A. Removed from regular class less than 21% of the day.	60.7%	63.6%	57.5%															
B. Removed from regular class greater than 60% of the day.	8.9%	8.1%	7.6%															
C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.8%	1.7%	1.4%															
<p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p>	<p>Reporting on Indicator 6 was not required for the FFY 2006 APR.</p>																	
<p>7. Percent of preschool children with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and</p>	<p>The State's FFY 2006 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 1279 1415 1521"> <thead> <tr> <th>06-07 Preschool Outcome Progress Data</th> <th>Social Emotional</th> <th>Knowledge &amp; Skills</th> <th>Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td>a. % of preschoolers who did not improve functioning.</td> <td>2%</td> <td>1%</td> <td>1%</td> </tr> </tbody> </table>	06-07 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	2%	1%	1%	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, progress data and improvement activities. The State reported the required progress data and improvement activities. The State must provide progress data with the FFY 2007 APR, due February 1, 2009, and baseline data and</p>								
06-07 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior															
a. % of preschoolers who did not improve functioning.	2%	1%	1%															

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
<p>early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]</p>	<p>b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</p>	<p align="center">1%</p>	<p align="center">3%</p>	<p align="center">2%</p>	<p>targets with the FFY 2008 APR, due February 1, 2010.</p>
<p>c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</p>	<p align="center">11%</p>	<p align="center">9%</p>	<p align="center">6%</p>		
<p>d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</p>	<p align="center">14%</p>	<p align="center">15%</p>	<p align="center">14%</p>		
<p>e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</p>	<p align="center">71%</p>	<p align="center">72%</p>	<p align="center">77%</p>		
<p>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. [Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 32%. These data represent progress from the FFY 2005 data of 28%. The State met its FFY 2006 target of 30%.</p>				<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 0%. These data remain unchanged from the FFY 2005 data of 0%. The State met its FFY 2006 target of 0%. The State reported the actual number of LEAs identified as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification.</p>				<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, information demonstrating that it has examined data for FFY 2005 and FFY 2006 for both overrepresentation and under representation of races and ethnicities in special education and related services. The State has provided the required data and OSEP accepts the data submitted. OSEP appreciates the State's efforts regarding this indicator.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 0%. These data represent progress from the FFY 2005 data of 3.6%.</p> <p>The State met its FFY 2006 target of 0%.</p> <p>The State reported the actual number of LEAs identified as having disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State reported that two of two LEAs with disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification in FFY 2005 are in compliance with the requirements of 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, information demonstrating that it has examined data for FFY 2005 and FFY 2006 for both overrepresentation and underrepresentation of races and ethnicities in specific disability categories; and information that demonstrate that the State has in effect policies and procedures that prevent the inappropriate overidentification or disproportionate representation by race or ethnicity of children in specific disability categories, as required by 34 CFR §300.173. Additionally, the State was required to include data and information that demonstrate that the LEAs identified in the FFY 2005 APR as having disproportionate representation in specific disability categories that was the result of inappropriate identification are in compliance with the child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311.</p> <p>The State has provided the required data and OSEP accepts the data submitted.</p> <p>The State reported that noncompliance identified in FFY 2005 and with the requirements in 34 CFR §§300.173, 300.111, 300.201, and 300.301 through 300.311 was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 90%. These</p>	<p>The State reported that noncompliance identified in FFY 2005 with the timely evaluations requirements in 34 CFR</p>

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<p>State established timeline). [Compliance Indicator]</p>	<p>data represent progress from the FFY 2005 data of 82.5%. The State did not meet its FFY 2006 target of 100%.  The State reported that 43 of 51 LEAs identified with noncompliance based on FFY 2005 data corrected that noncompliance in a timely manner. The State further reported that the remaining LEAs were required to develop corrective action plans to come into compliance by June 2008, and that the State would provide technical assistance to these LEAs.</p>	<p>§300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the uncorrected noncompliance was corrected.  The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.301(c)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>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. [Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.  The State's FFY 2006 reported data for this indicator are 99.3%. These data represent progress from the FFY 2005 data of 90.9%. The State did not meet its FFY 2006 target of 100%.  The State reported that eight of eight LEAs with noncompliance identified in FFY 2005 related to this indicator corrected that noncompliance in a timely manner.</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data demonstrating correction of remaining noncompliance identified in FFY 2004. The State provided this information.  The State reported that noncompliance identified in FFY 2005 with the early childhood transition requirements in 34 CFR §300.124(b) was corrected in a timely manner.  OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §300.124(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services</p>	<p>The State's FFY 2006 reported data for this indicator are 50.2%. These data represent slippage from the FFY 2005 data of 72.5%. The State did not meet its FFY 2006 target of 100%.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was partially corrected. The State must</p>

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<p>that will reasonably enable the student to meet the post-secondary goals.</p> <p>[Compliance Indicator]</p>	<p>The State reported that 12 of 15 LEAs with findings of noncompliance identified in FFY 2005 corrected that noncompliance in a timely manner. For the uncorrected noncompliance, the State reported that it provided direct technical assistance and that the LEAs were implementing corrective action plans.</p>	<p>demonstrate, in the FFY 2007 APR, due February 1, 2009, that the uncorrected noncompliance was corrected.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §300.320(b), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>The State provided baseline data, targets and improvement activities for this indicator in its SPP and OSEP accepts the SPP for this indicator.</p> <p>The State's FFY 2006 reported baseline data for this indicator are 64.5%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State revised improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 95.47%. These data represent progress from the revised FFY 2005 data of 61.4% also reported with the FFY 2006 APR.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that 274 of 287 findings of noncompliance identified in FFY 2005 were corrected in a timely manner.</p> <p>For the uncorrected noncompliance, the State reported that it provided direct technical assistance and implemented corrective action plans. Documentation of correction is due to WVDE by June 1, 2008.</p>	<p>OSEP's June 15, 2007 FFY 2005 SPP/APR response table required the State to include in the FFY 2006 APR, due February 1, 2008, data demonstrating correction of the outstanding noncompliance from FFY 2004. The State reported that all findings had been corrected but for one finding from each of two LEAs. The State described additional actions the State took regarding these LEAs. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2004 and 2005.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR,</p>

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		due February 1, 2009, the State's data demonstrating that the State timely corrected noncompliance identified in FFY 2006 (2006-2007) under this indicator in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600. In addition, in responding to Indicators 11, 12 and 13 the State must specifically identify and address the noncompliance identified in this table under those indicators.
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. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%. The State met its FFY 2006 target of 100%.	OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.
17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. [Compliance Indicator]	The State's FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%. The State met its FFY 2006 target of 100%.	OSEP appreciates the State's efforts in achieving compliance with the timely due process hearing resolution requirements in 34 CFR §300.515.
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]	The State reported that two of two resolution sessions resulted in settlement agreements. The State reported fewer than ten resolution sessions held in FFY 2006. The State is not required to provide or meet its targets or provide improvement activities until any FFY in which ten or more resolution meetings were held.	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.
19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that two of four mediations held resulted in mediation agreements. The State reported fewer than ten mediations held in FFY 2006. The State is not required to provide or meet its targets or provide improvement activities until any FFY in which ten or more mediations	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.



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	were held.	
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 98.2%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the timely and accurate data requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p>