



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 6 2008

Honorable Martha Yeager  
Secretary  
Department of Health and Human Resource Services  
State Capital Complex  
Building 3, Room 206  
Charleston, WV 25305

Dear Secretary Yeager:

Thank you for the timely submission of West Virginia's FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part C of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to West Virginia's SPP and APR received on April 14, 2008. We appreciate the State's efforts in preparing these documents.

The Department has determined that, under IDEA sections 616(d) and 642, West Virginia meets the requirements of Part C of the IDEA. The Department's determination is based on the totality of the State's data and information including the State's FFY 2006 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2008" for further details.

Specific factors affecting OSEP's determination that West Virginia met requirements under IDEA sections 616(d) and 642 include: (1) West Virginia provided valid and reliable FFY 2006 data reflecting the measurement for each indicator; and (2) West Virginia reported correction or high levels of compliance for Indicators 1, 7, 8A, 8B, 8C, 9, and 10. We commend West Virginia for its performance.

The enclosed table provides OSEP's analysis of the State's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the State to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. It also identifies, by indicator, the State's status in meeting its targets, whether the State's data reflect progress or slippage, and whether the State corrected noncompliance and provided valid and reliable data.

As you know, your State must report annually to the public on the performance of each early intervention service (EIS) program located in the State on the targets in the SPP under IDEA sections 616(b)(2)(C)(ii)(I) and 642. In addition, your State must review EIS program performance against targets in the State's SPP, determine if each EIS program meets the requirements of the IDEA and inform each EIS program of its determination. For further information regarding these requirements, see the SPP/APR Calendar at <http://spp-apr-calendar.rrfcnetwork.org/>. Finally, if you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

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*Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.*

OSEP is committed to supporting West Virginia's efforts to improve results for infants and toddlers with disabilities and their families and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call David Steele, your OSEP State Contact, at 202-245-6520.

Sincerely,

A handwritten signature in black ink, appearing to read "William W. Knudsen", with a long horizontal flourish extending to the right.

William W. Knudsen  
Acting Director  
Office of Special Education Programs

Enclosures

cc: Part C Coordinator