

**West Virginia Part C FFY 2005 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 96.3%. This represents progress from the State's FFY 2004 reported data of 92%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those changes.</p> <p>OSEP's March 10, 2006 SPP response letter indicated that the State must include in the FFY 2005 APR data that demonstrate compliance with the requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1). The data in the FFY 2005 APR show progress toward achieving compliance.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008 that demonstrate compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of noncompliance identified in FFY 2005.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 99.58%.</p> <p>Target for FFY 2005 is 95% or above.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those changes.</p> <p>The State's FFY 2005 APR data indicate that 95% or more of infants and toddlers with disabilities primarily received early intervention services in the natural environment. OSEP appreciates the State's efforts to improve performance.</p> <p>It is important that the State also monitor to ensure that IFSP teams make individualized decisions regarding the settings in which infants and toddlers receive early intervention services, in accordance with Part C natural environment requirements.</p>
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills</p>	<p>Entry data provided.</p>	<p>The State reported the required entry data and activities. The State must provide progress data and improvement activities in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 10, 2006, SPP response letter required the State to include in the February 1, 2007 APR a sampling methodology and an explanation of how the State addressed the deficiencies in the data collection noted in the February 14, 2006 memorandum. If the State decided not to sample but rather gather census data, it needed to revise its SPP accordingly. The State reported that it is not</p>

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<p>(including early language/communication); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator; New]</p>		sampling.
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights;</p> <p>B. Effectively communicate their children's needs; and</p> <p>C. Help their children develop and learn.</p> <p>[Results Indicator; New]</p>	<p>Baseline, targets, and improvement activities provided.</p> <p>The State's FFY 2005 reported baseline data for this indicator are:</p> <p>4A. 77%</p> <p>4B. 73%</p> <p>4C. 86%</p>	The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator under IDEA section 618 are 2.42%.</p> <p>The State met its FFY 2005 target of 1.95%</p>	The State met its target and OSEP appreciates the State's efforts to improve performance.
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p>	<p>The State's FFY 2005 reported data for this indicator under IDEA section 618 are 4.28%.</p> <p>The State met its FFY 2005 target of 3.3%</p>	The State met its target and OSEP appreciates the State's efforts to improve performance.

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<p>B. National data. [Results Indicator]</p>		
<p>7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 93%. This represents progress from the FFY 2004 reported data of 54%.</p> <p>The State submitted data for the last three months of the reporting period, indicating 95% for the period of April 1, 2006 through June 30, 2006.</p> <p>The State did not meet its target of 100%.</p> <p>OSEP is unable to determine timely correction.</p>	<p>OSEP's March 10, 2006 SPP response letter required the State to ensure that the identified noncompliance was corrected and include in the FFY 2005 APR data that demonstrate compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). The data in the FFY 2005 APR show progress toward achieving compliance.</p> <p>The State must review its improvement activities and revise the activities, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including correction of noncompliance identified in FFY 2005.</p> <p>The State reported conflicting data regarding correction of noncompliance for this indicator on page 25 of the APR. (See indicator 9 for details). OSEP is unable to determine timely correction. In the FFY 2006 APR, due February 1, 2008, the State must clarify correction data for FFY 2005.</p>
<p>8A. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including: A. IFSPs with transition steps and services; [Compliance Indicator]</p>	<p>The State's reported data for FFY 2005 for this indicator are 95%. This represents progress from the FFY 2004 reported data of 74%.</p> <p>The State did not meet its target of 100%.</p> <p>OSEP is unable to determine timely correction.</p>	<p>The State revised the improvement strategies for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 10, 2006 SPP response letter required the State to ensure that the identified noncompliance was corrected and include in the FFY 2005 APR data that demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h). The data in the FFY 2005 APR show progress toward achieving compliance. The State combined 8A, B and C in reporting correction, therefore OSEP is unable to determine timely correction for 8A. In the FFY 2006 APR, due February 1, 2008, the State must report correction data by each sub-indicator for transition.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing the data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h)(1), including the correction of noncompliance identified in FFY 2005.</p>
<p>8B. Percent of all children exiting Part C who received timely</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. This</p>	<p>The State met its target. OSEP appreciates the State's efforts in achieving compliance, and looks forward to reviewing data in the FFY 2006 APR, due</p>

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<p>transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>represents progress from the 2004 reported data of 87%.</p> <p>The State met its FFY 2005 target of 100%.</p>	<p>February 1, 2008, that continue to demonstrate compliance with the requirements in 34 CFR §303.148(b)(1).</p>
<p>8C. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State's reported data for FFY 2005 for this indicator are 97%. This represents progress from the FFY 2004 reported data of 77%.</p> <p>The State did not meet its target of 100%.</p> <p>OSEP is unable to determine timely correction.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 10, 2006 SPP response letter required the State to submit in its FFY 2005 APR its final progress report, which was due October 29, 2006, demonstrating compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)). The data in the FFY 2005 APR show progress toward achieving compliance.</p> <p>The State combined 8A, B and C in reporting correction, therefore OSEP is unable to determine timely correction for 8C. In the FFY 2006 APR, due February 1, 2008, the State must report correction data by each sub-indicator for transition.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing the data in the FFY 2006 APR, due February 1, 2008 that demonstrate compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), including correction of noncompliance identified in FFY 2005.</p>
<p>9. 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>The State's FFY 2005 reported data for this indicator are 92.85%**.</p> <p>This represents progress from the FFY 2004 reported data of 87.5%. (The State made more findings of noncompliance and still increased the percentage corrected.)</p> <p>The State did not meet its target of</p>	<p>The State revised the improvement strategies for this indicator in its SPP and OSEP accepts those revisions.</p> <p>On page 25, the APR appears to have conflicting data regarding timely correction. For the 45-day timeline, the chart indicates that eight findings were made, two were corrected within one year, and six were in progress within the one-year timeline. However, in the narrative the State reports: "104 of the remaining 112 findings (100%) were corrected in one year. The remaining eight issues involve the ongoing 45-day timeline issues for six of the Regional</p>

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[Compliance Indicator]	100%.	<p>Administrative Units (RAUs). Significant progress has been achieved by all RAUs.” From the narrative, it appears that there are eight findings of noncompliance that were not corrected within the one-year timeline.</p> <p>The State must review its improvement activities and revise the activities, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA section 616(a), 642, and 635(a)(10) and 34 CFR §303.501(b), including data on the correction of outstanding noncompliance identified in FFY 2004. The State reported correction data by topical areas, but it is not clear if “IFSP services” correlates specifically to Indicator 1, and the State aggregated the findings for “transition” rather than by Indicator 8A, B, and C. In its response to Indicator 9 in the FFY 2006 APR, due February 1, 2008, the State must disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in responding to Indicators 1, 7, 8A, and 8C, specifically identify and address the noncompliance identified in this table under those indicators.</p> <p>**The State did not compute the data for the baseline or the actual target data but reported the raw data, which allowed OSEP to apply the measurement. The State must provide the results of the computation for the actual target data for the FFY 2006 APR, due February 1, 2008.</p>
<p>10. 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.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2005 reported data for this indicator are 100%, with three complaints filed.</p> <p>The State met its FFY 2005 target.</p>	<p>The State met its target. OSEP appreciates the State’s efforts in achieving compliance, and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements in 34 CFR §303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p>	<p>The State did not receive any hearing requests during the reporting period.</p>	<p>The State did not receive any due process hearing requests during the FFY 2005 reporting period.</p>

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[Compliance Indicator]		
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted).</p> <p>[Results Indicator; New]</p>	Not applicable.	The State has adopted Part C due process hearing procedures under 34 CFR §303.420.
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	No mediations held.	The State reported that there were no mediations requested or held during this reporting period. The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations are conducted.
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%.</p> <p>The State met its FFY 2005 target of 100%.</p>	The State met its target. OSEP appreciates the State's efforts in achieving compliance, and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements in IDEA sections 616, 618, and 642, and 34 CFR §§303.176 and 303.540.