

West Virginia Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 77.3%. These data represent progress from the FFY 2006 data of 73.0%. The State did not meet its FFY 2007 target 77.8%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 4.65%. These data represent progress from the FFY 2006 data of 4.69%. The State did not meet its FFY 2007 target of 3.65%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: 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. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 9.3%. These data represent progress from the FFY 2006 data of 3.7%. The State did not meet its FFY 2007 target of 38.8%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: 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</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 97.4% for reading and 97.4% for math. These data remain unchanged from the FFY 2006 data of 97.4% for reading and represent progress from the FFY 2006 data of 94.7 for math. The State met its FFY 2007 targets of 95%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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standards. [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 and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 40.73% for reading and 40.84% for math.</p> <p>These data represent progress from the FFY 2006 data of 39.5% for reading and progress from the FFY 2006 data of 40.2% for math.</p> <p>The State did not meet its FFY 2007 targets of 55.8% in reading and 54.8% in math.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</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 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 87.3% of districts without a significant discrepancy. These data represent slippage from the FFY 2006 data of 89%.</p> <p>The State did not meet its FFY 2007 target of 91% of districts without a significant discrepancy.</p> <p>The State described how the State reviewed, and if appropriate, revised (or required the affected LEAs to revise), the LEA's 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, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies for FFY 2006.</p> <p>The State reported that noncompliance identified in FFY 2006, through the review of policies, procedures, and practices pursuant to 34 CFR §300.170(b), was corrected.</p>	<p>The State reported that noncompliance identified in FFY 2006 as a result of its review of policies, procedures and practices was corrected in a timely manner.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007. 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 LEAs identified with significant</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<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>[Results Indicator]</p>	<p>States were not required to report on this indicator for FFY 2007.</p>	<p>discrepancies in FFY 2007, as required by 34 CFR §300.170(b).</p> <p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>																				
<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="548 781 1467 1260"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Removed from regular class less than 21% of the day.</td> <td align="center">63.6</td> <td align="center">66.7</td> <td align="center">58.5</td> <td align="center">3.10%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day.</td> <td align="center">8.1</td> <td align="center">7.8</td> <td align="center">6.6</td> <td align="center">0.30%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td align="center">1.7</td> <td align="center">1.8</td> <td align="center">1.3</td> <td align="center">-0.10%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2006 data for 5A and 5B.</p> <p>The State met its FFY 2007 target for 5A and did not meet its targets for 5B and 5C.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. % Removed from regular class less than 21% of the day.	63.6	66.7	58.5	3.10%	B. % Removed from regular class greater than 60% of the day.	8.1	7.8	6.6	0.30%	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.7	1.8	1.3	-0.10%	<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 2008 APR, due February 1, 2010.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. % Removed from regular class less than 21% of the day.	63.6	66.7	58.5	3.10%																		
B. % Removed from regular class greater than 60% of the day.	8.1	7.8	6.6	0.30%																		
C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.7	1.8	1.3	-0.10%																		
<p>6. Percent of preschool children</p>	<p>States were not required to report on this indicator for FFY 2007.</p>	<p>The State is not required to report on this</p>																				

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																												
<p>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>indicator in the FFY 2008 APR, due February 1, 2010.</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 early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 597 1419 1352"> <thead> <tr> <th data-bbox="548 597 1060 773">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1060 597 1180 773">Social Emotional</th> <th data-bbox="1180 597 1299 773">Knowledge & Skills</th> <th data-bbox="1299 597 1419 773">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 773 1060 841">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1060 773 1180 841">2</td> <td align="center" data-bbox="1180 773 1299 841">2</td> <td align="center" data-bbox="1299 773 1419 841">1</td> </tr> <tr> <td data-bbox="548 841 1060 976">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1060 841 1180 976">3</td> <td align="center" data-bbox="1180 841 1299 976">4</td> <td align="center" data-bbox="1299 841 1419 976">2</td> </tr> <tr> <td data-bbox="548 976 1060 1078">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1060 976 1180 1078">7</td> <td align="center" data-bbox="1180 976 1299 1078">6</td> <td align="center" data-bbox="1299 976 1419 1078">6</td> </tr> <tr> <td data-bbox="548 1078 1060 1180">d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1078 1180 1180">18</td> <td align="center" data-bbox="1180 1078 1299 1180">22</td> <td align="center" data-bbox="1299 1078 1419 1180">14</td> </tr> <tr> <td data-bbox="548 1180 1060 1282">e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</td> <td align="center" data-bbox="1060 1180 1180 1282">70</td> <td align="center" data-bbox="1180 1180 1299 1282">67</td> <td align="center" data-bbox="1299 1180 1419 1282">75</td> </tr> <tr> <td data-bbox="548 1282 1060 1352">Total (approx. 100%)</td> <td align="center" data-bbox="1060 1282 1180 1352">100.00 %</td> <td align="center" data-bbox="1180 1282 1299 1352">101.00 %</td> <td align="center" data-bbox="1299 1282 1419 1352">98.00%</td> </tr> </tbody> </table> <p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p>	07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of preschoolers who did not improve functioning.	2	2	1	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	3	4	2	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	7	6	6	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	18	22	14	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	70	67	75	Total (approx. 100%)	100.00 %	101.00 %	98.00%	<p>The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.</p>
07-08 Preschool Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior																											
a. % of preschoolers who did not improve functioning.	2	2	1																											
b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	3	4	2																											
c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	7	6	6																											
d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	18	22	14																											
e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	70	67	75																											
Total (approx. 100%)	100.00 %	101.00 %	98.00%																											

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<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.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 32%. These data remain unchanged from the FFY 2006 data of 32%.</p> <p>The State met its FFY 2007 target of 32%.</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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>The State met its FFY 2007 target of 0%.</p> <p>The State reported the actual number of districts determined in FFY 2007 to have disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>
<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 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>The State met its FFY 2007 target of 0%.</p> <p>The State reported the actual number of districts determined in FFY 2007 to have disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.</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 State-established timeline).</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 92.7%. These data represent progress from the FFY 2006 data of 90%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 14 of 25 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that two of 11 remaining findings of noncompliance subsequently were corrected and the remaining nine districts with</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely initial evaluations requirements in 34 CFR §300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining nine uncorrected noncompliance findings were corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>noncompliance implemented improvement plans and a self-monitoring component to correct the noncompliance.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that the remaining noncompliance identified in the FFY 2005 APR was corrected. The State demonstrated that the remaining noncompliance was corrected.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator, and reported on the actions the State took as a result of that technical assistance.</p>	<p>State is in compliance with the requirements in 34 CFR §300.301(c)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, the State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR, and each LEA with remaining noncompliance from FFY 2006 that was not reported corrected in the FFY 2007 APR: (1) are correctly implementing the specific regulatory requirements; and (2) have conducted an initial evaluation for each child, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 97.28%. These data represent slippage from the FFY 2006 data of 99.3%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that one of the two LEAs with noncompliance identified in FFY 2006 related to this indicator corrected that noncompliance in a timely manner. The State reported that the district with remaining noncompliance</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely initial evaluations requirements in 34 CFR §300.301(c)(1) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining uncorrected noncompliance finding was corrected.</p> <p>OSEP appreciates the State’s efforts and</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>will be implementing an improvement plan to monitor the transition process to ensure compliance.</p>	<p>looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §300.124(b), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, the State must report, in its FFY 2008 APR, due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and the one LEA with remaining noncompliance from FFY 2006 that was not reported corrected in the FFY 2007 APR : (1) are correctly implementing the specific regulatory requirements; and (2) have developed and implemented an IEP for each child, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals.</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 68.7%. These data represent progress from the FFY 2006 data of 50.2%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 10 of 39 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. The State reported that the</p>	<p>The State reported that noncompliance identified in FFY 2006 with the secondary transition requirements in 34 CFR §300.320(b) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining 29 uncorrected noncompliance findings were corrected.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]	<p>remaining 29 districts with findings of noncompliance have implemented improvement plans to correct the noncompliance.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate, in the FFY 2007 APR, due February 2, 2009, that the uncorrected FFY 2005 noncompliance was corrected. The State reported that all 15 districts with remaining FFY 2005 noncompliance have now corrected it.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of noncompliance reported by the State under this indicator in the FFY 2007 APR. In reporting on correction, the State must report, in its FFY 2008 APR, due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and each of the 29 LEAs with remaining noncompliance from FFY 2006 that was not reported corrected in the FFY 2007 APR : (1) are correctly implementing the specific regulatory requirements; and (2) have developed an IEP that includes the required transition content for each youth, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</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]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 data for this indicator are 68.8%. These data represent progress from the FFY 2006 reported data of 64.5%.</p> <p>The State met its FFY 2007 target of 68.5%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</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>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 95.4%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in timely correcting noncompliance reported by the State under this indicator in the FFY 2006 APR in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e).</p>

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[Compliance Indicator]	<p>The State reported that all 102 of its findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that the remaining two findings of noncompliance identified in FFY 2004 and the remaining five findings of noncompliance identified in FFY 2005 were corrected. The State reported that the two remaining findings of noncompliance identified in FFY 2004 were corrected by November 2007 and the five remaining findings of noncompliance identified in FFY 2005 were corrected by January 2009.</p>	<p>In reporting on correction of noncompliance in the FFY 2008 APR, due February 1, 2010, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 11, 12, and 13, in the FFY 2008 APR, due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 92%. These data represent slippage from the FFY 2006 data of 100%.</p> <p>The State did not meet its FFY 2007 target of 100%.</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 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>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.</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data are based on three due process hearings. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearings requirements in 34 CFR §300.515.</p>

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[Compliance Indicator]		
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. The State reported that seven of seven resolution sessions resulted in settlement agreements.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2007. The State is not required to meet its targets or provide improvement activities until any FFY in which ten or more resolution sessions were held. The State removed the FFY 2007 target for this indicator, explaining that the target was not necessary because there were fewer than ten resolution sessions during the reporting period. OSEP accepts that revision.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 66.7%. The State reported that six of nine mediations resulted in settlement agreements.</p> <p>The State reported fewer than ten mediations held in FFY 2007. The State is not required to meet its targets or provide improvement activities until any FFY in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<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 and OSEP accepts those revisions</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 98.2%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.</p>