

West Virginia Part C 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 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 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%. These data represent slippage from the FFY 2006 data of 99%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all 95 findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and 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 §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has initiated services for each child, although late, unless the child is no longer within the jurisdiction of the EIS program, 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>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically</p>	<p>The State's FFY 2007 reported data for this indicator are 99.99%. The State's data reflect a high level of performance for this indicator.</p> <p>The State met its FFY 2007 target of 99.4%.</p>	<p>The State's actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in</p>

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developing children. [Results Indicator]		that percentage is necessary. OSEP appreciates the State's efforts to improve performance and assumes that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).																				
3. Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported progress data for infants and toddlers who are eligible because they have a developmental delay or an established condition for this indicator are: <table border="1" data-bbox="541 732 1440 1344"> <thead> <tr> <th data-bbox="541 732 1066 915">07-08 Infant and Toddler Outcome Progress Data (Excluding At-Risk)</th> <th data-bbox="1066 732 1192 915">Social Emotional</th> <th data-bbox="1192 732 1318 915">Knowledge & Skills</th> <th data-bbox="1318 732 1440 915">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="541 915 1066 987">a. % of infants & toddlers who did not improve functioning.</td> <td align="center" data-bbox="1066 915 1192 987">0</td> <td align="center" data-bbox="1192 915 1318 987">0</td> <td align="center" data-bbox="1318 915 1440 987">0</td> </tr> <tr> <td data-bbox="541 987 1066 1130">b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1066 987 1192 1130">13</td> <td align="center" data-bbox="1192 987 1318 1130">15</td> <td align="center" data-bbox="1318 987 1440 1130">11</td> </tr> <tr> <td data-bbox="541 1130 1066 1235">c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1066 1130 1192 1235">6</td> <td align="center" data-bbox="1192 1130 1318 1235">14</td> <td align="center" data-bbox="1318 1130 1440 1235">9</td> </tr> <tr> <td data-bbox="541 1235 1066 1344">d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1066 1235 1192 1344">34</td> <td align="center" data-bbox="1192 1235 1318 1344">40</td> <td align="center" data-bbox="1318 1235 1440 1344">37</td> </tr> </tbody> </table>	07-08 Infant and Toddler Outcome Progress Data (Excluding At-Risk)	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of infants & toddlers who did not improve functioning.	0	0	0	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	13	15	11	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	6	14	9	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	34	40	37	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. The State reported outcome data for at-risk children separately from those children eligible due to diagnosed conditions and developmental delays, and must continue to provide the required data in the FFY 2008 APR, due February 1, 2010.
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	<table border="1"> <thead> <tr> <th data-bbox="527 472 1066 656">07-08 Infant and Toddler Outcome Progress Data (Including At-Risk)</th> <th data-bbox="1066 472 1192 656">Social Emotional</th> <th data-bbox="1192 472 1318 656">Knowledge & Skills</th> <th data-bbox="1318 472 1438 656">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="527 656 1066 729">a. % of infants & toddlers who did not improve functioning.</td> <td data-bbox="1066 656 1192 729">0</td> <td data-bbox="1192 656 1318 729">0</td> <td data-bbox="1318 656 1438 729">0</td> </tr> <tr> <td data-bbox="527 729 1066 870">b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td data-bbox="1066 729 1192 870">13</td> <td data-bbox="1192 729 1318 870">15</td> <td data-bbox="1318 729 1438 870">11</td> </tr> <tr> <td data-bbox="527 870 1066 976">c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.</td> <td data-bbox="1066 870 1192 976">6</td> <td data-bbox="1192 870 1318 976">14</td> <td data-bbox="1318 870 1438 976">9</td> </tr> <tr> <td data-bbox="527 976 1066 1081">d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.</td> <td data-bbox="1066 976 1192 1081">33</td> <td data-bbox="1192 976 1318 1081">40</td> <td data-bbox="1318 976 1438 1081">37</td> </tr> <tr> <td data-bbox="527 1081 1066 1187">e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.</td> <td data-bbox="1066 1081 1192 1187">47</td> <td data-bbox="1192 1081 1318 1187">31</td> <td data-bbox="1318 1081 1438 1187">43</td> </tr> <tr> <td data-bbox="527 1187 1066 1300">Total (approx. 100%)</td> <td data-bbox="1066 1187 1192 1300">99.00%</td> <td data-bbox="1192 1187 1318 1300">100.00 %</td> <td data-bbox="1318 1187 1438 1300">100.00 %</td> </tr> </tbody> </table>				07-08 Infant and Toddler Outcome Progress Data (Including At-Risk)	Social Emotional	Knowledge & Skills	Appropriate Behavior		a. % of infants & toddlers who did not improve functioning.	0	0	0	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	13	15	11	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	6	14	9	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	33	40	37	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	47	31	43	Total (approx. 100%)	99.00%	100.00 %	100.00 %
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Total (approx. 100%)	99.00%	100.00 %	100.00 %																														
<p>The State also separately reported progress data for infants and toddlers who are eligible because they are at-risk; however, the State noted that the number of children exiting under at-risk only is too small to report a valid percentage.</p>																																	
4. Percent of families participating in Part C who report	The State revised the improvement activities for this indicator and OSEP accepts those revisions.			OSEP appreciates the State's efforts to improve performance.																													

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<p>that early intervention services have helped the family:</p> <p>A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.</p> <p>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="541 386 1457 704"> <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. Know their rights. (%)</td> <td>76</td> <td>82.2</td> <td>76</td> <td>6.20%</td> </tr> <tr> <td>B. Effectively communicate their children's needs. (%)</td> <td>73</td> <td>79.7</td> <td>73</td> <td>6.70%</td> </tr> <tr> <td>C. Help their children develop and learn. (%)</td> <td>84</td> <td>88.5</td> <td>86</td> <td>4.50%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2006 data. The State met all of its FFY 2007 targets for this indicator.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	76	82.2	76	6.20%	B. Effectively communicate their children's needs. (%)	73	79.7	73	6.70%	C. Help their children develop and learn. (%)	84	88.5	86	4.50%	
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. Know their rights. (%)	76	82.2	76	6.20%																		
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<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</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 2.44%. The FFY 2006 data were 2.45%.</p> <p>The State met its FFY 2007 target of 1.99%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</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 4.79%. These data represent progress from the FFY 2006 data of 4.41%.</p> <p>The State met its FFY 2007 target of 3.4%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				
<p>7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an</p>	<p>The State's FFY 2007 reported data for this indicator are 97%. These data remain unchanged from the FFY 2006 data of 97%.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR</p>																				

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<p>initial IFSP meeting were conducted within Part C's 45-day timeline.</p> <p>[Compliance Indicator]</p>	<p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all six findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>§§303.321(e)(2), 303.322(e)(1), and 303.342(a) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and 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 §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted the initial evaluation, assessment and IFSP meeting, although late, unless the child is no longer within the jurisdiction of the EIS program, 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>8. 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</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 are 99%. These data represent progress from the FFY 2006 data of 97%.</p> <p>The State did not meet its target of 100%.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and</p>

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<p>including: A. IFSPs with transition steps and services; [Compliance Indicator]</p>	<p>The State reported that all 32 findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</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 §§303.148(b)(4) and 303.344(h), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IFSP with transition steps and services, unless the child is no longer within the jurisdiction of the EIS program, 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>8. 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: B. Notification to LEA, if child potentially eligible for Part B; and [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 remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
<p>8. Percent of all children exiting</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>The State reported that noncompliance</p>

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<p>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>accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 99%. These data represent progress from the FFY 2006 data of 98%.</p> <p>The State did not meet its target of 100%.</p> <p>The State reported that all 13 findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>identified in FFY 2006 with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) was corrected in a timely manner.</p> <p>OSEP appreciates the State's efforts and 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 §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted a transition conference for each child potentially eligible for Part B, although late, unless the child is no longer within the jurisdiction of the EIS program, 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>9. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its 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 2007 APR in accordance with IDEA section</p>

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<p>possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State reported that all 145 findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p>	<p>635(a)(10)(A) and 34 CFR §303.501.</p> <p>In reporting on correction of noncompliance, 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 EIS program with identified noncompliance is correctly implementing the specific regulatory requirement, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 1, 7, 8A, and 8C 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 9 in the FFY 2008 APR, the State must use the Indicator 9 Worksheet.</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 2007 reported data for this indicator are 100%. These data are based on five complaints. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §§303.510 through 303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it did not receive any due process hearing requests during the FFY 2007 reporting period.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2008 APR, due February 1, 2010.</p>

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<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). [Results Indicator]</p>	<p>Not applicable.</p>	<p>This indicator does not apply to the State because the State has not adopted the Part B due process procedures to resolve Part C due process hearing requests.</p>
<p>13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State reported that no mediations were held during the FFY 2007 reporting period. The State reported fewer than ten mediations held in FFY 2007. The State is not required to provide targets or 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>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%. The State did not meet its target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540. In reporting on Indicator 14 in the FFY 2008 APR, the State must use the Indicator 14 Data Rubric.</p>