**State Performance Plan / Annual Performance Report: Part B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on   
FFY 2021**

**West Virginia**

U.S. Department of Education seal

**PART B DUE February 1, 2023**

**U.S. DEPARTMENT OF EDUCATION**

**WASHINGTON, DC 20202**

# Introduction

**Instructions**

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State’s systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State’s General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

## Intro - Indicator Data

**Executive Summary**

The West Virginia Department of Education (WVDE) is pleased to submit West Virginia’s FFY2021 Part B Annual Performance Report (APR). The State Performance Plan (SPP)/Annual Performance Report (APR) documents and evaluates state implementation of special education on an annual basis. Every state is required to develop a plan describing how improvements will be made to special education programs, how special education programs will be assessed, and the targets for the 17 indicators of performance, including the State Systemic Improvement Plan. These indicators focus on information specific to students with disabilities (SWDs) and can be either compliance-based or results-based.  
  
WVDE’s Office of Federal Programs and Support, Special Education Services (WVDE/SES) oversees compliance with the provisions and requirements of the Individuals with Disabilities Education Act (IDEA) of 2004 through the implementation of WV Policy 2419 and provides technical assistance to parents, teachers, administrators, and the general public. The WVDE/SES and its stakeholders are committed to ensuring all students are provided a free appropriate public education (FAPE), and to improving instruction, practices, and positive outcomes for students with disabilities. The WVDE/SES collaborates with local educational agencies (LEAs), parents and families, advisory groups, communities, and other stakeholders to identify needed resources and provide system enhancements to improve outcomes for students with disabilities. WVDE/SES reviewed and analyzed data for the SPP/APR to ensure the accuracy and consistency of current and trend data. Data were obtained from the West Virginia Educational Information System (WVEIS), the state longitudinal student data collection systems, as well as other documentation provided to the WVDE/SES by LEAs. WVDE/SES staff presents the data to stakeholder groups to solicit feedback, analyze targets and determine needed strategies to improve these data when necessary.

**Additional information related to data collection and reporting**

There were no statewide COVID closures during the 2021-22 school year, but the closures which began in the 2019-20 school year continue to impact the data. The continued impact can be seen predominantly in Indicators 1, 2, 3B, 3C, 3D, 4A, 4B, 6A, 6B, 6C, 7A, 7B, 7C, 11, and 12. Although based on data collected during this reporting period, Indicator 14 draws on the population from exiting data in the prior year, thus there may be an impact in this reporting period. It is expected that the COVID-19 pandemic will impact the variability of trend data and student learning outcomes for several years.

**Number of Districts in your State/Territory during reporting year**

57

**General Supervision System:**

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

WVDE/SES requires districts that do not meet result indicators through the Annual Desk Audit (ADA) Process to develop a District Systemic Improvement Plan (DSIP) based on at least one major results indicator that requires systemic change. The plan involves developing a rationale, analyzing trend data, and writing goals, objectives, activities, timelines, and evaluation methods.   
  
Additionally, WVDE/SES has implemented a tiered system of support for all school districts (LEAs) that includes universal, targeted, and intensive assistance. Universal assistance provides all LEAs opportunities for professional development (PD) and technical assistance (TA) that is offered along with annual conferences held in conjunction with the West Virginia Council of Administrators of Special Educators (WVCASE) and resources on the WVDE website. Ongoing guidance and timely information are provided through monthly virtual meetings and listserv announcements. In conjunction with WVCASE, a mentorship program is also offered to new special education directors. WVDE/SES has divided the state into eight (8) geographic regions that are assigned at least two WVDE/SES coordinators per region who serve as the primary contacts for directors. Districts that are identified as 'Meets Requirements' are asked to meet quarterly as a region with their assigned coordinators. The targeted tier involves districts that do not meet requirements and are in 'Needs Assistance' status. These districts are required to meet individually on a quarterly basis with their assigned coordinators to discuss their DSIP and/or improvement plans. WVDE/SES supports the plans with appropriate TA and PD as appropriate. The quarterly meetings allow for progress reports and updates toward meeting activities and goals. Districts remain in targeted support until meeting determinations or falling into 'Needs Intervention'. The intensive tier involves districts that do not meet requirements and are in 'Needs Intervention' or 'Needs Substantial Intervention' Status. This functions the same as the targeted tier except support and/or technical assistance meetings will be held monthly. Districts will continue in intensive support for an additional maintenance year upon meeting requirements.  
  
The Results Driven Accountability General Supervision System document describing West Virginia’s System is be located at https://wvde.us/special-education/policies-and-compliance/

**Technical Assistance System:**

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

UNIVERSAL TECHNICAL ASSISTANCE (TA)  
Universal TA is designed to provide information to educational personnel and parents. Specific topics are generated by the LEAs, parent groups, state coordinators, as well as other stakeholders. All LEAs are provided with resources, face-to-face trainings, and webinars to address the progress of special education programs. Universal supports include, but are not limited to:   
- Website resources  
- Special Education Administrators' conferences  
- Webinars  
- Phone calls  
- Special Education Listservs  
- Policy 2419: Regulations for the Education of Exceptional Students Training  
- Standards-Based Individual Education Program Training  
- State Performance Plan Indicators  
- Local Education Agency Determinations  
- Family Engagement Resource Centers  
- WV Technical Assistance Centers:  
 - Accessibility and Transitions Technical Assistance Center at the WV Schools for the Deaf and Blind  
 - Behavior Mental Health Technical Assistance Center at Marshall University Campus  
  
TARGETED TECHNICAL ASSISTANCE (TTA)   
TTA provides more focused support for districts that have not met requirements and are determined to ‘need assistance’, ‘need intervention’, or ‘need substantial intervention’. The level of support provided is determined by the progress on the Annual Desk Audit (ADA) submitted in April by each LEA.   
  
Targeted supports are provided for districts that have a specific need but may or may not have met requirements. Targeted supports include, but are not limited to:   
- New Special Education Directors’ Academies and Mentor Program  
- State Performance Plan (SPP) Indicators – 4A, 4B, 9, 10, 11, 12, and 13 are reviewed and support is provided to meet the target  
- Coordinated Comprehensive Early Intervening Services (CCEIS)  
- Cyclical Compliance and Results Driven Monitoring follow-up guidance  
- Targeted training based on LEA self-selected areas for improvement  
- Targeted training based on outcomes of dispute resolution cases  
- Fiscal Monitoring

**Professional Development System:**

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for children with disabilities.**

PROFESSIONAL LEARNING (DEVELOPMENT)   
Professional Learning includes systematic initiatives to build the capacity of individuals, schools, and LEAs to educate exceptional students. The WVDE/SES partners with the West Virginia Office of Teaching and Learning to offer summer professional development to teachers. Additionally, the West Virginia Department of Education (WVDE) offers e-Learning courses, which provide more in-depth study for current educators and paraprofessionals throughout the year. Topics include autism, mathematics, support for specially designed instruction (SSDI), positive behavioral interventions and supports (PBIS), co-teaching, WV tiered system of support (WVTSS), and accessible educational materials (AEM).  
Professional development and programming are also provided through collaborative agreements with several state universities to target current teachers and school professionals and recruit potential teacher candidates in order to address specialty populations. These include:   
- Speech-Language Pathology MA – Marshall University and West Virginia University (WVU)  
- Speech-Language Pathology Graduate/Professional Learning Courses – WVU  
- Visually Impaired/Hearing Impaired Certification – Marshall University  
- Autism Mentor Program – Autism Training Center (ATC) – Marshall University  
Additional support is coordinated by the WVDE/SES to disseminate information from national OSEP Technical Assistance Centers to LEAs as needed. This support has been provided by: National Technical Assistance Center on Transition (NTACT), and National Center for Systemic Improvement (NCSI).

**Broad Stakeholder Input:**

**The mechanisms for soliciting broad stakeholder input on the State’s targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 17, the State’s Systemic Improvement Plan (SSIP).**

WVDE/SES solicits regular stakeholder input through a variety of sources including, but not limited to, monthly special education director calls, use of a dedicated Teams site, posting a form on WVDE’s website for public input on the SSIP, and public meetings which are geographically chosen to increase attendance from diverse parent groups. In addition, staff meet several times per year with advocacy groups, attorneys, and other interested parties to discuss current issues/topics of concern related to students with disabilities.  
  
WVDE/SES conducted a series of stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package from July 2021 through December 2021. The initial series of stakeholder sessions, inclusive of diverse parent groups, were designed to review current progress and proposed targets for the SPP/APR indicators including the State’s Systemic Improvement Plan (SSIP). Meetings included virtual, in-person or hybrid formats, and were publicly announced through existing listservs and posted on the state webpage. Participants were invited to provide input through a survey link following each stakeholder session. Recordings of the sessions and links to the survey were posted on the WVDE webpage. https://wvde.us/special-education/data-and-public-reporting/. Based on the demographic data from collected survey responses WVDE/SES contacted Special Education directors from geographic areas with more diverse parent groups to improve representation from districts with more racial/ethnic diversity and arranged for additional in-person meetings with parent stakeholder groups. This strategy resulted in additional parent feedback related to state performance and proposed targets.  
  
WVDE/SES carefully considered stakeholder input and feedback in revisions to SPP/APR targets, the SSIP, and/or activities to improve parent engagement and student outcomes.

**Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

NO

**Number of Parent Members:**

51

**Parent Members Engagement:**

**Describe how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

The West Virginia Advisory Council for the Education of Exceptional Children (WVACEEC) is the State Advisory Council established in the state code to comply with IDEA which mandates membership from the following demographic groups: individuals with disabilities, parents of exceptional children, teachers, higher education institutions, local administrators of programs for exceptional children, other State agencies, advocacy and parent organizations, private schools, vocational/business communities, persons responsible for homeless children (McKinney-Vento Act), SEA officials, State welfare agency responsible for foster care, and/or State juvenile and adult corrections. The majority of the Council is mandated to be individuals with disabilities or parents of children with exceptionalities. Some members serve in more than one role. Additionally, no more than two officers/employees of the State may be members. WVACEEC sets the agenda for each monthly meeting in collaboration with the WVDE. The meetings are all available with a virtual option and the physical locations are rotated throughout the state in order to provide more opportunities for public participation specific to the unmet needs in a given geographic area. Stakeholder meetings are conducted throughout the year for input and feedback on SPP/APR Indicator priorities as well as local highlights, unmet needs, and concerns identified by parents representative of statewide demographics. A description of the WVACEEC and their meeting schedule is available publicly at https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/. WVDE/SES meets regularly with the WVACEEC to review current data and proposed targets, and solicit feedback in order to evaluate progress and develop improvement strategies. An SEA spotlight at each meeting highlights various components of the general supervision responsibilities of WVDE such as the annual compliance report, initiatives designed to improve results for students with disabilities, policy updates, and the collection and use of data at the SEA and LEA levels. These meetings are interactive and allow stakeholder participation in areas of unmet needs and questions related to the education of students with disabilities.  
  
Additionally, WVACEEC serves as a consultant to the State Board of Education on matters pertaining to unmet needs in special education throughout the state of West Virginia. WVACEEC must submit an annual report each year to the State Board of Education which is made available by the SEA to the Legislature and the public on the state website. https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/   
  
WVDE/SES regularly partners with the West Virginia Parent Training and Information, Inc. (WVPTI), a non-profit organization aimed at improving the lives and education of all children through an emphasis on children and youth with disabilities and special healthcare needs, to ensure accurate and meaningful information is available to parents through this support group. Examples of the work and support materials they share are available on their website: http://www.wvpti-inc.org/.   
  
WVDE/SES also actively participates on multiple statewide councils including, Developmental Disability Council (DD Council), Statewide Independent Living Council (SILC), State Rehab Council, Employment First, and WVACEEC. Participants have communicated their appreciation to WVDE/SES for strengthening their understanding of IDEA processes and enhancing communication between the SEA and these diverse stakeholder groups. WVDE/SES provides annual updates and seeks input from these stakeholder groups related to developing improvement strategies and evaluating progress for special education outcomes in West Virginia.

**Activities to Improve Outcomes for Children with Disabilities:**

**The activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities.**

West Virginia LEAs are controlled by their local boards of education and as such have flexibility to engage families and diverse parent groups using local strategies. WVDE/SES works with LEAs to provide support through a dedicated family engagement coordinator at the SEA. This coordinator is responsible for working directly with parents, teachers, and administrators to increase the capacity of diverse groups of parents to understand special education services that will improve outcomes for students with disabilities.   
  
In addition, WV is heavily invested in supporting students and families through a statewide Communities in Schools (CIS) initiative, whose mission is to surround all “students with a community of support, empowering them to stay in school and achieve in life.” In all CIS schools, there is a dedicated site-coordinator who supports parents and families with navigating educational and community supports for all students. For additional information, visit <https://wvde.us/cis/>  
  
Further, several LEAs continue to use locally funded Parent Educator Resource Centers (PERCs) to support parents of students with special needs. A team, consisting of a parent of a child with special needs and an educator, staffs each PERC. Although basic services are listed below, how each PERC provides these services depends on the individual community's strengths, resources, and needs. All PERCs have certain common functions and responsibilities including providing information, resources, and training for parents on important issues such as parenting skills, problem-solving, educational planning for their child, behavior management, home learning activities, and other topics to strengthen home-to-school partnerships; assisting families on an individual basis to better understand their children's educational needs and to discover opportunities and options for meeting these needs; connecting families with appropriate community services; and offering information, resources, and training to educators to increase the skills, knowledge, and attitudes needed to encourage and strengthen family involvement and positive school-to-home partnerships. PERCs are housed within various locations throughout the state, usually in a centralized, accessible location such as a school, community center, board of education office, or library. LEAs provide financial support for their PERCs by blending fiscal resources such as special education, Title I, state and local funds, and grants. In addition, local community-based organizations, service agencies, businesses, and other service organizations may provide other support for the PERCs.  
  
WVDE/SES also works collaboratively with state and private advocacy agencies to increase the capacity and participation of diverse groups of parents in special education decision-making and progress evaluation.

**Soliciting Public Input:**

**The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

WVDE/SES has leveraged the use of virtual meeting platforms to extend parental involvement in setting targets, analyzing data, developing improvement strategies, and evaluating progress. During the Summer and Fall of 2021, WVDE/SES held four stakeholder meetings aimed at analyzing data and setting new targets. These were held on July 13, July 27, August 11, and September 8 of 2021. Recordings of the meetings and links to follow-up surveys were posted on the state website (https://wvde.us/special-education/data-and-public-reporting/).   
  
Continued public stakeholder sessions are held in a blended format in order to continue reviewing progress and soliciting feedback. The first session was held in March 2022 in the southeast region of the state to review and discuss significant discrepancies in suspension/expulsion by race/ethnicity (i.e., indicators 4A and 4B), disproportionate representation (i.e., indicators 9 and 10), significant disproportionality, Comprehensive Coordinated Early Intervening Services (CCEIS), and the efforts that have been made to improve student outcomes. Additional sessions this school year were focused on the student data collection system (WVEIS) due to the rollout of the new statewide student educational data system, WVEIS 2.0. The transition to the new system was rocky and needed extensive support statewide from multiple offices. Training and technical assistance for accurate data entry and use of WVEIS 2.0 required the coordination of several WVDE offices. Additionally, public perception and education on WVEIS 2.0 was the central focus of nearly all public stakeholder sessions, state and local board meetings, and facilitated director calls.

**Making Results Available to the Public:**

**The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.**

WV Public SPP/APR and Annual Desk Audit for local education agency data, recordings of stakeholder sessions, and surveys to solicit feedback are posted on the West Virginia Department of Education (WVDE) website. https://wvde.us/special-education/data-and-public-reporting/   
  
Recordings were posted within one week of the live sessions. The resources used in the sessions are still posted. Additionally, publicly reported data are available on the ZoomWV website for public analysis at https://zoomwv.k12.wv.us/Dashboard/dashboard/6161. These data are updated following each collection certification (e.g. December child count data are typically available by February of the following year).  
  
In addition, the targets and related topics were reviewed at a public WVACEC meeting with a virtual streaming option available in Sprint 2022.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State’s submission of its FFY 2020 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State’s SPP/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

WV Public SPP/APR and Annual Desk Audit for local education agency data are posted on the West Virginia Department of Education (WVDE) website. https://wvde.us/special-education/data-and-public-reporting/ An introduction to the report explains the purpose of the public reporting and the data displayed compares district status to each SPP/APR target for the State. The SPP/APR is posted annually with an explanation of the public reporting and is posted no later than 120 days after the final report is loaded in EMAPS by OSEP.

## Intro - Prior FFY Required Actions

The State's IDEA Part B determination for both 2021 and 2022 is Needs Assistance. In the State's 2022 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2021 SPP/APR submission, due February 1, 2023, 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.

**Response to actions required in FFY 2020 SPP/APR**

The review of the determinations from the last two years when West Virginia was in "Needs Assistance" has revealed that the reason for this determination was due to the impact on the points available for assessment performance and participation due to COVID-19. West Virginia received all points available except in this area. Also, although the statewide assessment was administered in the Spring of 2020 by the state, OSEP did not award any participation points in that area. These points are needed by the state to offset the impact of the inequitable point distribution of the tertile system used to award assessment performance points to states by OSEP. Furthermore, because the NAEP assessment was not administered in 2019-2020, the state was locked into the tertile distribution for an additional year without the participation offset that has been used in the past to achieve a "Meets" determination.   
  
West Virginia has continued to utilize resources provided by OSEP-funded national TA centers including:  
  
NCSI – National Center for Systemic Improvement - focus on Evidence-Based Practices and the Results Based Accountability and Support Collaboratives; WVDE/SES coordinators attend monthly virtual meetings with other states to learn how to provide support to LEAs related to EBPs and general supervision responsibilities. The State Special Education Director also participates in SEAL Collaborative dedicated to supporting SEA Leadership. The NCSI state lead provides support for SSIP, EBPs, and secondary transition. A team from WV attended the National Workgroup Meeting held in Chicago in 2022.   
  
NTACT:C – National Technical Assistance Center on Transition: The Collaborative - focuses on Secondary transition support and facilitating interagency work with the Division of Vocational Rehabilitation. We are working to improve parent approval for inviting outside agencies to transition IEP meetings. We will also be attending the spring 2023 Capacity Building Institute with our DRS partners to review and revise the state interagency agreement.   
  
WV PTI – West Virginia Parent Training and Information Center - external stakeholder; WV PTI was also recently invited to attend the spring NTACT:C 2023 Capacity Building Institute with our DRS partner to improve support for families.  
  
IDC – IDEA Data Center - focus on support for accurate data collection and reporting for SSIP; As part of the June 2022 interactive institute, IDC invited WV to participate in a panel presentation on SSIP. In addition, a WV team attended the Hands-on-Learning Academy (Spring 2022) in Cincinnati, as well as the IDEA Data Center SPP/APR workshop (November 2022) in Lexington, KY in order to improve how the state is working with LEAs to measure and improve the progress of students with disabilities.   
  
NCEO- National Center on Educational Outcomes - focus on alternate assessment; WVDE/SES coordinators access technical assistance and support for alternate assessment and the 1% cap waiver extension request.  
  
IRIS Center - focus on resources and materials to provide support related to effective instruction of students with disabilities. Resources from the IRIS Center were recently cited and recommended as part of the WVDE/SES work with LEAs in the WV Legislature.   
  
CIID - Center for Integration of IDEA Data - focus on data quality and use and financials; Working to ensure accurate collection and reporting of data and the updating of existing process documents, including reporting of assessment data. West Virginia has been a long-term participant in the Generate project to create more efficient reporting processes. The expansion of participation in this process allows those involved in data collection and reporting to reallocate time spent on focusing on areas of improvement.   
  
Focused work on the area of need, assessment performance, is a priority of the newly appointed WV State Superintendent. Work to support improved outcomes for all students in Reading and Mathematics is included in all initiatives, training, and LEA-level supports conducted by WVDE state coordinators. Specific interventions and actions are still being developed since the most recent NAEP scores have only been available for a few months and tertile assignment by OSEP has not yet been released.

## Intro - OSEP Response

The State's determinations for both 2021 and 2022 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 24, 2022 determination letter informed the State that it must report with its FFY 2021 SPP/APR submission, due February 1, 2023, 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 provided the required information.  
  
The State did not describe the mechanisms for soliciting broad stakeholder input on the State’s targets in the SPP/APR and subsequent revisions that the State made to those targets. Specifically, the State did not report a description of the activities conducted to increase the capacity of diverse groups of parents.

## Intro - Required Actions

The State has not provided a description of the activities conducted to increase the capacity of diverse groups of parents. In its FFY 2022 SPP/APR, the State must provide the required information.

# Indicator 1: Graduation

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) exiting special education due to graduating with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

**Measurement**

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma in the numerator and the number of all youth with IEPs who exited high school (ages 14-21) in the denominator.

**Instructions**

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved but are known to be continuing in an educational program.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma. If the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma are different, please explain.

## 1 - Indicator Data

**Historical Data[[1]](#footnote-2)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 83.21% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 74.26% | 78.20% | 79.50% | 80.80% | 83.71% |
| Data | 76.85% | 75.68% | 76.86% | 78.7%[[2]](#footnote-3) | 83.97% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 84.21% | 84.71% | 85.21% | 85.71% | 86.21% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 1,901 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 206 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 0 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 10 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 136 |

**FFY 2021 SPP/APR Data**

| **Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma** | **Number of all youth with IEPs who exited special education (ages 14-21)** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1,901 | 2,253 | 83.97% | 84.21% | 84.38% | Met target | No Slippage |

**Graduation Conditions**

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma.**

As described in West Virginia Board of Education (WVBE) Policy 2510, Assuring the Quality of Education: Regulations for Education Programs, the graduation requirements for all WV youth (including those with IEPs) are the same - 22 total credits (12 prescribed and 10 personalized). The specific requirements are as follows: 4 credits (3 prescribed and 1 personalized) of English Language Arts; 4 credits (2 prescribed and 2 personalized) of Mathematics; 3 credits (2 prescribed and 1 personalized) of Science; 4 credits (3 prescribed and 1 personalized) of Social Studies; 1 credit (prescribed) of Physical Education; 1 credit (prescribed) of Health; 1 credit (personalized) of Art, and; 4 credits (personalized) of Personalized Education Plan (PEP). Further, all courses needed for graduation require mastery of approved content standards (WV Code §126-42-6 High School Programming). All public secondary schools are required to offer Career and Technical Education programs of study, Computer Science, World Languages, Driver Education, a Social Emotional Advisory System for Student Success, and no less than 4 AP course offerings per school year.  
  
Link to WVBE Policy 2510 (page 9): https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=52997&Format=PDF

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

Graduation data were recalculated for FFY2018 and FFY2019 using the new calculation methodology to help determine an appropriate baseline and targets. Stakeholders were presented with both the old and new calculations in order to gather informed feedback. The data reported above reflect the previous cohort calculations and the adjusted percentage of students who have graduated with regular diplomas compared to all students (ages 14-21) who exited high school are 83.21% (FFY2018) and 83.97% (FFY2019). The data from FFY 2018 was the last year that the state determined data were not impacted by COVID, and were used to set the baseline.

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

## 1 - Required Actions

# Indicator 2: Drop Out

**Instructions and Measurement**

Monitoring Priority: FAPE in the LRE

**Results indicator**: Percent of youth with IEPs who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

Data Source

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

Measurement

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who exited special education (ages 14-21) in the denominator.

Instructions

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a

state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved but are known to be continuing in an educational program.

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

Provide a narrative that describes what counts as dropping out for all youth. Please explain if there is a difference between what counts as dropping out for all students and what counts as dropping out for students with IEPs.

## 2 - Indicator Data

**Historical Data[[3]](#footnote-4)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 6.17% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target <= | 2.25% | 2.25% | 2.00% | 1.75% | 5.67% |
| Data | 1.16% | 0.99% | 0.87% | 0.73% | 4.61% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 5.17% | 4.67% | 4.17% | 3.67% | 3.17% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 1,901 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 206 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 0 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 10 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 136 |

**FFY 2021 SPP/APR Data**

| **Number of youth with IEPs (ages 14-21) who exited special education due to dropping out** | **Number of all youth with IEPs who exited special education (ages 14-21)** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 136 | 2,253 | 4.61% | 5.17% | 6.04% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

School Year 2019-20 (FFY 2020) was a unique year from a data perspective, due to the COVID-related closures of school facilities. Much of the data that year looked “more positive” than usual because schools were providing flexibility to students, giving them every benefit of every potential doubt. This impacted the data with a false sense of progress on this indicator. Specifically, data for this indicator in SY 2018-2019 (FFY 2019) would have been 6.14% of youth with IEPs (ages 14-21) exited special education due to dropping out if results were calculated with the current methodology. This indicates that the state is making progress on this indicator other than the FFY 2020 data that were impacted by COVID.   
  
Additionally, the statewide end-of-year data collection that includes exit data for students with disabilities has been a focus of increased support and training to improve the accuracy of reporting by the LEAs. The WVDE has been training LEAs to clarify which are the appropriate codes to use at the right times and providing additional support during the collection itself in order to improve accuracy. This increased support and training may have also had a slight impact on the data.

**Provide a narrative that describes what counts as dropping out for all youth**

Any student ages 14-21 who leaves school and does not enroll in another school or program that culminates in a high school diploma is considered to be a dropout.  
  
West Virginia Board of Education Policy (WVBE) 4110: Attendance defines a dropout as an individual who was enrolled in school at some time during the previous school year and was not enrolled on October 1st of the current school year; or was not enrolled on October 1st of the previous school year although expected to be in membership (i.e., was not reported as a drop out the year before); and has not graduated from high school, obtained a High School Equivalency Diploma referred to as TASC (Test Assessing Secondary Completion, and/or HSEA High School Equivalency Assessment), or completed a state or district-approved education program; and does not meet any of the following exclusionary conditions: (a) transfer to another public school district, private school, registered home school or state or district-approved education program; (b) temporary school-recognized absence due to suspension or illness; or (c) death.  
  
Link to WVBE Policy 4110: (page 2) http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=49927&Format=PDF

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs.**

**Provide additional information about this indicator (optional)**

WVDE/SES is using the same data source and measurement for reporting 618 data of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009. The data reported above reflect the previous cohort calculations and the adjusted percentage of students who have dropped out of high school compared to all students (ages 14-21) who exited high school are 6.17% (FFY2018) and 4.61% (FFY2019). Drop-out data were recalculated for FFY2018 and FFY2019 to help determine an appropriate baseline and target. Stakeholders were presented with both the old and new calculations in order to gather informed feedback.  
The data from FFY2018 was the last year that the state determined that data were not impacted by COVID, and were used to set the baseline.

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

## 2 - Required Actions

# Indicator 3A: Participation for Children with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3A. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

**Measurement**

A. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), *i.e.*, a link to the Web site where these data are reported.

Indicator 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3A - Indicator Data

**Historical Data:**

| **Subject** | **Group** | **Group Name** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2020 | 99.84% |
| Reading | B | Grade 8 | 2020 | 98.73% |
| Reading | C | Grade HS | 2020 | 100.00% |
| Math | A | Grade 4 | 2020 | 99.70% |
| Math | B | Grade 8 | 2020 | 98.97% |
| Math | C | Grade HS | 2020 | 100.00% |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | A >= | Grade 4 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |

**Targets: Description of Stakeholder Input**The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline was originally set for FFY2018 but the need for grade-level participation disaggregation moved the baseline to 2020. The stakeholders were presented with the participation expectations for both SPP/APR reporting and ESEA reporting and the rationale for the state to maintain a steady target of 95% participation. Stakeholders were informed of the state participation that has traditionally met or exceeded the participation rate of 95%, but no grade-level breakdowns were presented. Stakeholders broadly accepted the proposed target per grade level staying at 95%.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

04/05/2023

**Reading Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 3,901 | 3,484 | 2,206 |
| b. Children with IEPs in regular assessment with no accommodations | 950 | 489 | 439 |
| c. Children with IEPs in regular assessment with accommodations | 2,776 | 2,738 | 1,558 |
| d. Children with IEPs in alternate assessment against alternate standards | 172 | 237 | 208 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

04/05/2023

**Math Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 3,901 | 3,484 | 2,206 |
| b. Children with IEPs in regular assessment with no accommodations | 922 | 389 | 439 |
| c. Children with IEPs in regular assessment with accommodations | 2,802 | 2,842 | 1,558 |
| d. Children with IEPs in alternate assessment against alternate standards | 172 | 237 | 208 |

\*The children with IEPs count excludes children with disabilities who were reported as exempt due to significant medical emergency in row a for all the prefilled data in this indicator.

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 3,898 | 3,901 | 99.84% | 95.00% | 99.92% | Met target | No Slippage |
| **B** | Grade 8 | 3,464 | 3,484 | 98.73% | 95.00% | 99.43% | Met target | No Slippage |
| **C** | Grade HS | 2,205 | 2,206 | 100.00% | 95.00% | 99.95% | Met target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 3,896 | 3,901 | 99.70% | 95.00% | 99.87% | Met target | No Slippage |
| **B** | Grade 8 | 3,468 | 3,484 | 98.97% | 95.00% | 99.54% | Met target | No Slippage |
| **C** | Grade HS | 2,205 | 2,206 | 100.00% | 95.00% | 99.95% | Met target | No Slippage |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

West Virginia uses the General Summative Assessment (GSA) to determine grade-level academic achievement standard proficiency in reading and math and the Alternate Summative Assessment (ASA) to determine alternate academic achievement standard proficiency in reading and math.  
The participation rate for ALL students in WV is available at - https://zoomwv.k12.wv.us/Dashboard/dashboard/7310  
From the ZoomWV homepage, use the breadcrumbs: ZoomWV>State Assessment Results>State Assessment Subgroups  
Make sure the following filters are set:  
o   School Year – 2021-2022  
o   District/County – All Districts  
o   School – All Schools  
o   Grade Level – All grades (or set to check each grade that must be reported 4, 8, 11 separately)  
o   Population Group – Status  
  
The participation rate for students on the WV Alternate Assessment is available at - https://zoomwv.k12.wv.us/Dashboard/dashboard/6161  
From the ZoomWV homepage, use the breadcrumbs: ZoomWV>Special Education>Assessment Participation and Performance  
Make sure the following filters are set:  
o   School Year – 2020-2021  
o   District/County – (999) – State Total  
o   School – All Schools  
  
The participation rates for students with and without accommodations in WV are available on the ZoomWV page by using the following breadcrumbs: ZoomWV>Special Education>Links>IDEA Section 618 Public Reporting 2021-2022  
·         Participation and proficiency rates of students with IEPs and without IEPs (504 plans) using accommodations and not using accommodations are located under the assessment tab.  
·         Participation rates of students with IEPs and without IEPs (504 plans) using accommodations broken down by district and school are located under the Reading - SWD w Accomm and Math - SWD w Accomm tabs.

**Provide additional information about this indicator (optional)**

## 3A - Prior FFY Required Actions

None

## 3A - OSEP Response

## 3A - Required Actions

# Indicator 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3B - Indicator Data

**Historical Data:**

| **Subject** | **Group** | **Group Name** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2018 | 15.87% |
| Reading | B | Grade 8 | 2018 | 6.68% |
| Reading | C | Grade HS | 2018 | 9.24% |
| Math | A | Grade 4 | 2018 | 17.53% |
| Math | B | Grade 8 | 2018 | 5.42% |
| Math | C | Grade HS | 2018 | 2.58% |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 16.40% | 16.90% | 17.40% | 17.90% | 18.40% |
| Reading | B >= | Grade 8 | 7.20% | 7.70% | 8.20% | 8.70% | 9.20% |
| Reading | C >= | Grade HS | 10.20% | 10.70% | 11.20% | 11.70% | 12.20% |
| Math | A >= | Grade 4 | 18.50% | 19.00% | 19.50% | 20.00% | 20.50% |
| Math | B >= | Grade 8 | 6.00% | 6.50% | 7.00% | 7.50% | 8.00% |
| Math | C >= | Grade HS | 3.50% | 4.00% | 4.50% | 5.00% | 5.50% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current performance level of children with disabilities on the current statewide assessments. The targets were set to show improvement each year from FFY 2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment | 3,726 | 3,227 | 1,997 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 329 | 77 | 56 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 206 | 151 | 154 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment | 3,724 | 3,231 | 1,997 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 324 | 43 | 16 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 223 | 94 | 29 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 535 | 3,726 | 11.26% | 16.40% | 14.36% | Did not meet target | No Slippage |
| **B** | Grade 8 | 228 | 3,227 | 6.94% | 7.20% | 7.07% | Did not meet target | No Slippage |
| **C** | Grade HS | 210 | 1,997 | 9.22% | 10.20% | 10.52% | Met target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 547 | 3,724 | 11.24% | 18.50% | 14.69% | Did not meet target | No Slippage |
| **B** | Grade 8 | 137 | 3,231 | 3.64% | 6.00% | 4.24% | Did not meet target | No Slippage |
| **C** | Grade HS | 45 | 1,997 | 2.14% | 3.50% | 2.25% | Did not meet target | No Slippage |

**Regulatory Information**  
**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

West Virginia uses the General Summative Assessment (GSA) to determine grade-level academic achievement standard proficiency in reading and math and the Alternate Summative Assessment (ASA) to determine alternate academic achievement standard proficiency in reading and math.  
  
The proficiency rates for ALL students in WV are available at – https://zoomwv.k12.wv.us/Dashboard/dashboard/7310  
From the ZoomWV homepage, use the following breadcrumbs: ZoomWV>State Assessment Results>State Assessment Subgroups  
Make sure the following filters are set:  
o   School Year – 2021-2022  
o   District/County – All Districts  
o   School – All Schools  
o   Grade Level – All grades (or set to check each grade that must be reported 4, 8, 11 separately)  
o   Population Group - Status  
  
The proficiency rates for students with disabilities in WV are available at –https://zoomwv.k12.wv.us/Dashboard/dashboard/6161  
From the ZoomWV homepage, use the following breadcrumbs: ZoomWV>Special Education>Assessment Participation and Performance Make sure the following filters are set:  
o   School Year – 2021-2022  
o   District/County – (999) – State Total  
o   School – All Schools  
  
The proficiency rates for students with disabilities in WV by accommodation are available by accessing the ZoomWV webpage at -https://zoomwv.k12.wv.us/Dashboard/dashboard/28116 and using the following breadcrumb pathway:  
ZoomWV>Special Education>Links>IDEA Section 618 Public Reporting 2021-2022  
The participation and proficiency rates of students with IEPs and without IEPs (504 plans) using accommodations and not using accommodations are located under the assessment tab.

**Provide additional information about this indicator (optional)**

## 3B - Prior FFY Required Actions

Within 90 days of the receipt of the State's 2022 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2021 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

The updated link was provided to OSEP within the 90-day timeframe. The weblinks included with indicator data demonstrate compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

## 3B - OSEP Response

## 3B - Required Actions

# Indicator 3C: Proficiency for Children with IEPs (Alternate Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time

of testing.

## 3C - Indicator Data

**Historical Data:**

| **Subject** | **Group** | **Group Name** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2018 | 18.48% |
| Reading | B | Grade 8 | 2018 | 32.67% |
| Reading | C | Grade HS | 2018 | 36.21% |
| Math | A | Grade 4 | 2018 | 26.54% |
| Math | B | Grade 8 | 2018 | 7.17% |
| Math | C | Grade HS | 2018 | 11.11% |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 19.50% | 20.00% | 20.50% | 21.00% | 21.50% |
| Reading | B >= | Grade 8 | 33.50% | 34.00% | 34.50% | 35.00% | 35.50% |
| Reading | C >= | Grade HS | 37.00% | 37.50% | 38.00% | 38.50% | 39.00% |
| Math | A >= | Grade 4 | 27.50% | 28.00% | 28.50% | 29.00% | 29.50% |
| Math | B >= | Grade 8 | 8.00% | 8.50% | 9.00% | 9.50% | 10.00% |
| Math | C >= | Grade HS | 12.50% | 13.00% | 13.50% | 14.00% | 14.50% |

**Targets: Description of Stakeholder Input**The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current performance level of children with disabilities on the current statewide assessments. The targets were set to show a slight improvement each year from FFY 2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 172 | 237 | 208 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 20 | 44 | 67 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 172 | 237 | 208 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 58 | 15 | 62 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 20 | 172 | 17.82% | 19.50% | 11.63% | Did not meet target | Slippage |
| **B** | Grade 8 | 44 | 237 | 25.00% | 33.50% | 18.57% | Did not meet target | Slippage |
| **C** | Grade HS | 67 | 208 | 29.21% | 37.00% | 32.21% | Did not meet target | No Slippage |

**Provide reasons for slippage for Group A, if applicable**

This group of students' Reading performance was significantly impacted due to COVID-19 due to the lack of in-person instruction in Reading/Language Arts available during foundational years. Given their significance cognitive deficits, it is possible that the impact to their foundational instruction will be seen in this group's performance data throughout their educational career. WVDE/SES will be able to better determine that impact after one additional year of post-COVID performance data, which will help to determine a trend and not an anomaly. Additionally, WVDE is currently implementing state-wide literacy support through increased teacher training and more rigorous interventions to improve the reading performance of all students in the state.

**Provide reasons for slippage for Group B, if applicable**

This group of students' Reading performance was significantly impacted due to COVID-19 due to the lack of in-person instruction in Reading/Language Arts. Although their education was disrupted, the learning loss was not as significant as it was in the 4th-grade results due to this group having a foundational knowledge of reading. WVDE/SES will be able to better determine the potential long-term impact after one additional year of post-COVID performance data, which will help to determine a trend and not an anomaly. Additionally, WVDE is implementing state-wide literacy support through increased teacher training and more rigorous interventions to improve the reading performance of all students in the state.

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards** | **Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 58 | 172 | 37.36% | 27.50% | 33.72% | Met target | No Slippage |
| **B** | Grade 8 | 15 | 237 | 3.65% | 8.00% | 6.33% | Did not meet target | No Slippage |
| **C** | Grade HS | 62 | 208 | 28.65% | 12.50% | 29.81% | Met target | No Slippage |

**Provide reasons for slippage for Group A, if applicable**

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

West Virginia uses the Alternate Summative Assessment (ASA) to determine alternate academic achievement standard proficiency in reading and math.  
  
The proficiency rates for students in WV on the alternate assessment are available at – https://zoomwv.k12.wv.us/Dashboard/dashboard/28307  
From the ZoomWV homepage, use the following pathway: ZoomWV>Special Education>Alternate Assessment Results  
  
Suppression rules (n<11) prevent any LEA or school-level data from being publically available.

**Provide additional information about this indicator (optional)**

## 3C - Prior FFY Required Actions

Within 90 days of the receipt of the State's 2022 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2021 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

The state provided the weblink within the 90-day timeframe. The weblinks provided with the indicator data demonstrate compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

## 3C - OSEP Response

## 3C - Required Actions

# Indicator 3D: Gap in Proficiency Rates (Grade Level Academic Achievement Standards)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Participation rate for children with IEPs.

B. Proficiency rate for children with IEPs against grade level academic achievement standards.

C. Proficiency rate for children with IEPs against alternate academic achievement standards.

D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3D. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), *i.e.*, a link to the Web site where these data are reported.

Indicator 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3D - Indicator Data

**Historical Data:**

| **Subject** | **Group** | **Group Name** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- | --- | --- |
| Reading | A | Grade 4 | 2018 | 32.44 |
| Reading | B | Grade 8 | 2018 | 36.58 |
| Reading | C | Grade HS | 2018 | 42.29 |
| Math | A | Grade 4 | 2018 | 29.27 |
| Math | B | Grade 8 | 2018 | 30.80 |
| Math | C | Grade HS | 2018 | 21.24 |

**Targets**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A <= | Grade 4 | 29.50 | 29.00 | 28.50 | 28.00 | 27.50 |
| Reading | B <= | Grade 8 | 35.50 | 35.00 | 34.50 | 34.00 | 33.50 |
| Reading | C <= | Grade HS | 41.00 | 40.50 | 40.00 | 39.50 | 39.00 |
| Math | A <= | Grade 4 | 27.50 | 27.00 | 26.50 | 26.00 | 25.50 |
| Math | B <= | Grade 8 | 28.50 | 28.00 | 27.50 | 27.00 | 26.50 |
| Math | C <= | Grade HS | 20.50 | 20.00 | 19.50 | 19.00 | 18.50 |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline data from FFY2018 were calculated as the difference between the proficiency rate of children with disabilities and an IEP taking the state-wide assessments and the proficiency rate of ALL students taking the state-wide assessment. Disaggregation by subject area (math and reading) and grade level (4th, 8th, and 11th) was conducted prior to calculations. These calculations were presented and accepted by stakeholders during the final stakeholder meeting in September 2021.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment | 17,308 | 18,670 | 15,372 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 3,726 | 3,227 | 1,997 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 7,258 | 7,066 | 7,481 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | 269 | 213 | 259 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 329 | 77 | 56 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 206 | 151 | 154 |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment | 17,305 | 18,671 | 15,372 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 3,724 | 3,231 | 1,997 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 6,878 | 4,869 | 3,133 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | 285 | 152 | 69 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 324 | 43 | 16 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 223 | 94 | 29 |

**FFY 2021 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards** | **Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 14.36% | 43.49% | 25.86 | 29.50 | 29.13 | Met target | No Slippage |
| **B** | Grade 8 | 7.07% | 38.99% | 35.39 | 35.50 | 31.92 | Met target | No Slippage |
| **C** | Grade HS | 10.52% | 50.35% | 40.07 | 41.00 | 39.84 | Met target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards** | **Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 14.69% | 41.39% | 22.45 | 27.50 | 26.70 | Met target | No Slippage |
| **B** | Grade 8 | 4.24% | 26.89% | 20.05 | 28.50 | 22.65 | Met target | No Slippage |
| **C** | Grade HS | 2.25% | 20.83% | 20.90 | 20.50 | 18.58 | Met target | No Slippage |

**Provide additional information about this indicator (optional)**

## 3D - Prior FFY Required Actions

None

## 3D - OSEP Response

## 3D - Required Actions

# Indicator 4A: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, LEAs that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of LEAs excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n and/or cell size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its 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 that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2017 | 3.51% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target <= | 5.50% | 5.50% | 5.00% | 3.50% | 3.50% |
| Data | 3.51% | 3.51% | 3.51% | 3.51% | 1.75% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.

**FFY 2021 SPP/APR Data**

**Has the state established a minimum n/cell-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, LEAs that met the State-established n/cell size. Report the number of LEAs excluded from the calculation as a result of the requirement.**

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| --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| 0 | 3 | 1.75% | 3.50% | 0.00% | Met target | No Slippage |

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State

**State’s definition of “significant discrepancy” and methodology**

West Virginia collects discipline data through WVEIS, which requires school-level personnel to enter individual student data regarding disciplinary offenses, actions taken, and the number of days of removal. These data are compiled by the district into an electronic file, which is submitted to WVDE/SES and is used to generate the Section 618 discipline report and suspension rates for the APR. Data are provided individually for all students with disabilities for the reporting year July 1 through June 30. All data are verified by districts prior to and after submission to WVEIS. Additionally, the WVDE/SES examined the data by school to ensure all schools were participating. The calculation includes the number of students with IEPs in a district as the denominator and the number of students suspended/expelled >10 days in a district as the numerator multiplied by 100.   
  
Definition of Significant Discrepancy and Identification of Comparison Methodology:  
West Virginia is comparing the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs (children with disabilities) among LEAs in the state. Only LEAs that met the State-established minimum n (20) and cell (5) size were included in the calculation. The state "bar" is two times the state rate using the 2016-2017 school year as the baseline since all children with IEPs were suspended at a rate of 1.62% for suspensions/expulsions totaling greater than 10 days. The 1.62% state rate was multiplied by two to establish a static suspension/expulsion-rate bar for students with disabilities at 3.24%. Thus, a district is considered to have a significant discrepancy when its suspension/expulsion rate for children with IEPs meets or exceeds the rate of 3.24%.   
  
State rate for all students with IEPs = (751 suspensions/expulsions greater than 10 days) / (46,299 children with IEPs ages 3-21) x 100 = 1.62%   
Significant Discrepancy Threshold = 1.62% x 2 = 3.24%  
  
The minimum n-size of 20 for Indicator 4A is based on the number of children with IEPs in a district (LEA), and the minimum cell size of 5 for Indicator 4A is based on the total number of children with IEPs in a district (LEA) who were suspended/expelled for 10 or more days during the reporting period. Due to the continued impact of COVID on the state data, only 3 districts met the minimum cell size and n size for this indicator. Fifty-seven districts, however, met the minimum n-size.

**Provide additional information about this indicator (optional)**

West Virginia delayed the opening of the school year 2020-2021 through September 7, 2020, by an emergency order of the governor. There was one additional governor-ordered emergency closure from November 30 through December 2, 2020. School districts opened in traditional, blended, or remote learning models on September 8, 2020. The options available for general education varied by district based on local board of education decisions. The blended model was an attempt to reduce class size and maintain proper social distancing in the school setting. Blended models involved half of the students attending in a traditional setting with the other half in a remote learning setting for the day. Students would switch days during the week between the two settings. Many students took advantage of an additional option of a virtual school model made available on an individual basis statewide.   
  
Additionally, the Department of Health and Human Resources developed a Metrics map (https://dhhr.wv.gov/COVID-19/Pages/default.aspx) to reflect the COVID infection rate and percent positivity in each county in the state. Each of West Virginia’s counties is a separate school district. Under the direction of the governor, the WVDE used the Saturday Metric map to determine which counties should be in remote learning for the upcoming week. This remained in effect for elementary and middle schools through the middle of January 2021, and through late March 2021, for high schools.   
  
Although certainly far from a normal and traditional school year, all days regardless of setting were considered instructional days. Many districts were able to bring special education students into a traditional school setting for more days than their non-disabled peers based on the need to receive IEP services. These decisions were determined locally in conjunction with parents and within any of the guidelines established by local health departments. The various delivery models and smaller class sizes had a significant impact on the data for this indicator.  
  
WV will reexamine the current methodology with stakeholder input to determine its appropriateness as new LEAs are formed and COVID restrictions are eased.

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Zero LEAs were determined to have a significant discrepancy; therefore, no reviews of policies, procedures, and practices were conducted.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1 | 1 |  | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The district identified as having significant discrepancy in suspensions/expulsions greater than 10 days overall for students with a disability in FFY 2020 was mandated to participate in a state review of Policies, Practices, and procedures conducted by WVDE/SES using the District Review of Policies, Procedures, and Practices Significant Discrepancy in Suspension and Expulsion Indicator 4A & 4B Review Form. The form can be viewed at https://wvde.us/wp-content/uploads/2021/09/4a-and-4b-Review-Form-2021-Final.doc. Nine discipline records were reviewed to determine if the discrepancy (significant discrepancy) found was a result of the inappropriate implementation of WVBE policy 2419, procedures, and practices relating to the development and implementation of individualized education programs (IEPs), positive behavior interventions, and supports (PBIS), and/or procedural safeguards. As part of the review, the Part B Data Manager compiled and sent a list of specific students identified as suspended/expelled >10 days to the state coordinator conducting the review. The following information was then collected by the district and made available to the on-site team:  
-Copies of the specific students’ current IEPs  
-Positive Behavioral Interventions and Supports (PBIS);  
-Functional Behavior Assessments (FBAs);  
-Disciplinary Action Review Form (DARF);  
-Prior Written Notice (PWN)/suspension letters documenting same-day notice requirements;  
-Documentation regarding the change of placement determination;  
-Documentation verifying procedural safeguards was distributed when the removal was considered a change of placement; and  
-Individual discipline and attendance reports from WV Education Information System (WVEIS)  
  
\*Although WV did identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b), because all districts have adopted WVBE Policy 2419 as their local procedures, revisions to the policy was not required.   
  
Consistent with OSEP Memo 09-02, WV verified that the one LEA is now implementing appropriate practices and procedures.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

All of the individual student files with noncompliance were verified as corrected upon submission of newly implemented procedural requirements that provided verification of correction for the individual student non-compliance found during the onsite review. All required documentation of correction of individual student non-compliance was submitted to WVDE/SES and reviewed to determine individual correction of noncompliance. Upon submission and review of the requested updated data and information, the state verified that the district corrected each instance of individual noncompliance consistent with regulatory requirements in the IDEA pursuant to 34 CFR §300.170(b), and WVBE Policy 2419 and has corrected each individual case of noncompliance consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
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## 4A - Prior FFY Required Actions

The State must report, in the FFY 2021 SPP/APR, on the correction of noncompliance that the State identified in FFY 2020, and FFY 2019, as a result of the review it conducted pursuant to 34 C.F.R. § 300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each district with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

**Response to actions required in FFY 2020 SPP/APR**

WVDE/SES has reported the correction of noncompliance identified in FFY 2020 for this indicator and the specific actions that were taken in the indicator narrative above.  
  
Note:   
Unable to submit OSEP Response to FFY 2019. The fields in the table are blocked for entry. See State response below:  
  
Correction of Findings of Noncompliance Identified Prior to FFY 2020  
Year Findings of Noncompliance Were Identified = FFY 2019  
Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR = 2  
Findings of Noncompliance Verified as Corrected = 2  
Findings Not Yet Verified as Corrected = 0  
  
State Response to Correction of Findings of Noncompliance Identified Prior to FFY 2020:  
Two districts identified as having a significant discrepancy in suspensions/expulsions greater than 10 days overall for students with a disability in FFY 2019 were mandated to participate in a state review of Policies, Practices, and procedures conducted by WVDE/SES using the District Review of Policies, Procedures, and Practices Significant Discrepancy in Suspension and Expulsion Indicator 4A & 4B Review Form. The form can be viewed at https://wvde.us/wp-content/uploads/2021/09/4a-and-4b-Review-Form-2021-Final.doc. All of the individual discipline records were reviewed to determine if the discrepancy (significant discrepancy) found was a result of the inappropriate implementation of WVBE policy 2419, procedures, and practices relating to the development and implementation of individualized education programs (IEPs), positive behavior interventions, and supports (PBIS), and/or procedural safeguards. As part of the review, the Part B Data Manager compiled and sent a new list of specific students identified as suspended/expelled >10 days to the state coordinator conducting the on-site review. The following information was then collected by the district and made available to the on-site review team:  
-Copies of the specific students’ current IEPs  
-Positive Behavioral Interventions and Supports (PBIS);  
-Functional Behavior Assessments (FBAs);  
-Disciplinary Action Review Form (DARF);  
-Prior Written Notice (PWN)/suspension letters documenting same-day notice requirements;  
-Documentation regarding the change of placement determination;  
-Documentation verifying procedural safeguards was distributed when the removal was considered a change of placement; and  
-Individual discipline and attendance reports from WV Education Information System (WVEIS)  
  
\*Although WV did identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b), because all districts have adopted WVBE Policy 2419 as their local procedures, revisions to the policy were not required.   
  
Consistent with OSEP Memo 09-02, WV verified that the two LEAs are now implementing appropriate practices and procedures.

## 4A - OSEP Response

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2019 and FFY 2020 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2019 and FFY 2020 is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system.  
  
In the FFY 2021 SPP/APR the State included a very low percentage of the State’s LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP recognizes the State reported, ["Due to the continued impact of COVID on the state data, only 3 districts met the minimum cell size and n size for this indicator. Fifty-seven districts, however, met the minimum n-size." OSEP reminds the State that if the examination for significant discrepancies in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the LEA level, OSEP may determine that a State’s chosen methodology is not reasonably designed to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

## 4A - Required Actions

The State did not report that noncompliance identified in FFY 2019 and FFY 2020 as a result of the review it conducted pursuant to 34 C.F.R. § 300.170(b) was corrected. When reporting on the correction of this noncompliance, the State must demonstrate, in the FFY 2022 SPP/APR, that it has verified that each district with remaining noncompliance identified in FFY 2019 and FFY 2020: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State’s LEAs are being examined for significant discrepancy under the State’s chosen methodology.

# Indicator 4B: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, LEAs that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of LEAs totally excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 5.26% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 7.02% | 7.02% | 5.26% | 3.51% | 5.26% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 0% | 0% | 0% | 0% | 0% |

**FFY 2021 SPP/APR Data**

**Has the state established a minimum n/cell-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, LEAs that met the State-established n/cell size. Report the number of LEAs excluded from the calculation as a result of the requirement.**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy, by race or ethnicity** | **Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| 0 | 0 | 3 | 5.26% | 0% | 0.00% | Met target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**State’s definition of “significant discrepancy” and methodology**

West Virginia collects discipline data through WVEIS, which requires school-level personnel to enter individual student data regarding disciplinary offenses, actions taken, and the number of days. These data are compiled by the district into an electronic file, which is submitted to WVDE and is used to generate the Section 618 discipline report and suspension rates for the APR. Data are provided individually for all students for the reporting year July 1 through June 30. All data are verified by districts prior to and after submission to WVEIS. Additionally, the WVDE/SES examined the data by the school to ensure all schools were participating. The calculation includes the number of students by racial/ethnic group with IEPs in a district as the denominator and the number of students by racial/ethnic group suspended/expelled >10 days in a district as the numerator multiplied by 100.   
  
Definition of Significant Discrepancy and Identification of Comparison Methodology:  
West Virginia is comparing the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs (children with disabilities) among LEAs in the state. The state "bar" is two times the state rate using the 2016-2017 school year as the baseline since all children with IEPs were suspended at a rate of 1.62% for suspensions/expulsions totaling greater than 10 days. The 1.62% state rate was multiplied by two to establish a static suspension/expulsion-rate bar for students with disabilities at 3.24%. Thus, a district is considered to have a significant discrepancy when its suspension/expulsion rate for children with IEPs meets or exceeds the rate of 3.24%.   
State rate for all students with IEPs = (751 suspensions/expulsions greater than 10 days) / (46,299 children with IEPs ages 3-21) x 100 = 1.62%   
Significant Discrepancy Threshold = 1.62% x 2 = 3.24%  
  
The minimum n-size of 20 for Indicator 4B is based on the number of children with IEPs for a racial/ethnic group in a district (LEA), and   
the minimum cell size of 5 for Indicator 4B is based on the number of children with IEPs for a racial/ethnic group in a district that were suspended/expelled for greater than 10 days.

**Provide additional information about this indicator (optional)**

The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current performance level of districts in using equitable discipline practices for students with disabilities. The targets were set to show improvement each year from FFY2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.  
  
WV’s Policy 2419 is the State’s implementation of IDEA and was recently revised to state: “For students with disabilities, the preventive discipline program must include a tiered system of support with positive behavior interventions and supports,” whereas this was previously optional for LEAs. The inclusion of this requirement should serve to ensure more equitable discipline practices.   
  
WV will reexamine our current methodology with stakeholder input to determine its appropriateness as new LEAs are formed and COVID restrictions are eased.

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Zero LEAs were determined to have a significant discrepancy; therefore, no reviews of policies, procedures and practices were conducted.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 3 | 3 |  | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

In FFY 2020, three districts were identified with significant discrepancies in the rate of suspensions and expulsions greater than 10 days in a school year. Each district must submit an improvement plan targeted at improving compliance with this indicator on their Annual Desk Audit, and self-review. A WVDE/SES coordinator completed a review of the policies, procedures, and practices in each district to determine if after implementing the corrective actions listed in their Annual Desk Audit improvement plans, policies, procedures, and practices are being implemented to comply with the IDEA pursuant to 34 CFR §300.170(b).   
   
The review process that is conducted is outlined in the 4a/4b State Review Form located at https://wvde.us/wp-content/uploads/2021/09/4a-and-4b-Review-Form-2021-Final.doc. As part of the review, the Part B Data Manager compiled and sent a new list of specific students identified as suspended/expelled >10 days in each of the three identified districts. The following information was collected and submitted by each district, specific to the students on the list and was made available to the on-site review team:  
  
-Copies of the specific students’ current IEPs;  
-Positive Behavioral Interventions and Supports (PBIS);  
-Functional Behavior Assessments (FBAs);  
-Disciplinary Action Review Form (DARF);  
-Prior Written Notice (PWN)/suspension letters documenting same-day notice requirements;  
-Documentation regarding the change of placement determination;  
-Documentation verifying procedural safeguards was distributed when the removal was considered a change of placement; and  
-Individual discipline and attendance reports from WV Education Information System (WVEIS)  
  
The review team provided feedback to the district on systemic noncompliance to inform the progress or completion of the improvement plan submitted with the Annual Desk Audit. Subsequent student file reviews were completed after the improvement plans had been implemented and were used to determine the correction of noncompliance for each systemic issue identified in each of the three districts. Upon completion of the subsequent file reviews, the State verified all three districts are correctly implementing the specific regulatory requirements in the IDEA pursuant to 34 CFR §300.170(b), and WVBE Policy 2419 consistent with OSEP Memo 09-02.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

Individual files with noncompliance are verified as corrected upon submission of newly implemented LEA procedural requirements that provided verification of correction for the individual student non-compliance found during the onsite reviews in each of the three districts and any individual student noncompliance found during monitoring reviews which included subsequent student data pulls for each of the three districts. All required documentation of correction of individual student non-compliance was submitted to the WVDE/SES for review to determine individual correction of noncompliance. Upon submission and review of the requested updated data and information by a WVDE/SES coordinator, the state verified that all three districts corrected each instance of individual noncompliance consistent with regulatory requirements in the IDEA pursuant to 34 CFR §300.170(b), and WVBE Policy 2419 and has corrected each individual case of noncompliance consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
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## 4B - Prior FFY Required Actions

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. The State must demonstrate, in the FFY 2021 SPP/APR, that the districts identified with noncompliance in FFY 2020 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data, such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

WVDE/SES has reported the correction of noncompliance identified in FFY 2020 for this indicator and the specific actions that were taken in the indicator narrative above.

## 4B - OSEP Response

In the FFY 2021 SPP/APR the State included a very low percentage of the State’s LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP reminds the State that if the examination for significant discrepancies, by race and ethnicity, in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the LEA level, OSEP may determine that a State’s chosen methodology is not reasonably designed to determine if significant discrepancies, by race and ethnicity, are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

## 4B- Required Actions

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies, by race and ethnicity, are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State’s LEAs are being examined for significant discrepancy under the State’s chosen methodology.

# Indicator 5: Education Environments (children 5 (Kindergarten) - 21)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; and

C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

**Measurement**

A. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

B. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

C. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)]times 100.

**Instructions**

*Sampling from the State’s 618 data is not allowed.*

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6.Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| A | 2020 | Target >= | 62.60% | 62.80% | 63.00% | 63.80% | 67.11% |
| A | 67.11% | Data | 64.65% | 64.64% | 63.56% | 63.04% | 67.11% |
| B | 2020 | Target <= | 8.90% | 8.90% | 8.89% | 8.88% | 6.47% |
| B | 6.47% | Data | 7.67% | 7.47% | 7.57% | 7.41% | 6.47% |
| C | 2020 | Target <= | 1.40% | 1.40% | 1.30% | 1.30% | 1.49% |
| C | 1.49% | Data | 1.49% | 1.60% | 1.60% | 1.47% | 1.49% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 67.61% | 68.11% | 68.61% | 69.11% | 69.61% |
| Target B <= | 6.30% | 6.20% | 6.10% | 6.00% | 5.90% |
| Target C <= | 1.40% | 1.40% | 1.40% | 1.40% | 1.40% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
The baseline for this indicator was adjusted to FFY2020 based on direction by OSEP during the clarification period in order to exclude 5-year-olds in kindergarten. Targets were then adjusted to show the 0.5% increase per year for indicator 5A, 0.1 decreases per year for indicator 5B, and a slight decrease to 1.4 for indicator 5C and then holding at that level. These were the increments that were presented to and accepted by stakeholders. Indicator 5C does not show a decrease due to the need to keep a continuum of services available for students.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | Total number of children with IEPs aged 5 (kindergarten) through 21 | 43,170 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 28,139 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 2,836 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools | 67 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities | 139 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements | 442 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2021 SPP/APR Data**

| **Education Environments** | **Number of children with IEPs aged 5 (kindergarten) through 21 served** | **Total number of children with IEPs aged 5 (kindergarten) through 21** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 28,139 | 43,170 | 67.11% | 67.61% | 65.18% | Did not meet target | Slippage |
| B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 2,836 | 43,170 | 6.47% | 6.30% | 6.57% | Did not meet target | No Slippage |
| C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 648 | 43,170 | 1.49% | 1.40% | 1.50% | Did not meet target | No Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **A** | There was an increase in the number of students needing more intensive support due to the instructional disruption caused by COVID-19. Many of these students have been moved to part-time special education services in order to close the gaps. |

**Provide additional information about this indicator (optional)**

The number of students in homebound/hospital placements was potentially and could continue to be impacted by COVID. Districts are now required to provide virtual options for students in middle and high schools and additional support and direction on making decisions for homebound/hospital placements has been provided to district special education directors through the state general support system. The state also continues to support more accurate data collection and reporting procedures that may be slightly contributing to fluctuations in data.

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

## 5 - Required Actions

# Indicator 6: Preschool Environments

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and

B. Separate special education class, separate school or residential facility.

C. Receiving special education and related services in the home.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

**Measurement**

A. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

B. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

C. Percent = [(# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

**Instructions**

*Sampling from the State’s 618 data is not allowed.*

States must report five-year-old children with disabilities who are enrolled in preschool programs in this indicator. Five-year-old children with disabilities who are enrolled in kindergarten are included in Indicator 5.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.

For Indicator 6C: States are not required to establish a baseline or targets if the number of children receiving special education and related services in the home is less than 10, regardless of whether the State chooses to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age. In a reporting period during which the number of children receiving special education and related services in the home reaches 10 or greater, States are required to develop baseline and targets and report on them in the corresponding SPP/APR.

For Indicator 6C: States may express their targets in a range (*e.g.*, 75-85%).Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under IDEA section 618, explain.

## 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data – 6A, 6B**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Part** | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| **A** | Target >= | 31.80% | 32.30% | 32.30% | 32.80% | 49.24% |
| **A** | Data | 32.81% | 32.55% | 34.18% | 39.60% | 49.24% |
| **B** | Target <= | 10.40% | 10.30% | 10.30% | 10.20% | 9.67% |
| **B** | Data | 7.48% | 8.53% | 8.39% | 9.74% | 9.67% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline for this indicator was adjusted to FFY2020 based on direction by OSEP during the clarification period in order to exclude 5-year-olds in kindergarten. Targets were then adjusted to show a 0.5% increase per year for indicator 6A, and a 0.1 decrease per year for indicator 6B. Indicator 6C is new and was established using FFY2020 data for the baseline and a slight decrease each year. These were the increments that were presented to and accepted by stakeholders. Indicator 5C does not show a decrease due to the need to keep a continuum of services available for students.

**Targets**

**Please select if the State wants to set baseline and targets based on individual age ranges (i.e. separate baseline and targets for each age), or inclusive of all children ages 3, 4, and 5.**

Inclusive Targets

**Please select if the State wants to use target ranges for 6C.**

Target Range not used

Baselines for Inclusive Targets option (A, B, C)

| **Part** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- |
| **A** | 2020 | 49.24% |
| **B** | 2020 | 9.67% |
| **C** | 2020 | 2.26% |

**Inclusive Targets – 6A, 6B**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 49.75% | 50.25% | 50.75% | 51.25% | 51.75% |
| Target B <= | 9.50% | 9.40% | 9.30% | 9.20% | 9.10% |

**Inclusive Targets – 6C**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target C <= | 2.25% | 2.24% | 2.23% | 2.22% | 2.21% |

**Prepopulated Data**

**Data Source:**

SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/06/2022

| **Description** | **3** | **4** | **5** | **3 through 5 - Total** |
| --- | --- | --- | --- | --- |
| Total number of children with IEPs | 1,078 | 1,534 | 879 | 3,491 |
| a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 561 | 798 | 494 | 1,853 |
| b1. Number of children attending separate special education class | 90 | 84 | 44 | 218 |
| b2. Number of children attending separate school | 0 | 1 | 0 | 1 |
| b3. Number of children attending residential facility | 1 | 0 | 0 | 1 |
| c1**.** Numberof children receiving special education and related services in the home | 13 | 13 | 5 | 31 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2021 SPP/APR Data - Aged 3 through 5**

| **Preschool Environments** | **Number of children with IEPs aged 3 through 5 served** | **Total number of children with IEPs aged 3 through 5** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 1,853 | 3,491 | 49.24% | 49.75% | 53.08% | Met target | No Slippage |
| B. Separate special education class, separate school or residential facility | 220 | 3,491 | 9.67% | 9.50% | 6.30% | Met target | No Slippage |
| C. Home | 31 | 3,491 | 2.26% | 2.25% | 0.89% | Met target | No Slippage |

**Provide additional information about this indicator (optional)**

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

## 6 - Required Actions

# Indicator 7: Preschool Outcomes

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

State selected data source.

**Measurement**

Outcomes:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.

b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes:**

**Summary Statement 1**: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2**: Percent = [(# of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e)) divided by (the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

**Instructions**

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining “comparable to same-aged peers.” If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining “comparable to same-aged peers” has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| A1 | 2019 | Target >= | 78.00% | 78.50% | 79.00% | 79.50% | 84.50% |
| A1 | 84.47% | Data | 77.95% | 81.44% | 82.50% | 84.47% | 84.32% |
| A2 | 2019 | Target >= | 67.00% | 67.50% | 68.00% | 68.00% | 64.32% |
| A2 | 64.31% | Data | 61.70% | 64.34% | 63.32% | 64.31% | 61.52% |
| B1 | 2019 | Target >= | 78.00% | 78.50% | 79.00% | 79.50% | 83.51% |
| B1 | 83.50% | Data | 78.31% | 82.05% | 82.98% | 83.50% | 84.01% |
| B2 | 2019 | Target >= | 63.00% | 63.50% | 64.00% | 64.00% | 62.92% |
| B2 | 62.91% | Data | 59.34% | 62.79% | 61.51% | 62.91% | 59.17% |
| C1 | 2019 | Target >= | 79.00% | 79.50% | 80.00% | 80.50% | 86.29% |
| C1 | 86.28% | Data | 80.75% | 84.48% | 85.57% | 86.28% | 84.31% |
| C2 | 2019 | Target >= | 78.00% | 78.50% | 79.00% | 80.00% | 74.91% |
| C2 | 74.90% | Data | 72.88% | 74.41% | 73.72% | 74.90% | 69.57% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A1 >= | 85.00% | 85.50% | 86.00% | 86.50% | 87.00% |
| Target A2 >= | 64.40% | 64.50% | 64.60% | 64.70% | 64.80% |
| Target B1 >= | 84.00% | 84.50% | 85.00% | 85.50% | 86.00% |
| Target B2 >= | 63.00% | 63.10% | 63.20% | 63.30% | 63.40% |
| Target C1 >= | 86.80% | 87.30% | 87.80% | 88.30% | 88.80% |
| Target C2 >= | 75.00% | 75.10% | 75.20% | 75.30% | 75.40% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline was erroneously submitted using FFY2012 data during the original submission and has been corrected to use FFY2019. The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 (FFY 2019) in order to get the most accurate picture of the current performance level of children with disabilities in early childhood environments. The targets were set to show a slight improvement each year from FFY 2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**FFY 2021 SPP/APR Data**

**Number of preschool children aged 3 through 5 with IEPs assessed**

2,379

**Outcome A: Positive social-emotional skills (including social relationships)**

| **Outcome A Progress Category** | **Number of children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 70 | 2.94% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 251 | 10.55% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 562 | 23.62% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,080 | 45.40% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 416 | 17.49% |

| **Outcome A** | **Numerator** | **Denominator** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation:(c+d)/(a+b+c+d)* | 1,642 | 1,963 | 84.32% | 85.00% | 83.65% | Did not meet target | No Slippage |
| A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 1,496 | 2,379 | 61.52% | 64.40% | 62.88% | Did not meet target | No Slippage |

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

| **Outcome B Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 75 | 3.15% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 264 | 11.10% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 610 | 25.64% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,090 | 45.82% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 340 | 14.29% |

| **Outcome B** | **Numerator** | **Denominator** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation: (c+d)/(a+b+c+d)* | 1,700 | 2,039 | 84.01% | 84.00% | 83.37% | Did not meet target | No Slippage |
| B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 1,430 | 2,379 | 59.17% | 63.00% | 60.11% | Did not meet target | No Slippage |

**Outcome C: Use of appropriate behaviors to meet their needs**

| **Outcome C Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 66 | 2.77% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 193 | 8.11% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 432 | 18.16% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,099 | 46.20% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 589 | 24.76% |

| **Outcome C** | **Numerator** | **Denominator** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.  *Calculation:(c+d)/(a+b+c+d)* | 1,531 | 1,790 | 84.31% | 86.80% | 85.53% | Did not meet target | No Slippage |
| C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program.  *Calculation: (d+e)/(a+b+c+d+e)* | 1,688 | 2,379 | 69.57% | 75.00% | 70.95% | Did not meet target | No Slippage |

**Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)**

YES

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | NO |

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

YES

**List the instruments and procedures used to gather data for this indicator.**

WV’s Child Outcomes Summary (COS) process is a part of the WV Early Learning Reporting System (ELRS). The Early Learning Reporting System or the ELRS is the online platform where all Universal Pre-K program and child assessment data is maintained, including preschool special education and the COS process. The program data includes school and classroom data, annual WV Universal Pre-k Health and Safety Checklist results, county collaborative early childhood core team information, and the Child Outcome Summary data. Child assessment data include child assessment checkpoints and child outcome summary forms for special education reporting requirements. Through data input, the ELRS, Pre-k provides output reports for individual child support and instruction, classroom, school, and program continuous quality improvement planning. The system includes a process for students eligible for preschool special education that identifies that student with an Individual Education Program (IEP) and generates the online COS rating form. The primary assessments used in WV are broad-based and look at the whole child for functioning and being successful in the home, school, and community and to function at the level of their typically developing, same-age peers.   
  
The focus is on functioning and the interrelation among areas of development and not specific to developmental domain areas. The assessments used for the Child Outcomes Summary process include the following for all county school districts:   
Creative Curriculum for Preschool;  
High Scope Curriculum and Child Observation Record;  
Early Learning Scale (ELS);  
Play-Based Authentic Assessment;  
Work Sampling System (WSS); and  
Parent Information and Reports  
  
All local education agencies and our Universal Pre-K collaborative partners are required to use one of the state-approved curriculum-based assessments. The approved curriculum-based primary assessments are Creative Curriculum and High Scope. The anchor assessment is the Early Learning Scale for the Early Learning Reporting System and is used for all students, including preschool special needs. The other assessments include play-based authentic assessments, the Work Sampling System, and parent input and or report information. The Early Learning Scale and the Child Outcome Summary data are entered during the checkpoint periods that occur three times per school year. The Early Learning Scale and other assessments are completed as part of the ongoing formative assessment process and entered into the Early Learning Reporting System three times per year during checkpoint periods. The Child Outcome Summary Form is also completed as part of the process to assist with ongoing teacher-driven instruction for all students. The Child Outcomes Summary Form is completed after it is determined that the child qualifies for special education. The team members for Eligibility and/or the IEP team can review all the information that was presented to determine the initial ratings. It is also recommended that a team representative review this information with the preschool receiving teacher if they were not at the meeting to enter the summary form information into the Early Learning System. The ratings should be completed by a team of individuals who have experience and/or knowledge of the students' functioning across a variety of settings and situations. The information available to the team can include but need not be limited to: age reference assessments (standardized, norm-referenced); observations; and, portfolios, service provider notes, interviews, and/or information from other partners such as WV Birth to Three (WVBTT) and/or related service personnel. To complete the ratings the team should use multiple sources of information which are typically collected as part of the IEP planning for a student. The purpose is to gather the information to get an overall picture of how the child functions across a variety of settings in their life. The initial rating is required before the student is exited from the program. The exit data for the COS process is determined as that child exits early childhood preschool special education and/or transitions into kindergarten if the child moves out of the state and/or enrolls in a private school.

**Provide additional information about this indicator (optional)**

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

## 7 - Required Actions

# Indicator 8: Parent involvement

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** 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.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

State selected data source.

**Measurement**

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

**Instructions**

*Sampling****of parents from whom response is requested****is allowed.* *When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)*

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** include in the State’s analysis the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services. States must consider race/ethnicity. In addition, the State’s analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

If the analysis shows that the demographics of the children for whom parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 8 - Indicator Data

| **Question** | **Yes / No** |
| --- | --- |
| Do you use a separate data collection methodology for preschool children? | NO |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
  
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current level of satisfaction and involvement of parents of students with disabilities. The targets were set to show improvement in each 3-year cycle or sampling group from FFY2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 37.63% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 36.00% | 38.00% | 38.00% | 38.50% | 39.00% |
| Data | 36.67% | 38.04% | 37.63% | 44.42% | 43.48% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 39.00% | 39.00% | 40.00% | 40.00% | 40.00% |

**FFY 2021 SPP/APR Data**

| **Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities** | **Total number of respondent parents of children with disabilities** | | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1,192 | | 3,257 | 43.48% | 39.00% | 36.60% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

Although parent involvement was considerably lower this year compared to last year’s administration parents reported a slightly less level of involvement in the education of their child(ren) compared to what was reported the last time the same districts were surveyed in 2019 (36.6% and 37.6%, respectively).

**Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.**

The data reported in the current report was collected using two parent surveys, which were converted to a scannable format. One survey, containing 26 items and a comment section, was prepared and administered to the parents of preschool children (ages 3-5), and the other survey, containing 24 items and a comment section, was prepared and administered to parents of school-age children (ages 5-21). Using the Rasch method of data analysis, each parent survey was scored and then the percentage of parent surveys above the “cut-off” score (of 600) was tallied. A score above the standard (cut-off score) indicates agreement that the child’s school district facilitated parental engagement as a means of improving the child’s special education services.

**The number of parents to whom the surveys were distributed.**

14,344

**Percentage of respondent parents**

22.71%

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2020** | **2021** |
| Response Rate | 24.48% | 22.71% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

The survey collection process involves 3 different methods.  
  
Paper method: Respondents were provided with a paper copy of the survey enabling them to complete and return the survey to the survey vendor, Measurement Incorporated (MI), in a postage-paid envelope.  
  
Online Method: Respondents were provided with log-in information to access and complete the survey online. The user-friendly design of the online surveys was once again upgraded to further enhance the user experience.  
  
Direct email method: Direct emails were sent to parents/guardians for whom email addresses were available. The emails sent to parents contained pertinent instructions and a hyperlink to the survey.  
  
The survey dissemination process was closely monitored by the MI data monitoring procedures. MI provided timely and ongoing communication to the WVDE staff throughout the survey administration process. In the analysis phase of the project, MI examined the data in terms of its representativeness on key demographic variables, i.e., race/ethnicity, age group, gender, and disability category. These results allow WVDE to make determinations about how well the findings can be generalized to the overall population of West Virginia parents of children receiving special education services.  
  
PROMOTIONAL EFFORTS  
  
In March 2022, MI provided districts with promotional material, including recommendations for increasing parent participation as well as an informational flyer for display in high-traffic areas frequented by parents.  
  
These efforts have resulted in responses that are largely representative of the demographics of students receiving special education. This year, MI included an analysis for internal state review of the representativeness of surveys based on socio-economic status for the first time and was the only sub-category that included under-representation of more than 3.0% of the eligible population.   
  
WVDE will address issues of response rates and representativeness through provision of technical assistance and support to LEAs emphasizing the participation of parents from low-SES groups. WVDE/SES is also exploring the possible inclusion of a minimum response rate target that LEAs would need to meet as part of the WVDE/SES general supervision system as a means to increase LEA accountability. WVDE/SES will increase use of IDC tools and resources to support LEA implementation of improved strategies for family engagement.  
  
Please see the 508 compliant survey report at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] which includes procedures, methodology, and validity.

**Describe the analysis** **of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.**

The overall response rate for the sampled districts was slightly lower in 2022 than the last time the same districts were sampled. There was a 1.5% percentage points decrease in the overall response rate, a 2.7% percent point decrease in the response rate for the preschool parent survey, and a 1.4 percentage point decrease in the response rate for school-age parent survey in 2022 compared to the last time the same districts were sampled (i.e., the prior administration cycle-2019). Table 1 in the full survey report provides a summary of these comparisons.   
  
Despite challenges faced by schools and districts recovering from the coronavirus pandemic, there was an increase, although modest, in the proportion of survey participants for indicators 8 and 14. We continued to make every effort to reach parents by following rigorous follow-up procedures (e.g., sending frequent electronic follow-up reminders to non-responders, communicating with parents who experienced difficulties with their online credentials, etc.). To the extent possible, District directors and the Coordinator of the WV Parent Involvement Survey identified the correct home addresses for some of the undeliverable ("return to sender") survey packages and correct email addresses for some of the bounced back parent emails.  
  
Our analysis also included inspecting the distribution of response rates indicating a mean response rate of 21.2% with a standard deviation (SD) of 3.8%. For this distribution, 17.4% would indicate 1 SD below the mean and 24.9% would indicate 1 SD above the mean. Accordingly, in 2022, the response rate of two districts was more than 1 standard deviation (SD) above the mean response rate and the response rate of three districts was more than 1 standard deviation (SD) below the mean response rate. In addition, Table 3 in the full report displays a comparison between 2022 and 2019 (or the last time the same districts were sampled), in terms of response rates and Indicator 8 percentages for each of the 20 districts surveyed (19 districts in 2019).  
  
In 2022 the overall response rate (22.7%) was 1.5 percentage points lower than the overall response rate in 2019 (24.2%). Also, in the current administration year, slightly fewer parents (36.6%) expressed satisfaction with their partnership with schools than what was reported in 2019 (37.6%).  
  
Non-response bias was not identified for racial-ethnic categories, gender, or disability category.  
  
Please see the 508 compliant survey full report at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] which includes procedures, methodology, and validity.

**Include the State’s analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.** **States must include race/ethnicity in their analysis. In addition, the State’s analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

Tables 4, 5, 6, and 7 in the full report compare demographic data from 2022 survey respondents to the most recent West Virginia Child Count data. Namely, the 2022 responding group of parents is compared to the 2021 Child Count data on race/ethnicity, gender, and disability categories. These comparisons indicate how well the group of parents, from the sampled districts who responded to the survey, represent the population of parents in West Virginia whose children receive special education services. For these comparisons, the IDEA guidelines are followed. Specifically, on a given category of data, a difference of 3 percentage points (higher or lower) than the Child Count data is considered significant and indicates that the group of parents who responded to the survey is different from the population of statewide parents.   
  
Also, please refer to comparisons of the 2022 survey sample to the 2021 Child Count Data disaggregated for preschool Table A-1 and school-age Table A-2 populations in the Appendix section of the full survey report. MI calculated the 95% confidence intervals for the percent of parents who met the standard (i.e., the percent of parents at or above the standard). These results are summarized by district in Table 8 of the full survey report.  
  
Please see the 508 compliant survey full report at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] which includes procedures, methodology, and validity.

The demographics of the parents responding are representative of the demographics of children receiving special education services. (yes/no)

YES

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics**

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

A difference of 3 percentage points (higher or lower) than the Child Count data is considered significant and indicates that the group of parents who responded to the survey is different from the population of statewide parents on the specific category of data.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | YES |
| If yes, has your previously approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

In a collaborative effort, MI and WVDE coordinated the details regarding survey administration. WVDE sampled the population of school districts to provide a representative sample of families to survey. The sample was consistent with the OSEP-approved sampling plan that takes into account disability category, race/ethnicity, region, and district size. All parents of students with disabilities in the selected districts are surveyed and all districts are surveyed at least once within a three-year period.  
  
Each survey was labeled with a code that could be linked to a district and the child's demographic data. Each survey packet mailed to a parent contained a survey, an instructional letter, and a postage-paid return envelope addressed to MI. Mailing the completed survey directly to the independent contractor protects parents’ confidentiality. Parents also had the option of completing the survey online. The paper survey mailed to parents included pertinent instructions (i.e., log-in information and username) to allow online participation. Direct emails containing the survey’s hyperlink were also sent to a portion of the sample recipients for whom email addresses were available (906 preschool parents and 6,629 school-age parents).  
  
Please see the full 508 compliant survey report at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] which includes procedures, methodology, and validity. The OSEP-approved sampling plan is available at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] and has not been revised since its initial approval. A revised sampling plan that will be implemented beginning the 2023-24 school year and accounts for redistribution of sampling groups using updated child count data and inclusion of newly approved charter schools has been submitted to OSEP for approval.

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used? | YES |
| If yes, is it a new or revised survey? | NO |
| If yes, provide a copy of the survey. |  |

**Provide additional information about this indicator (optional)**

Updates to the sampling plan are planned to begin in the 2022-23 survey cycle. Survey groups are being revised to include equitable representation of different demographic groups in each survey cycle to increase the generalization of data collected each year. The updated sampling plan is being vetted through stakeholders and will be sent to OSEP for approval prior to survey administration.  
  
Please see the full 508 compliant survey report at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] which includes procedures, methodology, and validity. The OSEP-approved sampling plan is available at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] and has not been revised since its initial approval. A revised sampling plan that will be implemented beginning the 2023-24 school year and accounts for redistribution of sampling groups using updated child count data and inclusion of newly approved charter schools has been submitted to OSEP for approval.

## 8 - Prior FFY Required Actions

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.   
  
With the FFY 2021 APR, the State must submit its sampling plan and provide data consistent with the approved sampling plan.

**Response to actions required in FFY 2020 SPP/APR**

The representativeness of the data, including the parent data, for this indicator, is included in the indicator narrative above. Additionally, the approved sampling plan is available at [https://wvde.us/special-education/family-and-public-partnership/west-virginia-advisory-council-for-the-education-of-exceptional-children/#wv-idea-parent] and the data described above are consistent with the approved sampling plan.

## 8 - OSEP Response

The State reported that the response data for this indicator were representative of the demographics of children receiving special education services in the State. However, in its narrative, the State reported "This year, MI included an analysis of the representativeness of surveys based on socio-economic status for the first time and was the only sub-category that included the under-representation of more than 3.0% of the eligible population." Therefore, it is unclear whether the response data were representative. OSEP notes that the State did not describe the strategies to address this issue in the future.  
  
The State submitted its sampling plan for this indicator, and OSEP’s evaluation of the sampling plan indicated that it is approvable.

## 8 - Required Actions

The State reported that the response data for this indicator were representative of the demographics of children receiving special education services using the metric of +/- 3%. However, in its narrative, the State reported "This year, MI included an analysis for internal state review of the representativeness of surveys based on socio-economic status for the first time and was the only sub-category that included the under-representation of more than 3.0% of the eligible population." In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

# Indicator 9: Disproportionate Representation

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2021 | 0.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 0% | 0% | 0% | 0% | 0% |

**FFY 2021 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

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|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial/ethnic groups in special education and related services** | **Number of districts with disproportionate representation of racial/ethnic groups in special education and related services that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| 0 | 0 | 39 | 0.00% | 0% | 0.00% | N/A | N/A |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

WVDE/SES has defined “disproportionate representation” as a risk ratio of 3.0 or greater (overrepresentation) in any given year (every one year). When disproportionate representation is determined for a district, the WVDE/SES will determine if the disproportionality is the result of inappropriate identification by reviewing policies, practices, and procedures as submitted by the LEA. Data for each district were analyzed for all racial and ethnic groups.  
  
Calculating Disproportionate Representation   
WVDE/SES calculated a risk ratio for each of the seven racial/ethnic categories in each LEA: overall risk of identification is determined by comparing the risk of any racial/ethnic group to the risk of all other racial/ethnic groups.   
  
To be included in the analysis, a group must have at least 10 students with disabilities of a particular racial/ethnic category and at least 30 students in the same racial/ethnic category in overall enrollment. That group risk is then compared to either the LEA or the state risk for all other students. For the LEA comparison group to be used, the LEA must have at least 10 students with disabilities in 'all other' racial/ethnic categories and at least 30 students in 'all other' racial/ethnic categories in overall enrollment; otherwise, the statewide comparison group risk was used. WVDE/SES identified districts with a risk ratio of 3.0 or greater as disproportionate in the relevant racial/ethnic category or categories. The data source for West Virginia's analysis was the December 2021 Report of Children with Disabilities Receiving Special Education under Part B of the IDEA for all children with disabilities aged 5 in K through 21 served under the IDEA.

**Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.**

There was no disproportionate representation identified.

**Provide additional information about this indicator (optional)**

A diverse group of stakeholders was presented with the proposed change to calculation methodology in December 2022. The rationale of aligning indicators 9 and 10 with significant disproportionality calculations to increase awareness and understanding of disproportionate representation and as a means to provide early intervention for the districts identified before being determined to be significantly disproportionate was also explained. There was clarification requested on the minimum n and cell sizes, which also changed, and subsequently, the group supported using the new measurement.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2021, but OSEP cannot accept that revision because the State's change in methodology occurred during the 2022-23 school year and is not applicable to the FFY 2021 data.

## 9 - Required Actions

In the State's FFY 2022 SPP/APR, the State must revise its baseline if a new calculation methodology is used to report data for this indicator.

# Indicator 10: Disproportionate Representation in Specific Disability Categories

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in specific disability categories and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2021 | 2.56% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 0% | 0% | 0% | 0% | 0% |

**FFY 2021 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

18

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories** | **Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification** | **Number of districts that met the State's minimum n and/or cell size** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| 1 | 1 | 39 | 0.00% | 0% | 2.56% | N/A | N/A |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The WVDE/SES has defined “disproportionate representation” as a risk ratio of 3.0 or greater (overrepresentation) in any given year (every one year). When disproportionate representation is determined for a district, the WVDE/SES will determine if the disproportionality is the result of inappropriate identification by reviewing policies, practices, and procedures as submitted by the LEA. Data for each district were analyzed for all racial and ethnic groups and the six most common disability categories.   
  
Calculating Disproportionate Representation  
WVDE/SES calculated a risk ratio for each of the seven racial/ethnic categories in each LEA: overall risk of identification is determined by comparing the risk of any racial/ethnic group to the risk of all other racial/ethnic groups in each of six disability categories.   
  
To be included in the analysis, a group must have at least 10 students in a specific primary disability category (or suspected, if developmental delay) of a particular racial/ethnic category and at least 30 students in the same racial/ethnic category in overall enrollment. That group risk is then compared to either the LEA or the state risk for all other students. For the LEA comparison group to be used, the LEA must have at least 10 students in the particular disability category in 'all other' racial/ethnic categories and at least 30 students in 'all other' racial/ethnic categories in overall enrollment; otherwise, the statewide comparison group risk was used. WVDE/SES identified districts with a risk ratio of 3.0 or greater as disproportionate in a particular disability category for a specific racial/ethnic category. The data source for West Virginia's analysis was the December 2021 Report of Children with Disabilities Receiving Special Education under Part B of the IDEA for all children with disabilities aged 5 in K through 21 served under the IDEA.

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

When identified as being disproportionate in one or more racial and ethnic groups, districts are required to submit their policies, practices, and procedures related to special education identification to the WVDE/SES. Those identified are subject to an in-depth review of their policies, procedures, and practices with attention to the development and implementation of a comprehensive referral and evaluation process, including procedural safeguards. These reviews are conducted by experienced and knowledgeable WVDE personnel who flag problematic policies, practices, and procedures for discussion and additional review. If any WVDE personnel indicate inappropriate identification is a concern, WVDE/SES will work with the LEA for revision and improvement.

**Provide additional information about this indicator (optional)**

A diverse group of stakeholders was presented with the proposed change to calculation methodology in December 2022. The rationale of aligning indicators 9 and 10 with significant disproportionality calculations to increase awareness and understanding of disproportionate representation and as a means to provide early intervention for the districts identified before being determined to be significantly disproportionate was also explained. There was clarification requested on the minimum n and cell sizes, which also changed, and subsequently, the group supported using the new measurement.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
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|  |  |  |  |

## 10 - Prior FFY Required Actions

None

## 10 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2021, but OSEP cannot accept that revision because the State's change in methodology occurred during the 2022-23 school year and is not applicable to the FFY 2021 data.

## 10 - Required Actions

In the State's FFY 2022 SPP/APR, the State must revise its baseline if a new calculation methodology is used to report data for this indicator.   
  
Because the State reported less than 100% compliance for FFY 2021 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. The State must demonstrate, in the FFY 2022 SPP/APR, that the district identified in FFY 2021 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311, including that the State verified that the district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

# Indicator 11: Child Find

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Child Find

**Compliance indicator**: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State’s timeline for initial evaluations.

**Measurement**

a. # of children for whom parental consent to evaluate was received.

b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2019 | 98.62% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 98.57% | 97.46% | 96.70% | 98.62% | 96.46% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 100% | 100% | 100% | 100% | 100% |

**FFY 2021 SPP/APR Data**

| **(a) Number of children for whom parental consent to evaluate was received** | **(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 10,762 | 10,441 | 96.46% | 100% | 97.02% | Did not meet target | No Slippage |

**Number of children included in (a) but not included in (b)**

321

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

The range of days beyond the state’s 80 calendar day timeline was 1 – 228.   
  
A breakdown by number and reason for the unacceptable delays follows:   
  
3 = Excessive Student Absences   
  
3 = Eligibility Committee meeting exceeded timelines due to documented parent request for rescheduling   
  
3 = Eligibility Committee reconvened at the parent's request to consider additional evaluations   
  
312 = District Error

**Indicate the evaluation timeline used:**

The State established a timeline within which the evaluation must be conducted

**What is the State’s timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).**

Per West Virginia Board of Education Policy 2419, West Virginia uses an 80 calendar-day timeline by which the initial evaluation must be completed. WVBE Policy 2419 Regulations for the Education of Students with Exceptionalities includes extenuating circumstances resulting in school closure, state of emergency determined by the governor of West Virginia, weather conditions determined by the county superintendent, and summer breaks as allowable within late reason code 01. The timeline will be extended directly proportional to the duration of the state of emergency, weather, or summer break.

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

WVEIS special education records consist of a database for entering individual referral and evaluation information, including dates for tracking timelines for referral, consent, eligibility, and individualized education program (IEP) development. Data entry is mandatory and typically completed by each LEA special education office. An application within WVEIS, INI.EVAL gives district staff direct access to various summaries of their own data for any given time period. This access assists districts in monitoring data to identify errors and make appropriate corrections. This review process involves submitting an electronic report to the INI.EVAL application to the WVDE/SES in December, March, and June. A member of the WVDE/SES special education data team reviews district data at least three times per school year and notifies the special education director of any additional missing and/or errors that need to be corrected. A final pull of the 2021-2022 school year data was used for the determination of compliance and reporting of indicator 11. The pull includes all initial evaluations with parental consent received by LEAs for the timeframe 07/01/2021 through 06/30/2022, the results of each initial evaluation, and any late reason code for all initial evaluations not completed within the 80 calendar day timeline.

**Provide additional information about this indicator (optional)**

In some LEAs there was a large number of referrals late in the school year based on student delays associated with learning loss from the disruptions to the educational process during the pandemic. This influx of evaluations carried over into the new state school year of 2021-2022, overwhelming some LEAs capacity to process new referrals in a timely manner. Schools and SAT teams were handling a significant increase in teacher referrals for behavior concerns as students returned from multiple learning models including virtual, home school, blended and remote learning to a traditional setting.   
  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current performance level of districts in meeting the initial evaluation timelines. The targets were set to maintain full compliance at 100% each year from FFY 2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 20 | 19 | 0 | 1 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

LEAs identified as non-compliant on the Annual Desk Audit (ADA) are required to complete and submit an improvement plan based on a self-review of all late initial evaluations to identify systemic issues related to unacceptable delays. The WVDE then reviewed the LEA self-review and improvement plan, providing feedback for LEA revisions as needed. Subsequent new data pulls for each non-compliant LEA were conducted through quarterly monitoring of the statewide initial evaluation application in the state’s SLDS system (i.e., WVEIS).Technical assistance and verbal/written feedback were provided to each LEA after each quarterly data pull. LEAs verified as compliant with regard to timelines for initial evaluations were provided closure letters upon their correction of noncompliance. LEAs with consistent noncompliance were provided additional technical assistance and were subject to continued quarterly monitoring through subsequent new data pulls every three months until 18 LEAs reached 100% compliance consistent with OSEP Memo 09-02. The one (1) LEA that has still not met 100% compliance regarding the regulatory requirements for initial evaluations will be placed into targeted monitoring for the 2023-2024 school year and will receive intensive technical assistance and support as well as potential sanctions pending the results of targeted monitoring.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

WVDE/SES uses a statewide data system (WVEIS) for LEAs to report initial evaluation data from the date of parent consent. Within the system, LEAs are required to enter data, including the completion of every individual initial evaluation whether within the state’s timeline or not. WVDE/SES requires LEAs to enter a reason late code for any evaluation not completed within the state’s timeline. By monitoring the Initial Evaluation Timeline Application within WVEIS and providing feedback and technical assistance, the completion of all individual evaluations was verified and documented to ensure accurate reason late codes were used. For FFY2020, all 270 individual evaluations that did not meet the timeline was reviewed by a member of WVDE/SES and were verified as completed prior to or by the end of the school year unless the student transferred out of the state of West Virginia. When a student transferred to another LEA in West Virginia, the evaluation was also completed, as evidenced in the statewide data system (WVEIS) that follows the student based on their student identification number.

**FFY 2020 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

The LEA that continues to demonstrate non-compliance will receive special circumstance monitoring for this indicator for the 2023-24 school year in accordance with the West Virginia IDEA Part B Programmatic Monitoring Procedures and will receive intensified technical assistance and support in accordance with the state monitoring and support system. (https://wvde.us/wp-content/uploads/2022/10/25332-IDEA-Part-B-Programmatic-Monitoring-Procedures-UPDATE-v1.pdf) The WVDE/SES will work with the WVDE Office of Support and Accountability to identify areas of concern and assist counties in accessing resources and technical assistance necessary to positively impact compliance and results in providing a free, appropriate, public education to students with disabilities in West Virginia.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| FFY 2019 | 2 | 2 | 0 |
|  |  |  |  |
|  |  |  |  |

**FFY 2019**

**Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

Consistent with OSEP Memo 09-02, WVDE/SES continued with quarterly monitoring of the statewide initial evaluation application in WVEIS and provided one final data pull of initial evaluations for the two LEAs designated as 'non-compliant' as of FFY 2019 APR. Because the causes of the noncompliance in each LEA were not systemic in nature, each of the two LEAs was able to correct its non-compliance before the end of the 2021-2022 school year as verified by the final updated data pull through WVEIS. Closure letters affirming the correction and verification of each finding were sent to each of the two LEAs upon correction of noncompliance.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

WVDE/SES uses a statewide data system (WVEIS) for LEAs to report initial evaluation data. For the two non-compliant LEAs, each of the 138 individual evaluations that did not meet the timeline were reviewed by WVDE/SES and, although late, were verified as completed by the end of the school year through a review of updated data, unless the student transferred out of the state of West Virginia. When a student transferred to another LEA in West Virginia, the evaluation was also completed, as evidenced in the statewide data system (WVEIS) that follows the student based on their student identification number.

## 11 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. In addition, the State must demonstrate, in the FFY 2021 SPP/APR, that the remaining two uncorrected findings of noncompliance identified in FFY 2019 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2020 and each LEA with remaining noncompliance identified in FFY 2019: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.   
  
If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

WVDE/SES has reported the correction of noncompliance identified in FFY 2020 for this indicator and the remaining two uncorrected findings of noncompliance identified in FFY 2019 and the specific actions that were taken in the indicator narrative above.

## 11 - OSEP Response

The State did not demonstrate that each LEA corrected the findings of noncompliance identified in FFY 2020 because there is a discrepancy in the total number of findings of noncompliance identified in FFY 2020 that have been verified as corrected within one year. Specifically, in the chart, the State reported 19 findings of noncompliance verified as corrected within one year. However, in the narrative, the State reported on correction of 18 findings of noncompliance verified as corrected within one year. Therefore, OSEP is unable to determine how many findings of noncompliance identified in FFY 2020 were verified as corrected within one year.

## 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. In addition, when reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2021, and each LEA with remaining noncompliance identified in FFY 2020: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.   
  
If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

# Indicator 12: Early Childhood Transition

**Instructions and Measurement**

**Monitoring Priorit**y: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: 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.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.

b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.

c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.

e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

f. # of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child’s third birthday under 34 CFR §303.211 or a similar State option.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2019 | 98.16% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 100.00% | 100.00% | 100.00% | 98.16% | 97.86% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 100% | 100% | 100% | 100% | 100% |

**FFY 2021 SPP/APR Data**

|  |  |
| --- | --- |
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination. | 1,039 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday. | 134 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays. | 762 |
| d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. | 94 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays. | 40 |
| f. Number of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option. |  |

| **Measure** | **Numerator (c)** | **Denominator (a-b-d-e-f)** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 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. | 762 | 771 | 97.86% | 100% | 98.83% | Did not meet target | No Slippage |

**Number of children who served in Part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

9

**Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.**

WV does not have option F, "Number of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option."  
  
These 9 students were from 3 local educational agencies. The reasons for the delays were all due to district error but included a lack of personnel and difficulty scheduling with parents due to COVID-19 concerns. One local educational agency has since hired an additional psychologist and another hired a new director of Early Childhood Services. The third local educational agency delay was due to scheduling errors by the district.   
  
Days late:   
6 days late - 3 students (district error - lack of available evaluators)  
18 days late - 2 students (district error - scheduling delay)  
21 days late - 1 student (district error - lack of available evaluators)  
48 days late - 2 students (district error - lack of available evaluators)  
55 days late - 1 student (district error - scheduling delay)

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The lead agency for Part C, WV Birth to Three (WVBTT), is the WV Department of Health and Human Resources. As a result, the data system for each organization is distinct and separate. During 2015-2016, the effective data collection plan continued to be implemented by WVBTT, WVDE, and local districts. WVDE continues to require districts to maintain referral dates, referral sources, eligibility status, exceptionality, eligibility dates, and IEP dates for all students within the WVEIS electronic student record system. Districts are contacted individually to verify and complete missing information as needed. Data are extracted at least annually and examined to verify compliance with transition requirements. Additionally, Child Notification Forms, containing the allowable demographic information, were sent to each school district six months prior to the child turning three. Procedures require the LEA representative to contact the family to discuss potential services. The LEA representative then completed the individual child forms and returned them to the WVDE for data entry, verification, and follow-up.   
  
WV BTT and WVDE collaborated in data comparison and tracking to ensure all students referred by WVBTT were followed, and districts were in compliance with timelines. Also, to assist in meeting the Part C regulations for transition timelines for timely reporting, the WVDE in conjunction with WV BTT developed an online e-mail portal that allows for the Child Notification form to be uploaded and sent directly to the state and local education agency by the Regional Administrative Unit (RAU) providers. The RAUs are responsible for sending the Child Notification for those children whose initial eligibility occurs 150 days or closer to the third birthday. The form indicates if the notification is less than 45 days prior to the child’s third birthday. An additional new form was added for children transferring and families moving out of the district to better assist LEAs in keeping track of families and children that may potentially be eligible for a transition from Part C services. This process and procedure are still being utilized as a part of the data collection for transition.  
  
The Revised Transition Procedures from Part C to Part B were implemented in 2020 and are reviewed annually. The procedures are posted on the WV Birth to Three Website (http://www.wvdhhr.org/birth23/trans\_proc/Transition\_Procedures\_C\_B.pdf). The Question and Answer document was revised and distributed regarding the Child Find Notification process. The document was distributed to WV Birth Three and county special education directors to clarify responsibilities regarding this process. Districts were contacted to investigate the reasons why timelines are not being met and to ascertain whether systemic issues were causing delays in timelines and if technical assistance is needed. As part of the WV Birth to Three Inter-agency Advisory Committee (ICC), the transition committee completed a transition guidance booklet for families. The guidance booklet is available for distribution to families and professionals (http://www.wvdhhr.org/birth23/wvbtt\_trans\_flip/#p=1).

**Provide additional information about this indicator (optional)**

The children transitioning that were determined not eligible and or are receiving special education services increased by 90 students. The number of parents not providing consent decreased slightly, and both of these can be attributed to the national and state pandemic and the return to traditional educational models in West Virginia Early Childhood programs. The increase in parents requesting transition indicates families are starting to enroll their preschool students in schools. During the previous year, concerns regarding COVID-19 and the variants of the virus spurred families to opt out of school until the state-mandated age of six.   
  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the current performance level of districts in meeting the early childhood transition timelines. The targets were set to maintain full compliance at 100% each year from FFY 2020 through 2025. The stakeholders indicated acceptance of these baselines and targets.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 4 | 4 | 0 | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The four districts identified as non-compliant on the Annual Desk Audit (ADA) were required to do a self-review of Part C to Part B transition procedures to determine systemic reasons for unacceptable timeline extensions. As a result of this review, each district was required to submit an improvement plan that was reviewed by WVDE/SES. WVDE/SES provided feedback to the four districts and revisions were submitted as needed.  
  
Technical assistance and feedback were provided both verbally and in writing to each district. The districts submitted individual child forms monthly for three consecutive months within the next calendar year in order for non-compliance to be corrected. The regulatory requirements are reviewed as part of the Annual Desk Audit submission that drives the District's Annual Determination. The following District Annual Determination gives credit for the timely correction of noncompliance within the given timeframe (one year from notification of noncompliance). Closure letters were sent to the district upon correction of noncompliance.  
  
Note:  
Five districts were reported as non-compliant on the FFY 2020 SPP/APR, but that number was incorrect. Only 4 districts were identified and were issued findings of non-compliance which were addressed as described in this section.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

The four districts identified as having noncompliance were required to submit the list of students’ names reported as late (IEP held beyond the 3rd birthday) and the date that the evaluation/eligibility and IEP were completed. This addresses the isolated findings of non-compliance. The state verified that each of the 14 students identified who exceeded the state timeline in the 4 districts that were out of compliance had a Part B evaluation completed and, if eligible, IEP implemented (although late) within one year of notification of noncompliance.  
  
Additionally, the four districts submitted individual child forms monthly for three consecutive months within the next calendar year in order for non-compliance to be corrected. All four districts maintained 100% compliance for three consecutive months.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 12 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

WVDE/SES has reported the correction of noncompliance identified in FFY 2020 for this indicator and the specific actions that were taken in the indicator narrative above.

## 12 - OSEP Response

## 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

# Indicator 13: Secondary Transition

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

If a State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

**Instructions**

*If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.*

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2019 | 99.84% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 99.67% | 99.15% | 99.49% | 99.84% | 99.84% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target | 100% | 100% | 100% | 100% | 100% |

**FFY 2021 SPP/APR Data**

| **Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition** | **Number of youth with IEPs aged 16 and above** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 442 | 614 | 99.84% | 100% | 71.99% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

Data analysis indicated significant slippage related to specific components of transition planning. An identified area of slippage includes documentation of parent/adult student permission to invite outside agencies and appropriately inviting them, use of age-appropriate transition assessments, courses of study that will enable students to reasonably meet post-secondary goals, and inviting the student to their own meeting.   
  
The slippage may be partially related to post-COVID staff turnover or reassignment of duties creating a lack of experienced high school special educators with the depth of knowledge required for compliant transition planning. A recent article on teacher shortages in West Virginia succinctly articulates the challenge of staffing classrooms - "In 2021, there were reportedly 1,196 teacher vacancies across West Virginia. With approximately 23,000 teachers employed by the state, this equates to roughly 5% of teaching positions. In 2019, the West Virginia Department of Education (WVDE) identified several subject areas as being in critical need, including special education, counseling, math, and elementary education." [https://wvexecutive.com/national-teacher-shortage/].   
  
In addition, staff turnover and infrastructure changes at the state level (at both WVDE and WV DRS) may have had an impact on WVDE's ability to provide timely training opportunities to bridge this gap in practitioner knowledge. A March 2022 survey of special education directors across WV indicated a need for consistent support and training from DRS and WVDE related to transition planning and delivery of transition services, more options for work-based learning experiences, resources for transition assessments, and networking opportunities to support families/students with post-secondary options. Several of these needs have been addressed through the SSIP work and are discussed in the additional information section for Indicator 17.   
  
Based on stakeholder feedback, see the additional information section for how WVDE responded to needs uncovered during data analysis for this indicator.

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

WVDE/SES collects Indicator 13 secondary transition data through a blended approach of on-site monitoring (August - March) and LEA self-review (April -May) for students ages 14-21 with an IEP. Using the statewide online IEP system, the WVDE randomly selects IEP/Transition plans for students ages 14-21 with an IEP based on the student population for each LEA. Transition plans are reviewed starting with verification that there was an annual IEP/transition meeting within the past 365 days. Other areas of review include documentation that, when appropriate, the parent or adult student provided permission to invite outside agencies, and if obtained, outside agencies were invited; verification that the student was invited to the meeting; verification that there are post-secondary goals for education/training, employment, and when appropriate independent living, and that these goals are based on appropriate transition assessments; and verification that transition services will reasonably enable the student to meet their post-secondary goals. If the LEA is noncompliant in any single area, the entire transition plan is considered to be non-compliant. Each spring, LEAs are notified in writing of their noncompliance and a timeline required for the correction of all individual instances identified in the statewide online IEP system. The secondary transition file review document used for both cyclical monitoring and self-review can be found at https://wvde.us/special-education/policies-and-compliance/monitoring-and-compliance/#fusion-tab-monitoring (document is called Transition File Review 2021).

| **Question** | **Yes / No** |
| --- | --- |
| Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16? | YES |
| If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age? | YES |
| If yes, at what age are youth included in the data for this indicator | 14 |

**Provide additional information about this indicator (optional)**

In spring 2022 WVDE began working with NTACT:C to identify resources that will align transition services (including pre-ETS) for improved SEA support for school staff and families as they navigate the transition planning process. NTACT:C also facilitates monthly virtual meetings between WVDE and the WV Division of Rehabilitation Services (WVDRS) to collaborate on transition service delivery and the development of common training opportunities for LEAs. WVDE has also been working with IDC, NCSI and NTACT:C to revise its procedures for more efficient data collection and analysis intended to improve compliance for this indicator at the local level.   
  
In the summer of 2022, WVDE developed a list of state parks willing and able to support work-based learning for students with disabilities. The directory was posted on the web in September 2022 and includes contact information for each park, schools within a 40-minute drive, amenities and potential jobs for students. https://wvde.us/wp-content/uploads/2022/11/25348-WV-State-Parks-Resource-Bank-Fall-2022-v2-2.pdf  
  
In the fall of 2022, WVDE provided a resource bank on its website to enable school staff easier access to information on secondary transition assessments. The transition assessment document contains resources to help students, families and school personnel identify potential careers that meet students’ interests and the basic supports necessary to become, or remain, employed. Self-determination and independent living assessments are included to assist in developing an inventory of individual skill levels necessary for successful post-secondary goals related to household chores, personal care, common community errands, as well as personal growth and community participation. In addition, WVDE produced a short training video on how to use the WVDRS website called PathwaysWV.org which contains a collection of resources and tools to help students with disabilities through the journey from youth to adulthood. WVDE also created a list of partnerships and potential outside agencies that could be considered when determining appropriate outside agencies to be invited during a transition meeting. These links and resources can be found at https://wvde.us/special-education/wv-guideposts-to-graduation/   
  
Beginning in winter/spring 2023 WVDE will be piloting an evidence-based a course (purchased from WestEd) called "Writing High-Quality Secondary Transition Plans". This self-paced course will be available on the state's CANVAS platform in the spring of 2023 and starting in SY2023-2024 can also be accessed as a credit bearing continuing education opportunity. This 6-module course includes the following topics: Federal Regulations and Transition Services; Required components of the Transition Plan, Conducting Transition Assessments and Organizing the Data; Present Levels of Performance Requirements; Employability Skills; Writing Measurable Post-Secondary Goals; Transition Services and Courses of Study; and Writing Annual Transition IEP Goals. This course is intended to address the areas of concern uncovered during the data analysis for this indicator.  
  
WVDE will continue to seek stakeholder input on the effectiveness on these resources.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1 | 1 | 0 | 0 |

**FFY 2020 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

Compliance with specific regulatory requirements was verified by WVDE/SES through a new review of updated data for transition-age IEPs based on the errors found during the review of the one (1) LEA identified in FFY 2020 with a finding of noncompliance. Consistent with OSEP Memo 09-02, the one (1) LEA identified in FFY 2020 as noncompliant has corrected each individual instance of noncompliance and is implementing student transition plans with 100% compliance. The WVDE review has determined that there are no systemic issues with transition planning for this LEA.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

Correction for the one (1) individual student file identified in FFY2020 as noncompliant, was verified through a desk audit review of new data obtained through the WV statewide online IEP system and the student is no longer in the jurisdiction of the non-compliant LEA. Upon completion of the review of updated data, WVDE determined that the one (1) non-compliant LEA is implementing student transition plans with 100% compliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 13 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

WVDE/SES has reported the correction of noncompliance identified in FFY 2020 for this indicator in the indicator narrative above.

## 13 - OSEP Response

## 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.  
  
If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

# Indicator 14: Post-School Outcomes

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

**Results indicator:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

A. Enrolled in higher education within one year of leaving high school.

B. Enrolled in higher education or competitively employed within one year of leaving high school.

C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

State selected data source.

**Measurement**

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

**Instructions**

*Sampling****of youth who had IEPs and are no longer in secondary school****is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See General Instructions on page 2 for additional instructions on sampling.)*

Collect data by September 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

**I. *Definitions***

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment”:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

**II. *Data Reporting***

States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

Provide the total number of targeted youth in the sample or census.

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

1. Enrolled in higher education within one year of leaving high school;

2. Competitively employed within one year of leaving high school (but not enrolled in higher education);

3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);

4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

**III. *Reporting on the Measures/Indicators***

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, include the State’s analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline** | **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| A | 2009 | Target >= | 18.00% | 19.00% | 20.00% | 21.00% | 19.03% |
| A | 19.49% | Data | 19.22% | 16.42% | 18.03% | 19.86% | 10.11% |
| B | 2009 | Target >= | 52.00% | 53.00% | 54.00% | 55.00% | 47.69% |
| B | 48.84% | Data | 58.88% | 58.62% | 45.69% | 44.97% | 27.01% |
| C | 2009 | Target >= | 67.00% | 68.00% | 69.00% | 70.00% | 71.01% |
| C | 63.57% | Data | 69.09% | 69.31% | 70.51% | 68.42% | 41.49% |

**FFY 2020 Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 20.03% | 21.03% | 22.03% | 23.03% | 24.03% |
| Target B >= | 49.69% | 51.69% | 53.69% | 55.69% | 57.69% |
| Target C >= | 71.51% | 72.01% | 72.51% | 73.01% | 73.51% |

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.

**FFY 2021 SPP/APR Data**

|  |  |
| --- | --- |
| Total number of targeted youth in the sample or census | 2,376 |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 1,503 |
| Response Rate | 63.26% |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school | 275 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school | 494 |
| 3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed) | 60 |
| 4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). | 292 |

| **Measure** | **Number of respondent youth** | **Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 275 | 1,503 | 10.11% | 20.03% | 18.30% | Did not meet target | No Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 769 | 1,503 | 27.01% | 49.69% | 51.16% | Met target | No Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 1,121 | 1,503 | 41.49% | 71.51% | 74.58% | Met target | No Slippage |

**Please select the reporting option your State is using:**

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2020** | **2021** |
| Response Rate | 74.44% | 63.26% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

WVDE/SES will continue to work with districts to support the collection of representative survey data. Strategies include providing LEAs with additional guidance on notifying students who drop out (and their families) that a survey will be available to them one year after they leave school, asking students (and their families) for their current contact information at the time of exiting, and creative ways to locate students (or their families) after they leave public school. Additionally, districts will be receiving regular reminders and technical assistance from WVDE/SES on how to review students who have yet to respond to the survey and emphasize encouraging responses from groups that were determined to be more likely not to respond.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

The response rate of 63.26% was representative of a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school and does not appear to be influenced by nonresponse bias. With a census population of 2376, at a 95% confidence level, and a 3% margin of error, the minimum sample size required is 737, which is equivalent to a 31.02% overall response rate; the current rate is more than double that level.  
  
Nonresponse bias analysis examined response and nonresponse on the survey at the unit level (i.e., participation v. nonparticipation), not the item level. The number of respondents in a specific ethnic/racial group (self-reported) in the survey were compared to the number of students reported in the ethnic/racial group in the Child Count for FY22 with relative percentages calculated. All rates were within a -/+3.0% margin of the census population.   
  
WVDE/SES will continue to work with districts to support the collection of representative survey data. Strategies include providing LEAs with additional guidance on notifying students who drop out (and their families) that a survey will be available to them one year after they leave school, asking students (and their families) for their current contact information at the time of exiting, and creative ways to locate students (or their families) after they leave public school. Additionally, districts will be receiving regular reminders and technical assistance from WVDE/SES on how to review students who have yet to respond to the survey and emphasize encouraging responses from groups that were determined to be more likely not to respond.

**Include the State’s analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in its analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

As part of the annual Indicator 14 data review, WVDE/SES performed analysis to measure the representativeness of youth who are no longer in secondary school and had IEPs in effect at the time they left school responding to the One-year Follow-up Survey (the measurement tool used for Indicator 14). To measure the magnitude of the representativeness WVDE/SES compares the percentage point difference between survey respondents and the students who exited in the school year 2020-2021. Any data that exhibit -/+3.0 % or greater difference indicates areas of over or under-representativeness. The following results indicate the survey responses are representative of all youth who are no longer in secondary school and had IEPs in effect at the time they left school during 2020-2021.  
  
The response rate, 63.26%, proves large enough to be representative of the 2020-2021 cohort when examining the demographic characteristics of race/ethnicity, exit reason, and primary exceptionality. With a census population of 2376, at a 95% confidence level, and a 3% margin of error, the minimum sample size required is 737, which is equivalent to a 31.02% overall response rate; the current rate is more than double that level.  
  
Among youth of differing race/ethnicities, survey respondents were representative of their peers. While racial and ethnic diversity is increasing, West Virginia remains relatively homogeneous. The state and our student body are predominantly white, with black being the second most common race/ethnicity. All race/ethnicity groups were within the -/+3.0% margin; range -0.05 - 1.10.  
  
The primary exceptionality codes were equitably represented by the survey responders. All exceptionalities were adequately represented in the response data, with no differences more than 2 percentage points (range 0.02 - 1.26). The largest difference was noted in the emotionally disturbed category, which was underrepresented by 0.82%. This group was also noted previously to potentially have a nonresponse bias. Additional efforts will be made to ensure adequate representation from this group.   
  
Representativeness by exit type was examined for those exiting with a regular diploma, with an alternate diploma, reaching the maximum age of 21, and for youth who drop out. Youth who graduated with a regular diploma were overrepresented in the survey data (by 3.14 percentage points) while those who dropped out of school were underrepresented (by 3.03 percentage points). This result is expected as contacting youth who dropped out of school is challenging. Additional steps are being taken to collect the responses of the students who exit due to dropping out.   
  
The WVDE/SES will continue to work with districts to support the collection of representative survey data. Strategies include providing LEAs with additional guidance on notifying students who drop out (and their families) that a survey will be available to them one year after they leave school, asking students (and their families) for their current contact information at the time of exiting, and creative ways to locate students (or their families) after they leave public school, such as following up with social media or their caseworker with Department of Rehabilitation Services.

**The response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school. (yes/no)**

YES

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

To measure the magnitude of the representativeness WVDE/SES compares the percentage point difference between survey respondents and the students who exited in the school year 2020-2021. Any data that exhibit 3.0 percentage points or greater difference indicates areas of over or under representativeness.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used? | NO |
| **Survey Question** | **Yes / No** |
| Was a survey used? | YES |
| If yes, is it a new or revised survey? | YES |
| If yes, attach a copy of the survey |  |

**Provide additional information about this indicator (optional)**

The changes to the survey items were insignificant, and addressed clarification to terminology, i.e., changing 'modified diploma' to 'alternate diploma', removing the actual dollar amount specified for minimum wage; and changing the item 'modified returned for services' to 'dropped out for employment'.  
  
A link to the survey is provided: https://tinyurl.com/4jdmywk2

## 14 - Prior FFY Required Actions

None

## 14 - OSEP Response

## 14 - Required Actions

# Indicator 15: Resolution Sessions

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (3.1(a) divided by 3.1) times 100.

**Instructions**

*Sampling is not allowed.*

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline and targets and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 15 - Indicator Data

Select yes to use target ranges

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1 Number of resolution sessions | 10 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1(a) Number resolution sessions resolved through settlement agreements | 10 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the number of resolution sessions and their efforts to resolve disputes fairly. The targets were set to maintain a slight increase from 75% each year from FFY 2020 through 2025. This target takes into consideration the low number of resolution sessions handled by the state most years. The stakeholders indicated acceptance of this baseline and targets were set to 75%, but the targets were revised based on feedback from OSEP.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2019 | 75.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 75.00% | 75.00% | 75.00% | 75.00% | 76.00% |
| Data | 100.00% | 90.00% | 90.00% | 75.00% | 100.00% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 76.50% | 77.00% | 77.50% | 78.00% | 78.50% |

**FFY 2021 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 10 | 10 | 100.00% | 76.50% | 100.00% | Met target | No Slippage |

**Provide additional information about this indicator (optional)**

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

## 15 - Required Actions

# Indicator 16: Mediation

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3(B))

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by 2.1) times 100.

**Instructions**

*Sampling is not allowed.*

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of resolution mediations reaches 10 or greater, develop baseline and targets and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

**Select yes to use target ranges**

Target Range not used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1 Mediations held | 1 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.a.i Mediations agreements related to due process complaints | 0 |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.b.i Mediations agreements not related to due process complaints | 0 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

The WVDE/SES conducted a series of four stakeholder meetings to solicit feedback on the proposed targets for the new SPP/APR package starting in July 2021. An initial series of stakeholder sessions were designed to review current progress and proposed targets as well as the State’s Systemic Improvement Plan (SSIP) with stakeholder groups. Sessions were held for special education directors and practitioners, and for parents, students, and the public. All meetings were held remotely on Teams, announced through existing listservs, and posted on the state webpage. Attendance was collected using a Forms link and participants were invited to provide input in the form of a survey following each session. Recordings of the sessions and links to the survey were posted on the department webpage.   
  
Special Education directors from geographic areas needing additional representation based on the demographic data from the collected survey responses and those from districts with more racial/ethnic diversity were contacted to make arrangements for additional in-person meetings with parent focus groups. This strategy resulted in additional parent feedback from in-person presentations of the current state performance and proposed targets.   
Internal input was also solicited to ensure feedback was gathered from interested groups outside of special education. The recordings and surveys were shared with WVDE staff in targeted offices, such as Assessment, School Improvement, and Elementary and Secondary Education.  
  
The baseline for this indicator was presented to stakeholders and updated based on the most current year of data that was not impacted by COVID-19 in order to get the most accurate picture of the number of resolution sessions and their efforts to resolve disputes fairly. The targets were set to maintain a slight increase from 75% each year from FFY 2020 through 2025. This target takes into consideration the low number of resolution sessions handled by the state most years. The stakeholders indicated acceptance of this baseline and targets were set to 75%, but the targets were revised based on feedback from OSEP.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 57.14% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Target >= | 75.00% | 75.00% | 75.00% | 75.00% | 58.00% |
| Data | 61.54% | 75.00% | 57.14% | 100.00% | 100.00% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= |  | 59.00% | 59.50% | 60.00% | 60.50% |

**FFY 2021 SPP/APR Data**

| **2.1.a.i Mediation agreements related to due process complaints** | **2.1.b.i Mediation agreements not related to due process complaints** | **2.1 Number of mediations held** | **FFY 2020 Data** | **FFY 2021 Target** | **FFY 2021 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 0 | 0 | 1 | 100.00% |  | 0.00% | N/A | N/A |

**Provide additional information about this indicator (optional)**

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

The State reported fewer than ten mediations held in FFY 2021. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

## 16 - Required Actions

# Indicator 17: State Systemic Improvement Plan

**Instructions and Measurement**

**Monitoring Priority:** General Supervision

The State’s SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

**Measurement**

The State’s SPP/APR includes an SSIP that is a comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities. The SSIP includes each of the components described below.

**Instructions**

**Baseline Data*:*** The State must provide baseline data that must be expressed as a percentage and which is aligned with the State-identified Measurable Result(s) for Children with Disabilities.

**Targets*:*** In its FFY 2021 SPP/APR, due February 1, 2023, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2021 through FFY 2025. The State’s FFY 2025 target must demonstrate improvement over the State’s baseline data.

**Updated Data:** In its FFYs 2021 through FFY 2025 SPPs/APRs, due February 1, 2023, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2021 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

Overview of the Three Phases of the SSIP

It is of the utmost importance to improve results for children with disabilities by improving educational services, including special education and related services. Stakeholders, including parents of children with disabilities, local educational agencies, the State Advisory Panel, and others, are critical participants in improving results for children with disabilities and should be included in developing, implementing, evaluating, and revising the SSIP and included in establishing the State’s targets under Indicator 17. The SSIP should include information about stakeholder involvement in all three phases.

*Phase I: Analysis:*

- Data Analysis;

- Analysis of State Infrastructure to Support Improvement and Build Capacity;

- State-identified Measurable Result(s) for Children with Disabilities;

- Selection of Coherent Improvement Strategies; and

- Theory of Action.

*Phase II: Plan* (which, is in addition to the Phase I content (including any updates) outlined above:

- Infrastructure Development;

- Support for local educational agency (LEA) Implementation of Evidence-Based Practices; and

- Evaluation.

*Phase III: Implementation and Evaluation* (which, is in addition to the Phase I and Phase II content (including any updates) outlined above:

- Results of Ongoing Evaluation and Revisions to the SSIP.

**Specific Content of Each Phase of the SSIP**

Refer to FFY 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

Phase III should only include information from Phase I or Phase II if changes or revisions are being made by the State and/or if information previously required in Phase I or Phase II was not reported.

***Phase III: Implementation and Evaluation***

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2021 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

B. Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State’s last SSIP submission (i.e., Feb 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023).).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes, and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

C. Stakeholder Engagement

The State must describe the specific strategies implemented to engage stakeholders in key improvement efforts and how the State addressed concerns, if any, raised by stakeholders through its engagement activities.

Additional Implementation Activities

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023)) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

## 17 - Indicator Data

**Section A: Data Analysis**

**What is the State-identified Measurable Result (SiMR)?**

86% of West Virginia students with disabilities will graduate with a regular diploma by June 2025.

**Has the SiMR changed since the last SSIP submission? (yes/no)**

NO

**Is the State using a subset of the population from the indicator (*e.g.*, a sample, cohort model)? (yes/no)**

NO

**Is the State’s theory of action new or revised since the previous submission? (yes/no)**

YES

**Please provide a description of the changes and updates to the theory of action.**

As a result of new targets and data source established in FFY2020, the WVDE/SES revised its theory of action to outline the relationship between the resources and support offered by the WVDE and the potential impact to improve graduation outcomes for students with disabilities when local educational agencies (LEAs/districts) have the knowledge and capacity to implement evidence-based practices as well as engage meaningfully with students and families.   
  
Although successful, the processes and practices of the previous SSIP work were paperwork heavy for LEAs. Stakeholder input indicated a need to reduce the time and paperwork burden for reporting successes and challenges with the previous SSIP work. The pre-COVID theory of action included initiatives and supports provided by a Regional Education Services Agency (RESA) which no longer exist in WV. Thus, the theory of action was simplified and now contains three action strands (Collaboration and Communication, Provision of Resources, and Technical Assistance). The theory of action now also clearly connects the actions of state and local education professionals to improving graduation outcomes for students with IEPs.

**Please provide a link to the current theory of action.**

https://wvde.us/wp-content/uploads/2022/11/25404-WVGtG-Theory-of-Action-Fall-2022-v1.pdf

**Progress toward the SiMR**

**Please provide the data for the specific FFY listed below (expressed as actual number and percentages)*.***

**Select yes if the State uses two targets for measurement. (yes/no)**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2018 | 83.21% |

**Targets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target>= | 84.21% | 84.71% | 85.21% | 85.71% | 86.21% |

**FFY 2021 SPP/APR Data**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma** | **Number of all youth with IEPs who exited special education (ages 14-21)** | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | **Status** | **Slippage** |
| 1,901 | 2,253 | 83.97% | 84.21% | 84.38% | Met target | No Slippage |

**Provide the data source for the FFY 2021 data.**

618 graduation data (file specification FS009)

**Please describe how data are collected and analyzed for the SiMR**.

Beginning with FFY2020, SSIP baseline and target data were aligned with 618 graduation data, using the definitions in EDFacts file specification FS009. Data are presented to stakeholders on a regular basis and feedback/input sought to guide next steps in the SSIP work. Although this data is lag data, stakeholders are able to use the data to inform the development of resources necessary for continuous improvement activities at state and local levels.

**Optional: Has the State collected additional data *(i.e., benchmark, CQI, survey)* that demonstrates progress toward the SiMR? (yes/no)**

YES

**Describe any additional data collected by the State to assess progress toward the SiMR.**

In addition to 618 graduation data, WVDE/SES reviews data obtained through implementation of the West Virginia Guideposts to Graduation (WVGtG) work (this is the SSIP work in WV) to ensure that students with disabilities are continuing to receive supports and services necessary to graduate with a regular diploma. Data collected in the evaluation plan includes outcome descriptions, responsible parties, measurable performance indicators, data collection sources and frequency of data collection. The evaluation plan link is provided in the appropriate section below.

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

NO

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

YES

**If data for this reporting period were impacted specifically by COVID-19, the State must include in the narrative for the indicator: (1) the impact on data completeness, validity and reliability for the indicator; (2) an explanation of how COVID-19 specifically impacted the State’s ability to collect the data for the indicator; and (3) any steps the State took to mitigate the impact of COVID-19 on the data collection.**

There were no statewide COVID closures during the 2021-22 school year, but the closures which began in the 2019-20 school year continue to impact the data. The continued impact can be seen predominantly in Indicators 1, 2, 3B, 3C, 3D, 4A, 4B, 6A, 6B, 6C, 7A, 7B, 7C, 11, and 12. As the SSIP is measured using Indicator 1 lag data, it is expected that the COVID-19 pandemic will impact the variability of trend data and student learning outcomes for several more years. Additionally, the statewide end-of-year data collection that includes exit data for students with disabilities has been a focus of support and training to improve the accuracy of reporting by the LEAs. The WVDE has been training LEAs to clarify the appropriate state-level enrollment and/or special education exiting codes to use at the right times and provide additional support during the collection itself in order to improve validity and reliability of future data collections.

**Section B: Implementation, Analysis and Evaluation**

**Please provide a link to the State’s current evaluation plan.**

https://wvde.us/wp-content/uploads/2022/11/25400-WVGtG-SSIP-Evaluation-Plan-Fall-2022-v1.pdf

**Is the State’s evaluation plan new or revised since the previous submission? (yes/no)**

YES

**If yes, provide a description of the changes and updates to the evaluation plan.**

Based on stakeholder input and changes made to the theory of action (discussed above), this evaluation plan was completely changed to align with the current SSIP/WVGtG work. The new evaluation plan describes how the WV Department of Education (WVDE) will measure progress and related outcomes for statewide efforts to build capacity of participating Local Educational Agencies (LEAs)/school districts to improve graduation outcomes through collaboration and communication, provision of resources, and technical assistance.  
  
The new evaluation plan measures the extent to which WVDE engages in ongoing collaboration and communication, provision of sufficient resources, and ongoing technical assistance to enable LEAs to build capacity to improve graduation outcomes. The evaluation plan includes outcome descriptions, responsible parties, measurable performance indicators, data collection sources and frequency of data collection.

**If yes, describe a rationale or justification for the changes to the SSIP evaluation plan.**

Based on stakeholder feedback and the revisions made to the theory of action, there was a need to revise the evaluation plan to ensure WVDE's ability to appropriately monitor progress toward the SiMR for the 2020-2025 reporting cycle.

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

With the reimagining of the SSIP work as WV Guideposts to Graduation (WVGtG) the following infrastructure improvements strategies were developed and implemented during this reporting period.  
  
DEDICATED POSITION  
In December 2021, the WVDE/SES reorganized state-level staff to include a dedicated SSIP/Secondary Transition Coordinator. This position has been responsible for development and coordination of all aspects of the SSIP/WVGtG work reported in this year's submission for indicator 17 and indicator 13.  
  
MESSAGING FOR NEW DATA SOURCE  
During the previous reporting cycle (2015-2020) the SSIP work (widely known throughout the state as WV Grad 20/20) reported data using state-defined graduation cohorts. With the change in data source to be 618 graduation data only, the WVDE/SES team wanted to ensure that the reimagined SSIP work was clearly recognizable to stakeholders as targeting improved outcomes for students with disabilities and thus chose to rebrand the SSIP to be known as WV Guideposts to Graduation (WVGtG). Rebranding began in mid-January 2022.   
  
INTERNAL EVALUATOR  
In late February 2022, the WVDE/SES filled a vacant coordinator position to include SSIP evaluation activities as part of their responsibilities. This internal evaluator works closely with the SSIP Coordinator and the Part B Data Manager to improve the validity of data collected and analyzed per the evaluation plan.   
  
STATE-LEVEL IMPLEMENTATION TEAM  
The WVDE/SES team established an internal stakeholder team in early March 2022 by personal invitation to individuals whose regular responsibilities had an impact on potentially increasing graduation rates. The SSIP/WVGtG original internal stakeholder group included representation from coordinators in Special Education, Student Support and Well-Being (Communities in Schools and Family Engagement), School Improvement, Teaching & Learning, and Federal Programs. This group was expanded in July 2022 to include representation from Career and Technical Education as well as the WV Schools for Diversion and Transition (which oversees correctional and some alternative school environments in the state). The goal for this internal stakeholder team is to provide complementary and consistent messaging to support LEAs as they engage in local level systemic improvements. This team believes in a cradle to career philosophy regarding a student's journey toward graduation and meets quarterly throughout the year. Between meetings, this group uses the Office 365 TEAMS platform to expand working relationships and collaborate on the development and dissemination of materials and resources related to improving graduation outcomes for students with disabilities. This group has been engaged in proactive and ongoing efforts to de-silo work at the state level (which is a top priority of the current superintendent of schools).  
  
FINANCIAL SUPPORT  
As reported during the previous reporting cycle, stakeholders identified a reduction in funding as a potential barrier to improving graduation outcomes. For this reporting cycle, WVDE/SES team offered a competitive grant opportunity for which all LEAs in the state were eligible to apply. WVGtG Grant opportunity was announced in late May 2022 with a submission deadline of June 30, 2022. Differentiated support was provided through open doors meetings and individual conversations with LEAs regarding the application process. The application required LEAs to include measurable goals and activities focused on improving graduation and post-secondary outcomes for students with disabilities ages 14-21; utilization of evidence-based practices in at least one of the following categories - MTSS, PBIS, trauma-informed schools, job/graduation coaches, professional development to decrease drop-out or other pre-approved activity; and allowable costs under IDEA for a proposed budget not exceed $50,000 per application. Restrictions to the grant funding included that it could not be used for attendance or behavior incentives unrelated to special education services, and that all items included in the budget must be considered allowable under IDEA. Once submitted, the applications were reviewed by a three-person team consisting of the IDEA finance coordinator, the SSIP coordinator, and a Federal Programs coordinator. In order to support as many LEAs as possible with funding, a rubric was created to ensure a fair and unbiased review of each application. Grantees were notified in July 2022 with funding available for drawdown in mid-September 2022.  
  
DIFFERENTIATED TECHNICAL ASSISTANCE  
Universal technical assistance for the SSIP is provided through the WVGtG website [https://wvde.us/special-education/wv-guideposts-to-graduation/] and dissemination of resources via the LEA special education director listserv, (usually announcements of upcoming deadlines and events). The new WVGtG website has been designed to provide resources and materials intended to build capacity at the local level, as well as providing general information for the public. It also includes a publicly available survey link to solicit external stakeholder feedback and a dedicated email address for differentiated support and technical assistance related to secondary transition services, graduation, drop-out prevention, and post-school outcomes. The survey results go to the internal evaluator for response and emails are received and responded to by the SSIP/Secondary Transition Coordinator. In addition, the WVDE/SES Team provides targeted and intensive technical assistance and support through – monthly WVGtG Community of Practice virtual meetings (required for those receiving funding, optional for all others), optional WVGtG Data Dive / Open Doors Meetings, and individual support requested from WVGtG participants.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

Communication with stakeholders occurs regularly as described in the stakeholder section for all of the following achieved outcomes to build infrastructure capacity in West Virginia.  
  
DEDICATED POSITION A needs assessment conducted in Feb 2022 indicated time commitments & monthly reporting requirements had been paperwork heavy. It also indicated a need for flexibility in implementation of activities and strategies as rural schools did not have the same needs as urban schools. An online survey was sent in Mar 2022 to all special education directors requesting additional information regarding the TA they had previously received related to secondary transition and graduation as well as potential future needs. The response rate was 100% with the biggest needs identified related to financial support, research-based resources (to improve academics, family engagement and & post-secondary opportunities), training on secondary transition planning, work-based learning experiences, and dedicated transition specialists/coaches. This data informed planning for the reimagined SSIP.  
  
MESSAGING FOR NEW DATA SOURCE A new logo which symbolizes the multiple options & supports necessary for students with disabilities to graduate with a regular high school diploma was developed. The guideposts (facing in opposite directions) represent the multiple pathways toward graduation & preparation for post-secondary outcomes, the circle represents the wraparound supports necessary to get to graduation, which is represented by the mortarboard at the top. This logo is used to message all SSIP/WVGtG work.  
  
INTERNAL EVALUATOR The internal evaluator and SSIP Coordinator collaborated with IDC and NCSI on revisions to the theory of action and evaluation plan; designed standardized surveys to collect and analyze valid/reliable data, and measure progress toward meeting the SiMR. The internal evaluator also developed an interactive data dashboard on the WVGtG website described below.  
  
STATE-LEVEL IMPLEMENTATION TEAM Using Leading by Convening resources, the team engaged in assessing the purpose, needs, and resources of different WVDE divisions in relation to supporting graduation with a regular high school diploma. The group developed a vision statement for this work: "This WVGtG team will engage in open, concise, and meaningful internal communication and collaboration resulting in the delivery of consistent high-quality professional learning and TA to increase the local capacity for preparing students with disabilities for everyday living, employment, education, and/or enlistment." Post-session surveys indicate the content of these meetings is relevant to daily work (92% strongly agree or agree) and that the content/resources shared will be practical/beneficial to daily work (83% strongly agree or agree). In addition, 50% found “collaboration” as well as “updates” to be the most valuable aspect of these meetings. One respondent stated, “I feel like the collaboration opportunities between our WVDE departments is creating a foundation that will help us better support the LEAs of WV”.  
  
FINANCIAL SUPPORT WVDE/SES team offered a competitive grant opportunity for which all LEAs in the state were eligible to apply. WVGtG grant applications were received from 37 LEAs with grant awards ranging from $5,808 to $49,865 and an average award of $20,600. As part of the funding award, LEAs were asked to include considerations for future sustainability/local support for this work and were required to participate in targeted TA. Grantees were also required to submit a minimum of two progress reports during the grant period.   
  
DIFFERENTIATED TECHNICAL ASSISTANCE (TA) and WEBSITE RESOURCES & MATERIALS - [https://wvde.us/special-education/wv-guideposts-to-graduation/] Based on stakeholder input that the special ed website was difficult to navigate, in Aug 2022 a webpage specific to the work of WVGtG was created. Between Aug/Dec 2022, the website had 414 unique pageviews, compared to 532 unique pageviews between Jan/Dec 2022 for the Data & Public Reporting site. The WVGtG webpage is divided into 7 main sections and a Data Dashboard – which is an interactive display that allows users to view various types of LEA information, including data related to systemic improvement plan focus areas, special ed determinations and monitoring cycles, SSIP participation and grant awards, graduation and dropout data, as well as alternate assessment outcomes. This dashboard is updated periodically throughout the year. All resources on the page include a short narrative and links to relative webpages. Resources provided include 37 distinct EBPs (includes descriptions with links for Tier 1 & 2 = 14, Tier 3 = 16 & Tier 4 = 7); supplementary resources for Frameworks to Support Effective Practices (includes descriptions with links for High-Leverage Practices, PBIS, UDL, & MTSS supports); and links to external sites such as Evidence for ESSA and the IRIS center. 32 specific secondary transition assessments (21 interest/career, 4 self-determination, 4 student preference, & 3 independent living); external links to WVDE’s Classroom 2 Career initiative, as well as the WV Division of Rehabilitation Services (WVDRS) Pathways to the Future website; an external link to Communities in Schools (a national initiative sponsored by West Virginia’s First Lady for many years); a quick wins document for school administrators on family engagement for secondary students; and multiple external links to resources such as WVDRS, Project SEARCH, Autism Training Center at Marshall University, Center for Excellence in Disabilities at West Virginia University, and to the WV Advisory Council for the Education of Exceptional Children. WVGtG also contracted for the development of a State Parks Directory for Work-Based Learning Opportunities which provides LEAs with contact list and options for work-based learning experiences for students in their geographic area. As indicated, the site includes a link to an external stakeholder survey. Responses received to-date indicate that the resources provided are of high quality and easy to understand; 75% of respondents reported they strongly agree or agree that the resources are connected to improving graduation outcomes for students with disabilities.  
  
In addition to the website, differentiated TA and support is provided through the following activities:  
  
• WVGtG Community of Practice (required for grantees, optional for others) - virtual 90 minutes/month of targeted TA related to implementation of EBPs. Each monthly meeting provides a presentation on implementation strategies, a spotlight for a specific EBP, and breakout sessions with guiding questions for discussion to improve student outcomes. These CoP meetings are required for LEAs who received funding for the SSIP work but are open to anyone who wants to participate. Attendance has been between 28-34 at each of these meetings. In addition to the meetings, there is a Microsoft TEAMS site that was created for communication & posting of internal documents to support LEAs improve transition planning practices. The TEAMS site has 124 users and includes secured folders for sharing of information/data between the LEA & WVDE/SES team.  
  
• WVGtG Data Dive Meetings (optional) - virtual 60 minutes/month of targeted TA focused on data literacy & data collections for special education. Post session survey data indicates that there are 12 to 15 participants per session.  
  
• WVGtG Open Doors Meetings (optional) - virtual 60 minutes/month of targeted or intensive TA based upon needs of attendees for each meeting - participants bring their questions and WVDE/SES Coordinators provide guidance, there is no set agenda for these.  
  
• 10 one-to-one consultations on secondary transition were provided to special education directors between December 2021 and March 2022.

**Did the State implement any new (newly identified) infrastructure improvement strategies during the reporting period? (yes/no)**

YES

**Describe each new (newly identified) infrastructure improvement strategy and the short-term or intermediate outcomes achieved*.***

All SSIP/WVGtG infrastructure improvement strategies implemented for this reporting cycle are considered new and were described in the previous section(s).   
  
The following new statewide infrastructure changes occurred outside of the SSIP yet may have an impact on outcomes for this reporting cycle.   
  
• West Virginia’s Policy 2419 (the state’s official special education policy for the implementation of IDEA) was updated November 2022. The previous policy had been in place since 2017 and changes were initiated as part of the State Board of Education’s cyclic review of all education policies. General revisions include, but are not limited to: updates to language and terminology for better alignment with federal, state, and case law in special education; provisions related to charter public schools and requirements for providing FAPE; eligibility criteria and language updates related to certain disability categories; clarifications of existing policy related to caseloads and delivery of special education services; educational programming clarification consistent with the Endrew F. v. Douglas County School District Supreme Court ruling indicating schools must create IEPs that are appropriately ambitious, and revisions to the glossary and acronyms used in special education to make them more family friendly. Updates specifically related to transition-age students with disabilities include: changing the maximum age for the last year of special education eligibility (student must not have turned 21 prior to July 1 – previously the date was September 1); replaced language related to obtaining a high school diploma to be more consistent with federal language; clarifications on FAPE ending with exit from special education or graduation with a regular high school diploma; and clarifications in language related to provision of transition services and development of a summary of performance.

**Provide a summary of the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next reporting period.**

Research shows that systemic improvements require consistent implementation over time to see improved outcomes. Thus, the next steps for each infrastructure activity outlined in this reporting cycle will be continued or expanded unless data or stakeholder input indicate the necessity for mid-course corrections. The SSIP Coordinator will continue making connections with stakeholders to develop resources aligned with state priorities. Financial support is expected to be maintained by providing similar funding opportunities. Continued targeted technical assistance and support will be provided regarding transition planning and service delivery.

**List the selected evidence-based practices implement in the reporting period:**

During this year for the revised SSIP work, LEAs were allowed to choose evidence-based practices (EBPs) specific to individual LEA needs during this school year. This shift to allowing them more flexibility was in response to the February and March 2022 open doors and stakeholder meetings where data was obtained on the successes/challenges of previous SSIP work.   
  
LEAs were asked to include in their grant applications a summary of the EBPs they intended to implement. As one of the required progress reports for grantees, in the fall of 2022 LEAs were asked which practices they were implementing and to share successes/challenges related to those EBPs.   
  
The data was analyzed, and four broad categories of EBPs were identified:  
  
\* Educational Supports  
\* Student and Family Engagement  
\* Systemic Improvements  
\* Transition Services  
  
These categories are considered to be the EBPs implemented in West Virginia schools participating in the SSIP.

**Provide a summary of each evidence-based practices.**

The following represents the results of the fall feedback survey from 41 LEAs. Summaries below include a description of reported activities with weblinks to provide additional information to the assist the reader to understand implementation for the broad category EBP.  
  
\* Educational Supports - includes activities related to credit recovery; tutoring; dropout prevention, graduation coaches (academic-/tutor specific role); Option Pathway [link to the policy = https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=50455&Format=PDF] - WV's multiple pathways to graduation; WV GEAR UP [https://www.wvgearup.org/] - a federally funded program that helps prepare students for post-secondary training and employment; and problem-solving/goal setting strategies initiated by students with adult support.   
  
\* Student and Family Engagement - includes activities that specifically target at-risk students. Examples include Check and Connect; mentoring; graduation coaches (family support role); social workers; and student assistance teams (SAT) consisting of school staff and parents using data to identify individual student needs and develop plans of support for wide range of problems, including academics, behavior, social-emotional concerns, and attendance issues. Many of the SSIP/WVGtG participants also have a Communities in Schools site-based coordinator who leverages partnerships to connect students and families with community resources, tailoring them to their specific needs [https://wvde.us/cis/].  
  
\* Systemic Improvements - includes activities that mention programmatic or building-level improvements; implementation of changes to programs/practices based on root cause analysis and data-based decision making; improved IEP compliance; collaboration; and expanded professional development opportunities intended to support and improve outcomes for students with disabilities.   
  
\* Transition Services - include activities related to pre-ETS services; Division of Rehabilitation (DRS); transition specialist/coach/coordinator; work-based learning, job exploration, and work readiness training; self-advocacy training; transition/job fair events, and simulated workplace opportunities [https://wvde.us/simulated-workplace/]

**Provide a summary of how each evidence-based practice and activities or strategies that support its use, is intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g. behaviors), parent/caregiver outcomes, and/or child /outcomes.**

\* Educational supports - when students are more successful in school, they are more likely to be engaged in their educational journey. This will improve graduation outcomes for students.  
  
\* Student/Family engagement - when students and families are engaged with the school community, then attendance increases and begin to see the benefits of receiving a regular high school diploma.   
  
\* Systemic Improvements - when programs, policies, and procedures/practices change to meet the needs of every student, then the culture and climate change over time to become more inclusive. When schools support inclusive practices, then they can begin improving academic performance for all students.  
  
\* Transition Services - when high quality transition plans are written and implemented, students are better prepared to achieve their post-secondary goals related to education/training, employment, and independent living. When students and families see potential for the future, graduation outcomes also improve.  
  
In West Virginia 41 LEAs submitted data related to implementation of the four EBPs listed above. Of the LEAs participating in SSIP/WVGtG, 29.27% chose a singular EBP focus, 53.66% chose a dual EBP focus, 12.20% chose to focus on 3 of the 4 EBPs, and 4.88% chose to focus on all four EBP broad categories summarized in the previous section.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

Early evaluation data was collected using narrative survey responses and qualitative analysis. Beginning with the 2022-2023 school year, surveys had been revised to include both quantitative and qualitative response options for a mixed method analysis. Data is collected after each targeted technical assistance session (CoP/Data Dive/Open Doors), and after each stakeholder meeting. The format and content of each survey is similar so that data may be analyzed and compared for continuous improvement activities and assess practice change.  
  
Data is analyzed and provided to stakeholders throughout the year for monitoring progress toward SiMR and to determine the impact on systems change practices. Data will be posted annually on the WV Guideposts to Graduation website [https://wvde.us/special-education/wv-guideposts-to-graduation/] prior to the beginning of the school year.  
  
As indicated, the state-level implementation team meets quarterly to review data for alignment of practices and communication about statewide initiatives.

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

The data collected through post-session surveys and the fall feedback surveys from WVGtG participants is summarized below for each EBP described above. Data includes quantitative data related to LEA implementation, as well as a mixed method analysis of data related to highlights/successes & barriers experienced by LEAs from Aug-Dec 2022.   
  
\* Educational Supports - 41.46% of LEAs are implementing with all reporting successes that include improved attendance, behavior, or grades; improved school-related attitudes, confidence; tutoring; academic supports; and use of credit recovery opportunities.   
  
\* Student and Family Engagement - 75.61% of LEAs are implementing with 43.90% of respondents reporting successes that include graduate coaches who provide targeted connections and supports for students & families considered at-risk for dropout with one LEA stating that "personal contact to improve teacher/student relationships to bridge the connections between estranged family members and school" was very impactful; and incorporating Project AWARE/PBIS supports for students.   
  
\* Systemic Improvements - 31.71% of LEAs are implementing with all reporting successes that include taking ownership of data and using it to identify root causes/solutions; "creating a core team from both high schools to help strengthen programming"; focusing on improving IEP compliance; provision of guidance and resources so that "the entire county (leadership, Communities in Schools, school counselors, and staff) all have buy-in to the goals of improving attendance and graduation rates"; and improved inclusion of students with disabilities in existing school-wide initiatives.   
  
\* Transition Services - 43.90% of LEAs are implementing with 34.15% of respondents reporting successes that include community/work-based learning opportunities; transition/job fairs; career readiness training through CTE offerings; and hiring a dedicated transition specialist. One LEA reported that the transition specialist has "been a game changer for special education teachers to have someone be able to keep up with transition services and supports, the students and parents have also truly appreciated the extra assistance".  
  
Barriers identified include factors related to  
   
\* Personnel (41.46%) - staffing shortages, special education certification, and attitudes of school staff; One LEA stated that "special education teachers provide tutoring & academic/on the job coaching to students during their planning periods, but if other teachers are absent, present teachers are sometimes called upon to cover other classes".   
  
\* Student/family (36.59%) - lack of family support when students are not on track to graduate, attendance is a major barrier.   
  
\* Logisitics for implementation (21.95%) - transportation issues, legal issues related to unpaid work-based experiences (work-place insurance requirement is similar to worker's compensation and is an additional cost to LEA), ability to gather and report data through the state's data collection system (upgrade implemented summer 2022 and data glitches were prevalent until late fall 2022). One LEA reported that one of their "community partners went through a change in leadership/ownership which delayed our community access work exploration for students".   
  
\* Time constraints (12.20%) - "there are only so many minutes in the instructional day, and every minute away from instruction is time a student cannot get back".  
  
SSIP stakeholders will continue to analyze future data to help LEAs refine implementation of EBPs for maximum success.

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

LEAs will continue to implement the four broad categories of EBPS through the end of SY2022-2023.   
  
Based on stakeholder feedback, the broad categories of EBPs used in LEAs will be required as part of future funding applications for SSIP/WVGtG work. LEAs will continue to implement the four EBPs - Educational Supports, Student/Family Engagement, Systemic Improvements, and Transition Services. Future funding opportunities will require that LEA EBPs and activities must be aligned to one of these categories. This means that some LEAs will continue to use the same EBPs they did this year, and some LEAs will need to change their focus (EBPs) to align with the state priorities listed in the additional info section.   
  
In addition, the WVDE/SES team has previously described the resource banks provided on its website. These resource banks will be updated regularly, and technical assistance will continue to be provided to support LEAs in choosing and implementing appropriate EBPs and assessments for improved secondary transition planning and service delivery.

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

YES

**If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.**

This has been only the first year of implementation of the reimagined SSIP work in West Virginia and research shows that systemic improvements require consistent implementation over time to see improved outcomes. Thus, the next steps for the SSIP work outlined in this reporting cycle will be to continue without modifications unless quarterly data or stakeholder input indicate any mid-course corrections (which would then be reported in the next SPP/APR).

**Section C: Stakeholder Engagement**

Description of Stakeholder Input

In addition to the general stakeholder input and feedback for the SPP/APR reporting period (2020 - 2026), SSIP stakeholder input has been actively sought and feedback responded to on a regular basis through WV Guideposts to Graduation (WVGtG) website and technical assistance activities. See description and engagement strategies for each stakeholder groups in the next section.

**Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

Multiple stakeholder groups have been included in the SSIP/WVGtG work to ensure that there is fair and appropriate representativeness regarding input and feedback. Each stakeholder group and the WVDE/SES efforts to engage have been summarized below.   
  
\* WVGtG Internal Stakeholder Team (aka SSIP state-level implementation team) - meets quarterly to communicate and collaborate on providing consistent and aligned professional development and technical assistance to improve capacity at the local level. The vision statement developed by this group states: "The WVGtG team will engage in open, concise, and meaningful internal communication and collaboration resulting in the delivery of consistent high-quality professional learning and technical assistance to increase the local capacity for preparing students with disabilities for everyday living, employment, education, and/or enlistment." This state-level implementation team consists of representation from multiple teams at the WVDE so that we are providing complementary and consistent messaging to supports LEAs for systemic improvements at the local level. This group has been engaged in proactive and ongoing efforts to de-silo work at the state level.  
  
\* WVGtG Community of Practice (CoP)- monthly targeted supports for choosing and implementing evidence-based practices. Each monthly meeting provides a presentation on implementation strategies, a spotlight for a specific EBP, and breakout sessions with guiding questions for discussion to improve student outcomes. These CoP meetings are required for LEAs who received funding for the SSIP work but are open to anyone who wants to participate.  
  
\* WVGtG External Stakeholders - information on this work was presented multiple times during monthly special education director's calls, the WV Advisory Council Meetings, and through conversations with special education advocates throughout the state of WV. After each presentation or conversation, a survey link is sent to participants seeking feedback and input.   
  
To encourage more participation from parents, families, and the general public, the WVDE/SES team has posted an External Feedback submission link on the WVGtG website [https://wvde.us/special-education/wv-guideposts-to-graduation/] to gather anonymous feedback on a continuous basis related to the resources and information provided on the website. Data received through this public link is collected by the SSIP evaluator and reviewed by SSIP Coordinator regularly.   
  
Presentations on the work are available upon request. A presentation to the WV Developmental Disability Council on the SSIP work is scheduled for Winter 2023. To ensure appropriate development of relevant resources for post-secondary preparation, the SSIP Coordinator represents the WVDE on this Council which meets throughout the state on a quarterly basis.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

YES

**Describe how the State addressed the concerns expressed by stakeholders.**

1. LEAs were offered opportunities to engage with the WVDE/SES team through virtual meetings such as   
  
\* Special Education Director's Calls (optional) - 60 minutes/month of universal technical assistance related to all areas of special education, an agenda is sent prior to each meeting to make each meeting as efficient as possible, participants are encouraged to ask questions and provide feedback throughout the meeting.  
  
\* WVGtG Community of Practice (required for some, optional for others) - 90 minutes/month of targeted technical assistance related to implementation of evidence-based practices).   
  
\* WVGtG Data Dive Meetings (optional) - 60 minutes/month of targeted technical assistance focused on data literacy and data collections for special education; and   
  
\* WVGtG Open Doors Meetings (optional) - 60 minutes/month of targeted or intensive technical assistance based upon needs of attendees for each meeting - participants bring their questions and we provide guidance, there is no set agenda for these.   
  
\* 1% Cap Chat Meetings (required for some, optional for others) - 60 minutes/month of targeted or intensive technical assistance for LEAs who need support related to appropriate use of alternate assessment or placing students in an alternate diploma track.   
  
Stakeholder feedback indicated that although these sessions are important and provide resources to LEAs, they need more time back in their schedules for required local-level activities. WVDE/SES responded by keeping the monthly CoP as it was a requirement of the funding provided through WVGtG, and changing data dive/open doors sessions to a bi-monthly offering. In addition, and whenever possible, WVDE/SES team coordinates external trainings and meetings with other WVDE teams to reduce the burden on local school systems.  
  
2. An additional concern was submitted through the publicly posted feedback link that there was not a clear connection between the work of the SEA and the impact on the LEA. The WVDE/SES team changed the narrative on the website to better articulate the connections and potential impact when LEAs have the capacity to implement evidence-based practices with fidelity.

**Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

The vision developed by the WVGtG Internal Stakeholders team (described above) closely aligns to the 2023 priorities established by the State Superintendent and approved by the State Board of Education. To ensure consistent messaging and support for LEAs, all SEA staff will be engaged in various aspects of these priorities throughout 2023. Each priority that is related to the SiMR is listed below, along with a description for alignment with the SSIP evaluation plan.   
  
• Ensure Uniformed/Aligned Approach to Student Success -- Align all professional development experiences to provide educators advanced training related to content, instructional strategies, technology application, and student well-being to maximize student success. SSIP began alignment of professional development opportunities during the July and October internal stakeholder meetings. This will be on-going for 2023 and can be measured in the SSIP evaluation plan under items 1.a and 3.b.  
  
• Provide Comprehensive Support for Identified Schools -- Impact positive student outcomes in the lowest-performing schools by providing individualized school improvement support based on data and diagnostic reviews. WVDE staff will build relationships with county and school teams to help drive the process. For schools underperforming in the area of special education, the supports provided by WVDE will include instructional review visits lead by WVDE coordinators on the special education team and supported by coordinators on the school improvement team. This will be on-going for 2023 and can be measured in the SSIP evaluation plan under items 1.a, 1.b, and 3.b.  
  
• Connect High School to the Three E’s: Education, Employment, and Enlistment -- Ensure students are future-focused and prepared for the workforce of today and tomorrow by providing multiple opportunities to explore post-secondary options for education, employment, and enlistment. The SSIP is already aligned to this goal and as such was restructured in 2021-2022 as West Virginia Guideposts to Graduation (WVGtG) to represent the different pathways and supports available to students with disabilities on their journey toward graduation with a regular high school diploma. The special education team also provides technical assistance related to Everyday Living Skills to support students with disabilities who struggle with independent living skills. This will be on-going for 2023 and can be measured in the SSIP evaluation plan under items 1.b, 3a, and 3.b.  
  
• Foster Educational Innovation/Simulated Workplace with Internships/Apprenticeships -- Encourage educators to think beyond the boundaries of traditional curriculum and create engaging environments for all learners. Students must be provided with opportunities to think critically and develop academic and technical skill sets needed to meet the challenges of the ever-changing global society. Simulated Workplace transforms the traditional classroom into an authentic workplace environment. Classroom 2 Career is a one-stop website designed to help students navigate the future by providing information on careers, colleges, military service, entrepreneurship, and on-the-job training. Expansion of Career Technical programs in middle school empowers students to explore potential careers in 16 career clusters through hands-on, inquiry-based projects chosen by students. This will be on-going for 2023 and can be measured in the SSIP evaluation plan under item 2.b.  
  
• Build Impactful Relationships at State and Local Levels -- The work requires the collective efforts of partners and stakeholders across the state. The WVDE will enlist the involvement of these partners allowing the work to be more collaborative and leading to outcomes that will be transformative for the students of West Virginia and the state as a whole. This will be on-going for 2023 and can be measured under all items in the SSIP evaluation plan.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

January - June 2023  
Development and pilot for CANVAS Platform course titled "Writing High Quality Secondary Transition Plans". The foundations for this course were developed by WestEd and purchased with authorization to adapt as needed to align with West Virginia special education policies. WVDE/SES team will pilot as a "resource course" that is available free anyone with a WVDE email address and will provide resources without assignments or quizzes. Beginning with the 2023-2024 school year, this resource will expand to include a credit bearing option for those seeking continuing education credit (fees for credit-bearing courses are set by the certification office). The “resource course” will continue to be offered free of charge to all educators in West Virginia.   
  
February 2023  
The SSIP Community of Practice will hear a presentation from the WVDE coordinator for Career and Technical Education on the opportunities available for students with disabilities. The expected outcomes will include expanded choices for educational opportunities for students with disabilities ages 14-21, which will then promote student and family engagement toward improved graduation outcomes.   
  
March 2023  
Federal Programs/Special Education Directors (most of whom are engaged in the SSIP work) will be participating in a collaborative 2-day workshop on choosing and implementing evidence-based practices. Data will be collected using post-session survey responses. Expected outcomes include systemic improvements to policies and procedures that include evidence-based practices for both general and special education priorities.   
  
May 2023  
The SSIP Coordinator will be attending the NTACT:C Capacity Building Institute to work on an interagency agreement that meets the needs of state and local stakeholders. Also invited to this event are representatives from WVDRS, WVPTI, and the president of WV CASE. By improving and expanding upon these relationships, collaboration and cooperation will improve between state level organizations.   
  
June 2023  
During a 5-day statewide leadership academy SSIP participants will present local level improvement activities from the 2022-23 school year. Data will be collected using post-session survey responses. Expected outcomes include prioritizing local level implementation teams to benefit all students and improve graduation outcomes for students with disabilities.  
  
July - September 2023  
Provide competitive grant opportunity for LEAs to supplement implementation of EBPs for improved graduation outcomes for students with disabilities.   
  
September - December 2023   
Continue implementing as outlined in the Theory of Action and the Evaluation Plan  
Continue planning for additional supports and materials

**Describe any newly identified barriers and include steps to address these barriers.**

GOVERNANCE ISSUES - there have been three (3) State Superintendents since 2019. With each change in leadership there is greater potential for decreased momentum related to systems change work as state and local personnel adjust to different leadership styles and priorities. To mitigate the impact on leadership turnover, the SSIP has and will continue to work on supporting implementation teams at state and local levels.   
  
CONTINUED STAFFING SHORTAGES  
Staff turnover or reassignment of duties creates a lack of experienced high school special educators with the depth of knowledge required for compliant transition planning. A recent article on teacher shortages in West Virginia succinctly articulates the challenge of classrooms being filled with less than fully certified teachers - "In 2021, there were reportedly 1,196 teacher vacancies across West Virginia. With approximately 23,000 teachers employed by the state, this equates to roughly 5% of teaching positions. In 2019, the West Virginia Department of Education (WVDE) identified several subject areas as being in critical need, including special education, counseling, math and elementary education." [https://wvexecutive.com/national-teacher-shortage/].   
  
In addition, staff turnover and infrastructure changes at the state level, including at WVDE and WV Division of Rehabilitation Services (WVDRS), have potential impact on the state's ability to provide timely training opportunities to bridge gaps in practitioner knowledge. A March 2022 survey of special education directors across WV indicated a need for consistent support and training from both WVDE and WVDRS related to transition planning and delivery of transition services, more options for work-based learning experiences, resources for transition assessments, and networking opportunities to support families/students with post-secondary options. To address inconsistencies in delivery of transition services the SSIP Coordinator and WVDRS coordinator began meeting monthly during SY2022-2023 with OSEP funded TA Centers to develop training and supports for LEAs related to secondary transition planning. It is expected that over the next few years, this alignment of training and supports will improve transition planning and service delivery for students with disabilities in West Virginia.

**Provide additional information about this indicator (optional).**

## 17 - Prior FFY Required Actions

None

## 17 - OSEP Response

## 17 - Required Actions

# Certification

**Instructions**

**Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.**

**Certify**

**I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.**

**Select the certifier’s role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

**Name:**

Jonathan Shank

**Title:**

IDEA Part B Data Manager

**Email:**

jonathan.shank@k12.wv.us

**Phone:**

304-558-2696

**Submitted on:**

04/27/23 11:25:50 AM

# Determination Enclosures

## RDA Matrix

**West Virginia**

2023 Part B Results-Driven Accountability Matrix

**Results-Driven Accountability Percentage and Determination[[4]](#footnote-5)**

| **Percentage (%)** | **Determination** |
| --- | --- |
| 79.86% | Meets Requirements |

**Results and Compliance Overall Scoring**

|  | **Total Points Available** | **Points Earned** | **Score (%)** |
| --- | --- | --- | --- |
| **Results** | 24 | 17 | 70.83% |
| **Compliance** | 18 | 16 | 88.89% |

**2023 Part B Results Matrix**

**Reading Assessment Elements**

| **Reading Assessment Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 96% | 2 |
| **Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 93% | 2 |
| **Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | 21% | 1 |
| **Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | 93% | 1 |
| **Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | 17% | 0 |
| **Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | 91% | 1 |

**Math Assessment Elements**

| **Math Assessment Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 95% | 2 |
| **Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments** | 93% | 2 |
| **Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | 35% | 0 |
| **Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | 93% | 1 |
| **Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress** | 11% | 0 |
| **Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress** | 92% | 1 |

**Exiting Data Elements**

| **Exiting Data Elements** | **Performance (%)** | **Score** |
| --- | --- | --- |
| **Percentage of Children with Disabilities who Dropped Out** | 6 | 2 |
| **Percentage of Children with Disabilities who Graduated with a Regular High School Diploma\*\*** | 84 | 2 |

\*\*When providing exiting data under section 618 of the IDEA, States are required to report on the number of students with disabilities who exited an educational program through receipt of a regular high school diploma. These students meet the same standards for graduation as those for students without disabilities. As explained in 34 C.F.R. § 300.102(a)(3)(iv), in effect June 30, 2017, “the term regular high school diploma means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.”

**2023 Part B Compliance Matrix**

| **Part B Compliance Indicator[[5]](#footnote-6)** | **Performance (%)** | **Full Correction of Findings of Noncompliance Identified in FFY 2020** | **Score** |
| --- | --- | --- | --- |
| **Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.** | 0.00% | YES | 2 |
| **Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.** | 0.00% | N/A | 2 |
| **Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.** | 2.56% | N/A | 2 |
| **Indicator 11: Timely initial evaluation** | 97.02% | NO | 2 |
| **Indicator 12: IEP developed and implemented by third birthday** | 98.83% | YES | 2 |
| **Indicator 13: Secondary transition** | 71.99% | YES | 0 |
| **Timely and Accurate State-Reported Data** | 97.62% |  | 2 |
| **Timely State Complaint Decisions** | 100.00% |  | 2 |
| **Timely Due Process Hearing Decisions** | N/A |  | N/A |
| **Longstanding Noncompliance** |  |  | 2 |
| **Specific Conditions** | None |  |  |
| **Uncorrected identified noncompliance** | None |  |  |

## Data Rubric

**West Virginia**

FFY 2021 APR[[6]](#footnote-7)

|  | **Part B Timely and Accurate Data -- SPP/APR Data** |  |
| --- | --- | --- |
| **APR Indicator** | **Valid and Reliable** | **Total** |
| **1** | 1 | 1 |
| **2** | 1 | 1 |
| **3A** | 1 | 1 |
| **3B** | 1 | 1 |
| **3C** | 1 | 1 |
| **3D** | 1 | 1 |
| **4A** | 1 | 1 |
| **4B** | 1 | 1 |
| **5** | 1 | 1 |
| **6** | 1 | 1 |
| **7** | 1 | 1 |
| **8** | 1 | 1 |
| **9** | 1 | 1 |
| **10** | 1 | 1 |
| **11** | 1 | 1 |
| **12** | 1 | 1 |
| **13** | 1 | 1 |
| **14** | 1 | 1 |
| **15** | 1 | 1 |
| **16** | 1 | 1 |
| **17** | 1 | 1 |
|  | **Subtotal** | 21 |
| **APR Score Calculation** | **Timely Submission Points** - If the FFY 2021 APR was submitted on-time, place the number 5 in the cell on the right. | 5 |
|  | **Grand Total** - (Sum of Subtotal and Timely Submission Points) = | 26 |

|  |  | **618 Data[[7]](#footnote-8)** |  |  |
| --- | --- | --- | --- | --- |
| **Table** | **Timely** | **Complete Data** | **Passed Edit Check** | **Total** |
| **Child Count/**  **Ed Envs**  **Due Date: 4/6/22** | 1 | 1 | 1 | 3 |
| **Personnel Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **Exiting Due Date: 11/2/22** | 1 | 0 | 1 | 2 |
| **Discipline Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **State Assessment Due Date: 12/21/2022** | 1 | 1 | 1 | 3 |
| **Dispute Resolution Due Date: 11/2/22** | 1 | 1 | 1 | 3 |
| **MOE/CEIS Due Date: 5/4/22** | 1 | 1 | 1 | 3 |
|  |  |  | **Subtotal** | 20 |
| **618 Score Calculation** |  |  | **Grand Total** (Subtotal X 1.23809524) = | 24.76 |

| **Indicator Calculation** |  |
| --- | --- |
| A. APR Grand Total | 26 |
| B. 618 Grand Total | 24.76 |
| C. APR Grand Total (A) + 618 Grand Total (B) = | 50.76 |
| Total N/A Points in APR Data Table Subtracted from Denominator | 0 |
| Total N/A Points in 618 Data Table Subtracted from Denominator | 0.00 |
| **Denominator** | 52.00 |
| D. Subtotal (C divided by Denominator\*) = | 0.9762 |
| E. Indicator Score (Subtotal D x 100) = | 97.62 |

**\*Note that any cell marked as N/A in the APR Data Table will decrease the denominator by 1, and any cell marked as N/A in the 618 Data Table will decrease the denominator by 1.23809524.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**APR and 618 -Timely and Accurate State Reported Data**

**DATE: February 2023 Submission**

**SPP/APR Data**

**1) Valid and Reliable Data** - Data provided are from the correct time period, are consistent with 618 (when appropriate) and the measurement, and are consistent with previous indicator data (unless explained).

**Part B 618 Data**

**1) Timely** – A State will receive one point if it submits all EDFacts files or the entire EMAPS survey associated with the IDEA Section 618 data collection to ED by the initial due date for that collection (as described the table below).

|  |  |  |
| --- | --- | --- |
| **618 Data Collection** | **EDFacts Files/ EMAPS Survey** | **Due Date** |
| Part B Child Count and Educational Environments | C002 & C089 | 1st Wednesday in April |
| Part B Personnel | C070, C099, C112 | 1st Wednesday in November |
| Part B Exiting | C009 | 1st Wednesday in November |
| Part B Discipline | C005, C006, C007, C088, C143, C144 | 1st Wednesday in November |
| Part B Assessment | C175, C178, C185, C188 | Wednesday in the 3rd week of December (aligned with CSPR data due date) |
| Part B Dispute Resolution | Part B Dispute Resolution Survey in EMAPS | 1st Wednesday in November |
| Part B LEA Maintenance of Effort Reduction and Coordinated Early Intervening Services | Part B MOE Reduction and CEIS Survey in EMAPS | 1st Wednesday in May |

**2) Complete Data** – A State will receive one point if it submits data for all files, permitted values, category sets, subtotals, and totals associated with a specific data collection by the initial due date. No data is reported as missing. No placeholder data is submitted. The data submitted to EDFacts aligns with the metadata survey responses provided by the state in the State Supplemental Survey IDEA (SSS IDEA) and Assessment Metadata survey in EMAPS. State-level data include data from all districts or agencies.

**3) Passed Edit Check –** A State will receive one point if it submits data that meets all the edit checks related to the specific data collection by the initial due date. The counts included in 618 data submissions are internally consistent within a data collection

## Dispute Resolution



## How the Department Made Determinations

Below is the location of How the Department Made Determinations (HTDMD) on OSEP’s IDEA Website.  How the Department Made Determinations in 2023 will be posted in June 2023. Copy and paste the link below into a browser to view.

[https://sites.ed.gov/idea/how-the-department-made-determinations/](https://nam10.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsites.ed.gov%2Fidea%2Fhow-the-department-made-determinations%2F&data=05%7C01%7Cdan.royal%40aemcorp.com%7C56561a053eed4e4dffea08db4cd0ea7f%7C7a41925ef6974f7cbec30470887ac752%7C0%7C0%7C638188232405320922%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=REJfNg%2BRs0Gk73rS2KzO2SIVRCUhHLglGd6vbm9wEwc%3D&reserved=0)

1. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-2)
2. Percentage blurred due to privacy protection. [↑](#footnote-ref-3)
3. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-4)
4. For a detailed explanation of how the Compliance Score, Results Score, and the Results-Driven Accountability Percentage and Determination were calculated, review "How the Department Made Determinations under Section 616(d) of the *Individuals with Disabilities Education Act* in 2023: Part B." [↑](#footnote-ref-5)
5. The complete language for each indicator is located in the Part B SPP/APR Indicator Measurement Table at: <https://sites.ed.gov/idea/files/2023_Part-B_SPP-APR_Measurement_Table.pdf> [↑](#footnote-ref-6)
6. In the SPP/APR Data table, where there is an N/A in the Valid and Reliable column, the Total column will display a 0. This is a change from prior years in display only; all calculation methods are unchanged. An N/A does not negatively affect a State's score; this is because 1 point is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the SPP/APR Data table. [↑](#footnote-ref-7)
7. In the 618 Data table, when calculating the value in the Total column, any N/As in the Timely, Complete Data, or Passed Edit Checks columns are treated as a ‘0’. An N/A does not negatively affect a State's score; this is because 1.23809524 points is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the 618 Data table. [↑](#footnote-ref-8)