

CADRE State Dispute Resolution Summary Report

Prepared by CADRE, the Center for Appropriate Dispute Resolution in Special Education, based on Annual Performance Report and IDEA Section 618 Dispute Resolution data reported to the Office of Special Education Programs of the U. S. Education Department.*

School Year 2004-05		WEST VIRGINIA		Total Child Count (ages 3 to 21):		50,377	% Served (ages 6 to 17):		16.09%		
<u>Written Complaints</u>		Reported	Per 10K	<u>Mediations</u>		Reported	Per 10K	<u>Due Process Hearings</u>		Reported	Per 10K
(1) Filed	56	11.1	(1) Requests	28	5.6	(3) Requests	18	3.6			
(1.1) Reports Issued	30	6.0	(2.1)(a) Held, DP Related	4	0.8	(3.1) Resolution Meetings	0	0.0			
(1.1)(a) Reports with Findings	20	4.0	(2.1)(a)(i) Agreements, DP Related	2	0.4	(3.1)(a) Settlement Agreements	0	0.0			
[Reports with No Findings]	10	2.0	(2.1)(b) Held, Not DP Related	20	4.0	(3.2) Held (Fully Adjudicated)	6	1.2			
(1.1)(b) Completed w/in 60 Days	19	3.8	(2.1)(b)(i) Agreements, Not DP Related	15	3.0	(3.2)(a) Decisions w/in 45 Days	1	0.2			
(1.1)(c) Completed w/in Extension	8	1.6	[Total Held]	24	4.8	(3.2)(b) Decisions w/in Extension	5	1.0			
[Total w/in Timelines]	27	5.4	[Total Agreements]	17	3.4	[Decisions Within Timelines]	6	1.2			
(1.2) Withdrawn or Dismissed	25	5.0	(2.2) Mediations Not Held	4	0.8	[Pending]	1	0.2			
(1.3) Pending	1	0.2				(3.3) Resolved w/o a Hearing	11	2.2			
(1.3)(a) Pending Hearing	1	0.2									
<u>Expedited Due Process Hearings**</u>											
						(4) Expedited Hearing Requests	0	0.0			
						(4.1) [Expedited] Resolution Sessions	0	0.0			
						(4.1)(a) [Expedited] Settlement Agreements	0	0.0			
						(4.2) Expedited Hearings (fully adjudicated)	0	0.0			
						(4.2)(a) Change of Placement Ordered	0	0.0			

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

* Sources: 2004-05 and 2005-06 data are from State APRs, Table 7, compiled by CADRE; 2006-07 and 2007-08 are Section 618 data from the Westat/Data Accountability Center, files = <2006-07 (csv) - Updated> and <2007-08 (csv)>, available at: <https://www.ideadata.org/PartBDispRes.asp>.

** Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

School Year 2005-06 WEST VIRGINIA Total Child Count (ages 3 to 21): 49,677 % Served (ages 6 to 17): 15.90%

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Hearings</u>	Reported	Per 10K
(1) Filed	46	9.3	(1) Requests	9	1.8	(3) Requests	13	2.6
(1.1) Reports Issued	31	6.2	(2.1)(a) Held, DP Related	4	0.8	(3.1) Resolution Meetings	2	0.4
(1.1)(a) Reports with Findings	24	4.8	(2.1)(a)(i) Agreements, DP Related	2	0.4	(3.1)(a) Settlement Agreements	2	0.4
[Reports with No Findings]	7	1.4	(2.1)(b) Held, Not DP Related	2	0.4	(3.2) Held (Fully Adjudicated)	1	0.2
(1.1)(b) Completed w/in 60 Days	17	3.4	(2.1)(b)(i) Agreements, Not DP Related	1	0.2	(3.2)(a) Decisions w/in 45 Days	0	0.0
(1.1)(c) Completed w/in Extension	14	2.8	[Total Held]	6	1.2	(3.2)(b) Decisions w/in Extension	1	0.2
[Total w/in Timelines]	31	6.2	[Total Agreements]	3	0.6	[Decisions Within Timelines]	1	0.2
(1.2) Withdrawn or Dismissed	15	3.0	(2.2) Mediations Not Held	3	0.6	[Pending]	1	0.2
(1.3) Pending	0	0.0				(3.3) Resolved w/o a Hearing	11	2.2
(1.3)(a) Pending Hearing	0	0.0						
						<u>Expedited Due Process Hearings**</u>		
						(4) Expedited Hearing Requests	0	0.0
						(4.1) [Expedited] Resolution Sessions	0	0.0
						(4.1)(a) [Expedited] Settlement Agreements	0	0.0
						(4.2) Expedited Hearings (fully adjudicated)	0	0.0
						(4.2)(a) Change of Placement Ordered	0	0.0

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

* Sources: 2004-05 and 2005-06 data are from State APRs, Table 7, compiled by CADRE; 2006-07 and 2007-08 are Section 618 data from the Westat/Data Accountability Center, files = <2006-07 (csv) - Updated> and <2007-08 (csv)>, available at: <https://www.ideadata.org/PartBDispRes.asp>.

** Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

School Year 2006-07 WEST VIRGINIA Total Child Count (ages 3 to 21): 49,054 % Served (ages 6 to 17): 15.44%

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Hearings</u>	Reported	Per 10K
(1) Filed	48	9.8	(1) Requests	6	1.2	(3) Requests	14	2.9
(1.1) Reports Issued	24	4.9	(2.1)(a) Held, DP Related	2	0.4	(3.1) Resolution Meetings	6	1.2
(1.1)(a) Reports with Findings	21	4.3	(2.1)(a)(i) Agreements, DP Related	0	0.0	(3.1)(a) Settlement Agreements	6	1.2
[Reports with No Findings]	3	0.6	(2.1)(b) Held, Not DP Related	2	0.4	(3.2) Held (Fully Adjudicated)	1	0.2
(1.1)(b) Completed w/in 60 Days	11	2.2	(2.1)(b)(i) Agreements, Not DP Related	2	0.4	(3.2)(a) Decisions w/in 45 Days	0	0.0
(1.1)(c) Completed w/in Extension	13	2.7	[Total Held]	4	0.8	(3.2)(b) Decisions w/in Extension	1	0.2
[Total w/in Timelines]	24	4.9	[Total Agreements]	2	0.4	[Decisions Within Timelines]	1	0.2
(1.2) Withdrawn or Dismissed	24	4.9	(2.2) Mediations Not Held	2	0.4	[Pending]	1	0.2
(1.3) Pending	0	0.0				(3.3) Resolved w/o a Hearing	12	2.4
(1.3)(a) Pending Hearing	0	0.0						
						<u>Expedited Due Process Hearings**</u>		
						(4) Expedited Hearing Requests	2	0.4
						(4.1) [Expedited] Resolution Sessions	2	0.4
						(4.1)(a) [Expedited] Settlement Agreements	2	0.4
						(4.2) Expedited Hearings (fully adjudicated)	0	0.0
						(4.2)(a) Change of Placement Ordered	0	0.0

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

* Sources: 2004-05 and 2005-06 data are from State APRs, Table 7, compiled by CADRE; 2006-07 and 2007-08 are Section 618 data from the Westat/Data Accountability Center, files = <2006-07 (csv) - Updated> and <2007-08 (csv)>, available at: <https://www.ideadata.org/PartBDispRes.asp>.

** Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

