



## **IDEA Dispute Resolution Data Summary for: West Virginia 2010-11 to 2020-21**

The Individuals with Disabilities Education Act (IDEA) requires states and entities receiving IDEA grants to make available four dispute resolution processes and report annually on each to the U.S. Department of Education Office of Special Education Programs (OSEP). The four dispute resolution processes include written state complaints, mediation, due process complaints, and resolution meetings associated with due process.

The purpose of this summary is to provide a historical look at dispute resolution data and to assist with the identification of trends and changes in the use of the IDEA dispute resolution processes over time. Additional summaries can be found on the CADRE website at:

<http://www.cadeworks.org/resources/cadre-materials/state-part-b-dispute-resolution-data-summaries>

This summary features data for school years ("SY" July 1-June 30) 2010-11 through 2020-21 drawn from CADRE's National Longitudinal Database. Data are collected from the following sources: [1] from SY 2010 to the present, Section 618 data collected by the Data Accountability Center (DAC) and, as of SY 2011, reported to EDFacts; [2] data published in OSEP's Annual Report to Congress; and [3] data adjustments collected from states by CADRE after OSEP data were locked.

CADRE examines dispute resolution data for internally inconsistent values (based on report element definitions). When inconsistent values are found they are reconciled with OSEP. States are encouraged to submit notes or explanations regarding any conditions, anomalies, or corrections relating to the data included herein. CADRE is looking to improve the usefulness of these reports. Please provide us your input by responding to a brief survey at:

<https://www.surveymonkey.com/r/datasummary>

### Contents:

Page 1: Cover Sheet

Pages 2 - 10: The following charts (for SY 2010-11 through 2020-21):

- 1) Total Dispute Resolution Activity by State/Entity per 10K Child Count: 2020-21
- 2) IDEA Dispute Resolution Activity per 10K Child Count
- 3) IDEA Dispute Resolution Activity
- 4) Relative Use of Dispute Resolution Options
- 5) Aggregate Use of Dispute Resolution Options
- 6) Written State Complaint Activity per 10K Child Count
- 7) Mediation Activity per 10K Child Count
- 8) Due Process Complaint Activity per 10K Child Count
- 9) Timeliness of Due Process Hearing Decisions per 10K Child Count
- 10) Relative Disposition of Due Process Complaints

Pages 11 - 22: Annual dispute resolution data summaries (for SY 2010-11 through 2020-21).

For clarification or assistance, contact:

Melanie Reese, Ph.D.

[cadre@directionservice.org](mailto:cadre@directionservice.org)

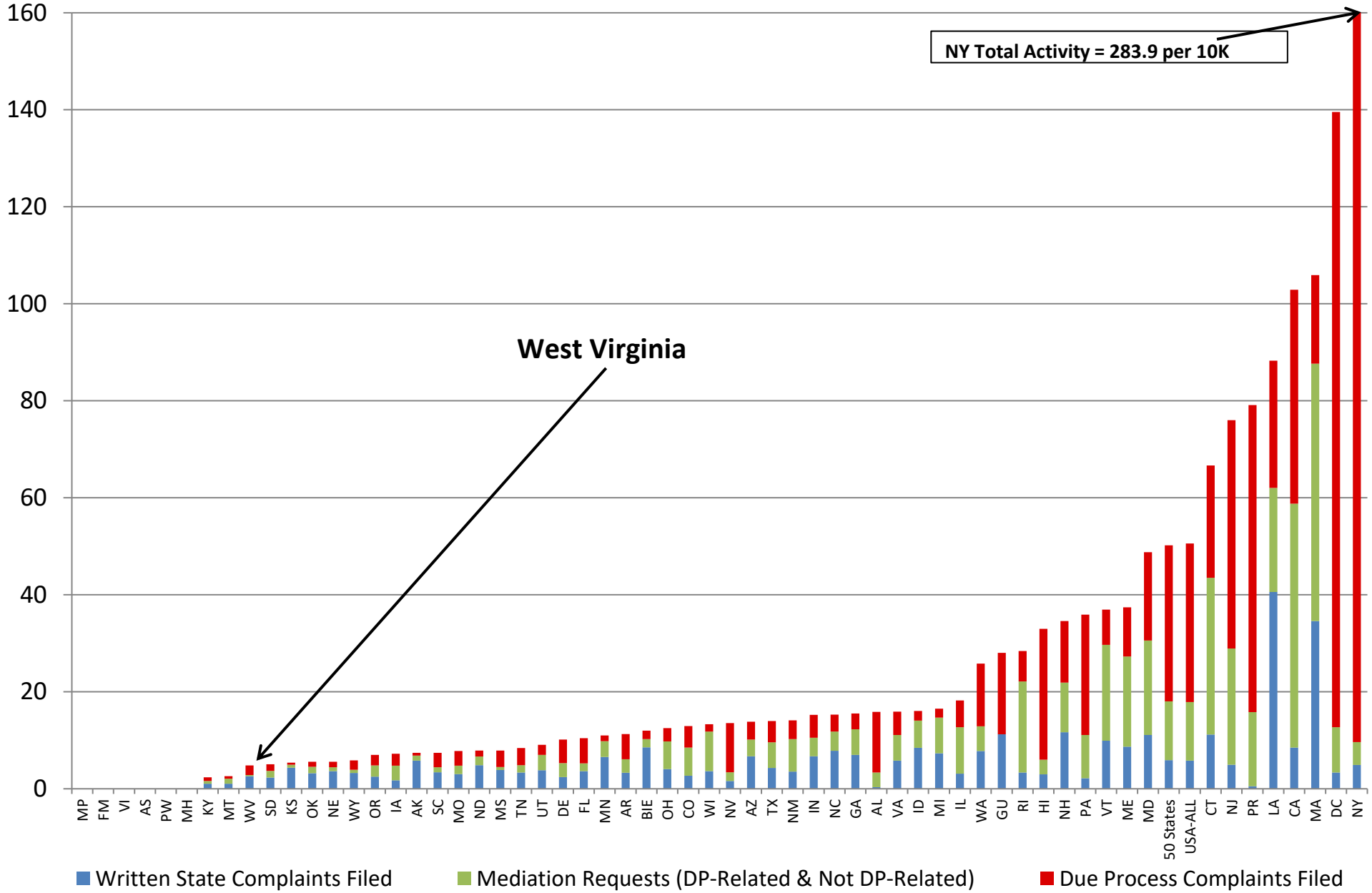
or call (541) 359-4210

Created by CADRE:

10/5/2022 5:34 PM

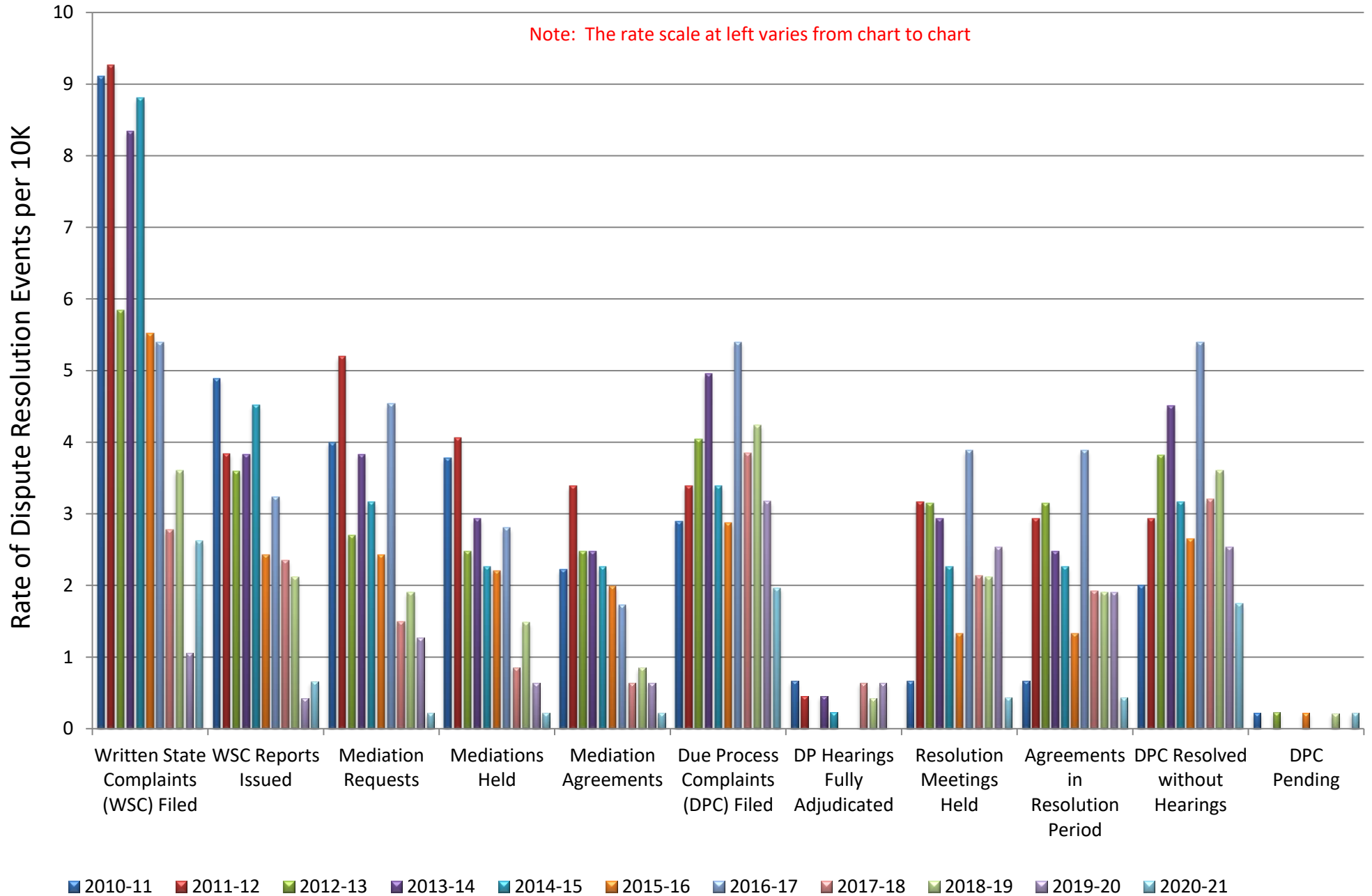


# Total Dispute Resolution Activity by State/Entity per 10K Child Count: 2020-21



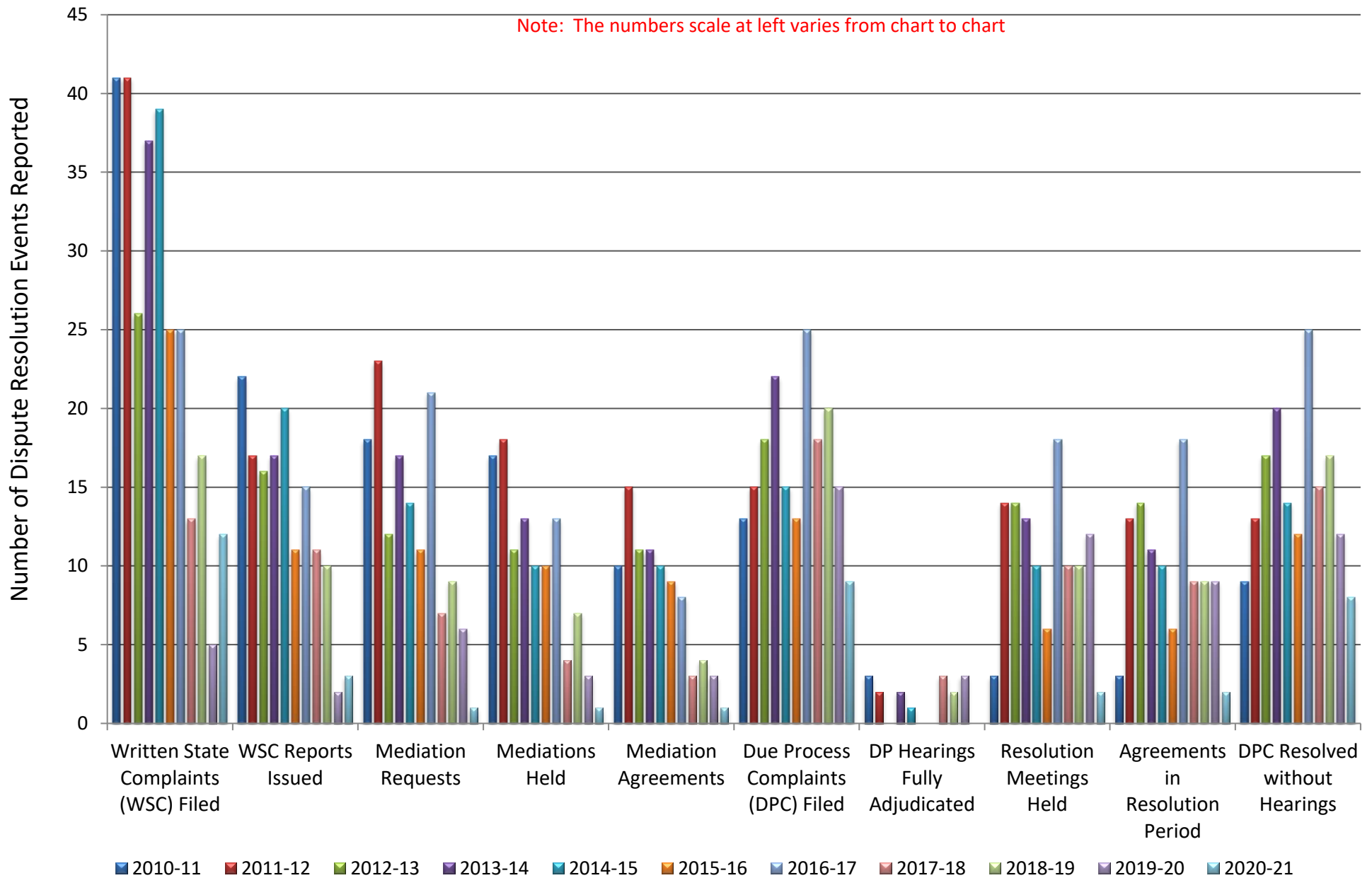


# IDEA Dispute Resolution Activity per 10K Child Count: West Virginia





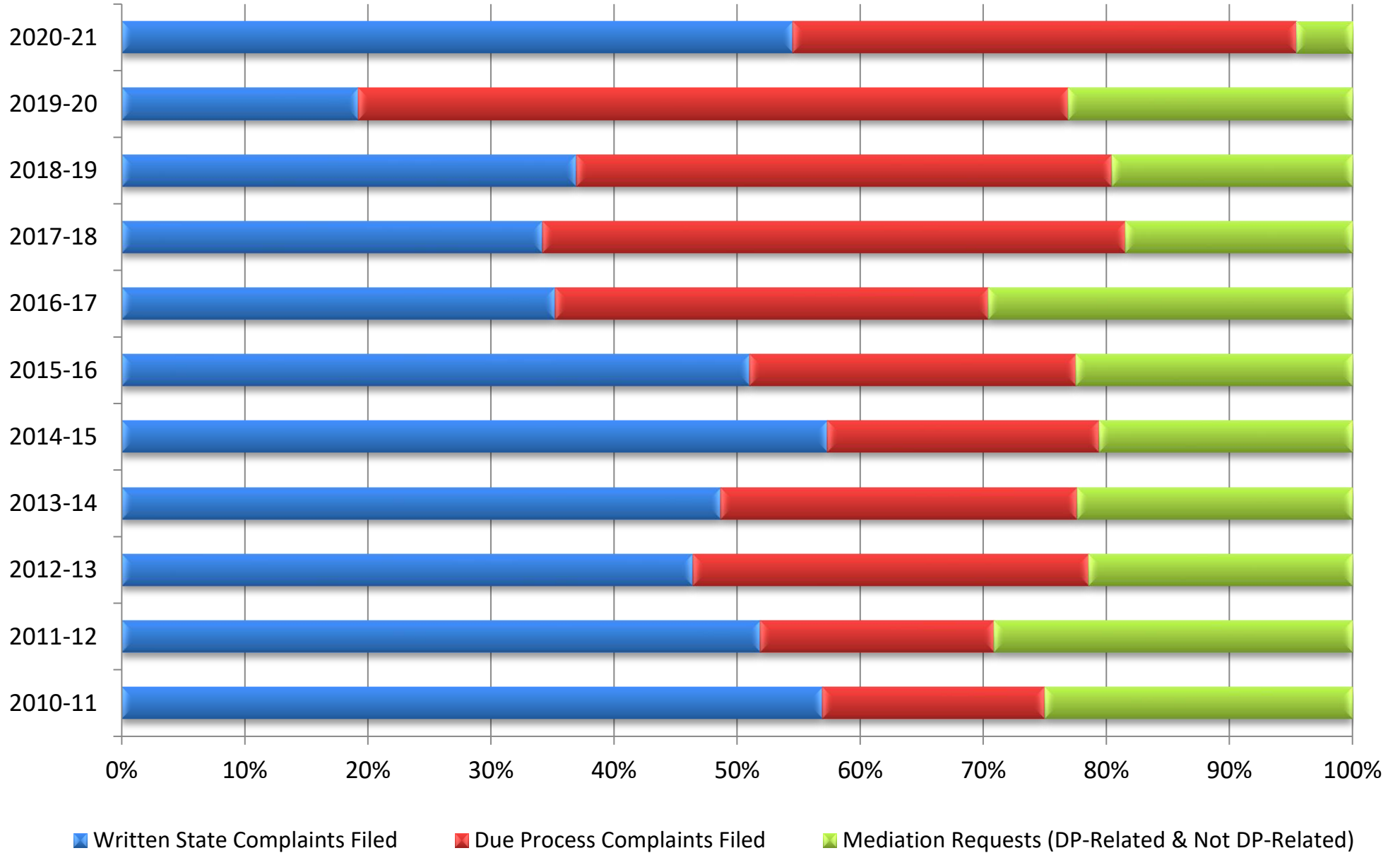
# IDEA Dispute Resolution Activity: West Virginia





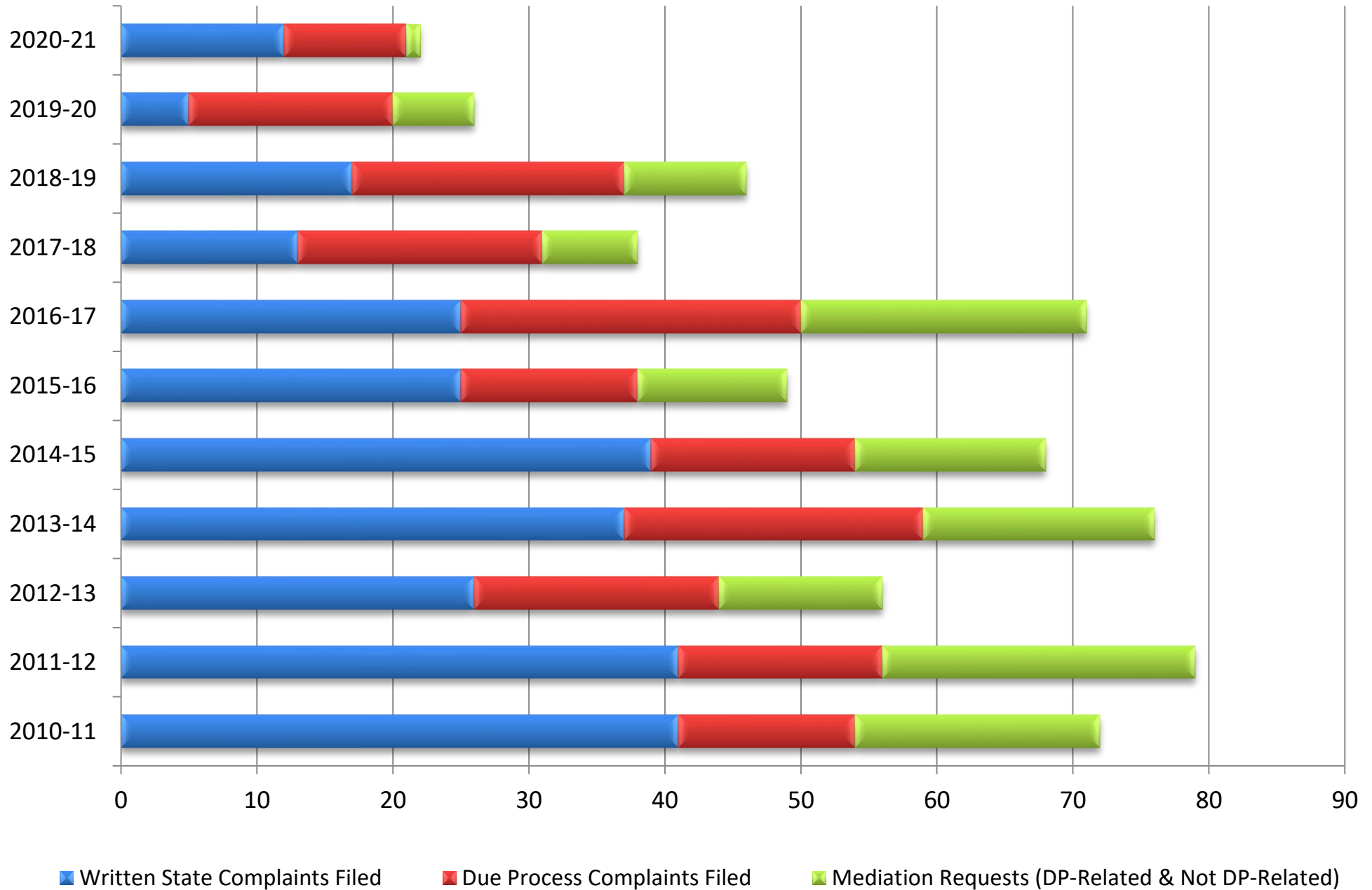
# Relative Use of Dispute Resolution Options: West Virginia

Note: 100% = The sum of requests for all dispute resolution processes



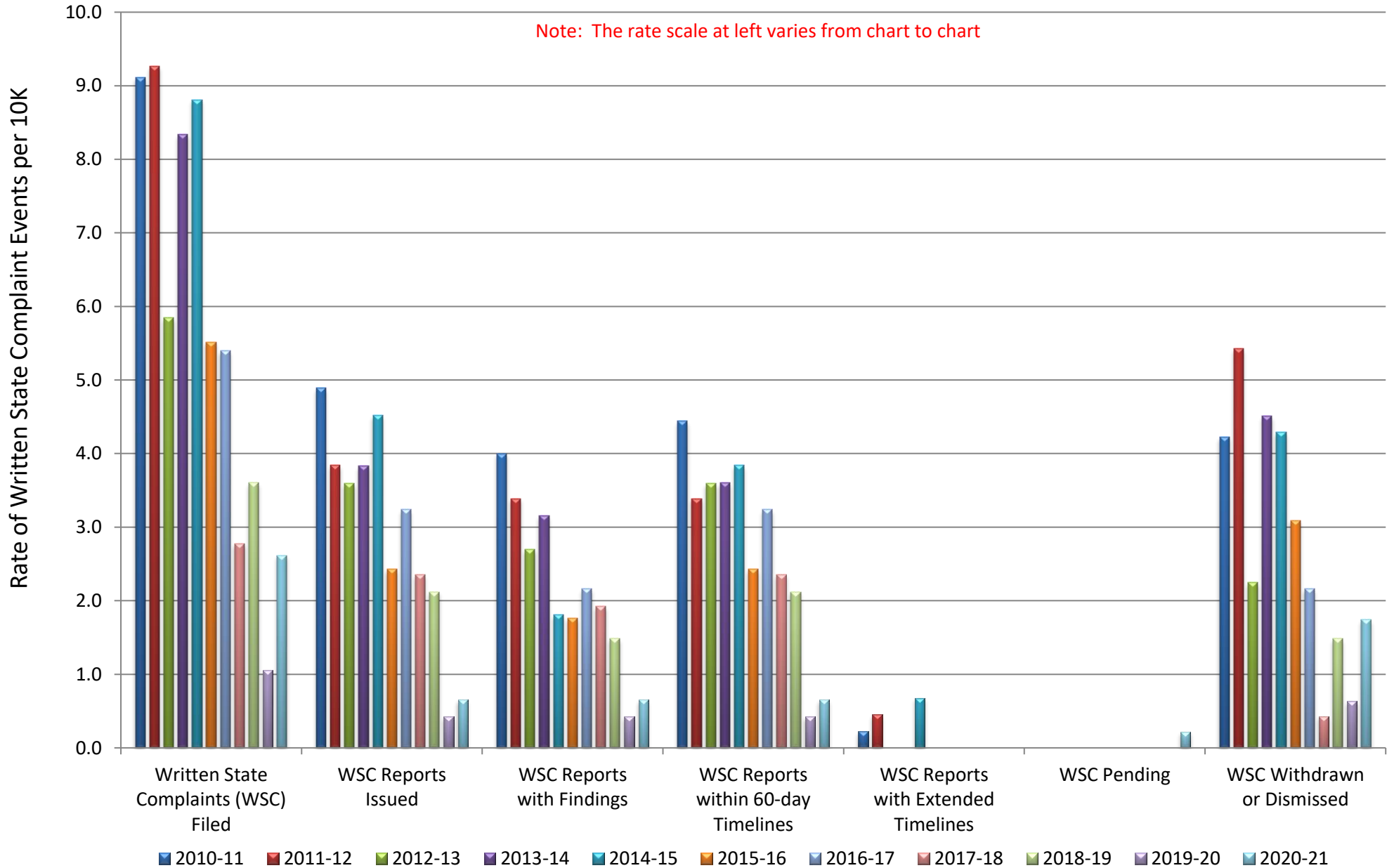


# Aggregate Use of Dispute Resolution Options: West Virginia



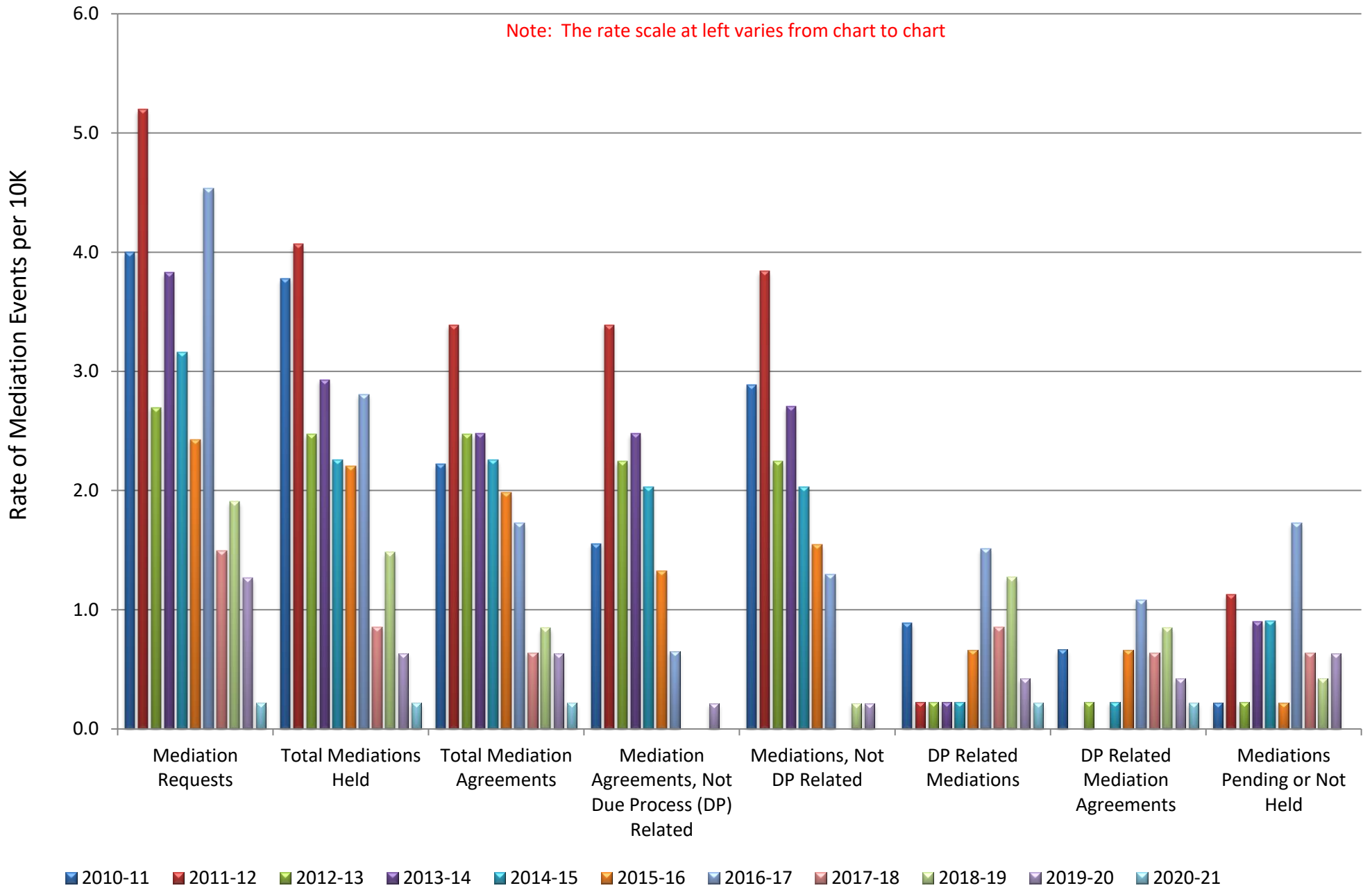


# Written State Complaint Activity per 10K Child Count: West Virginia





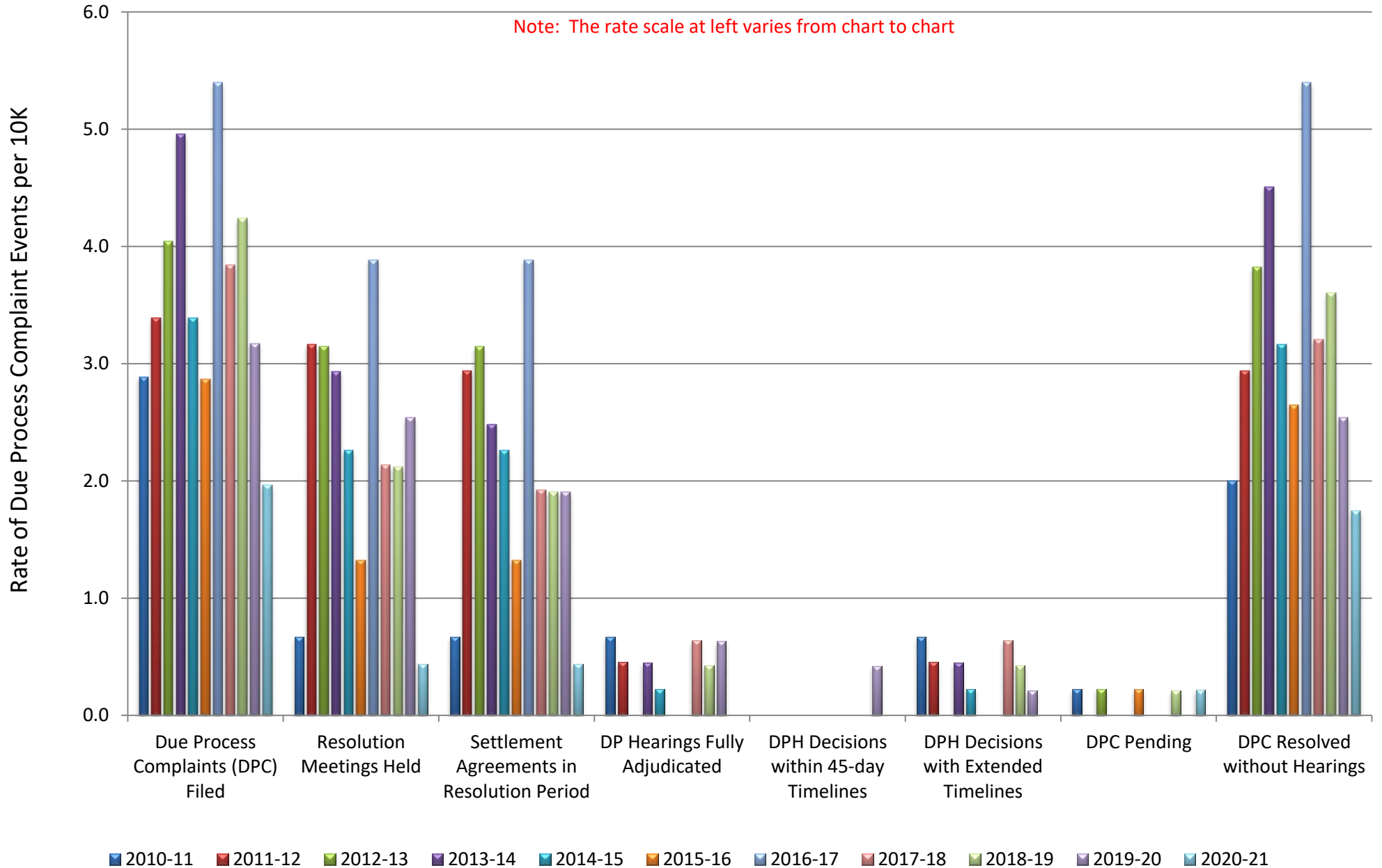
# Mediation Activity per 10K Child Count: West Virginia





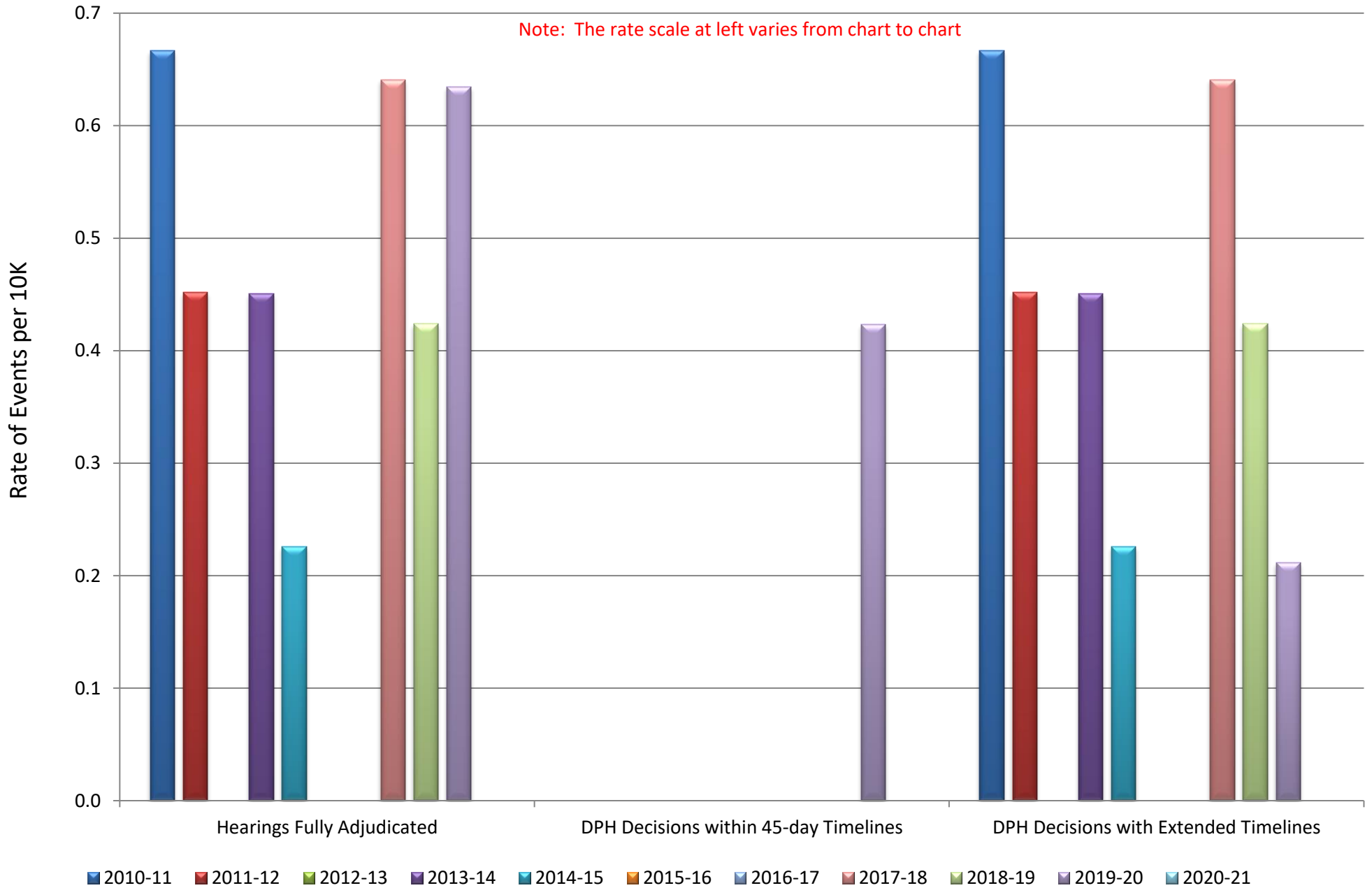


# Due Process Complaint Activity per 10K Child Count: West Virginia



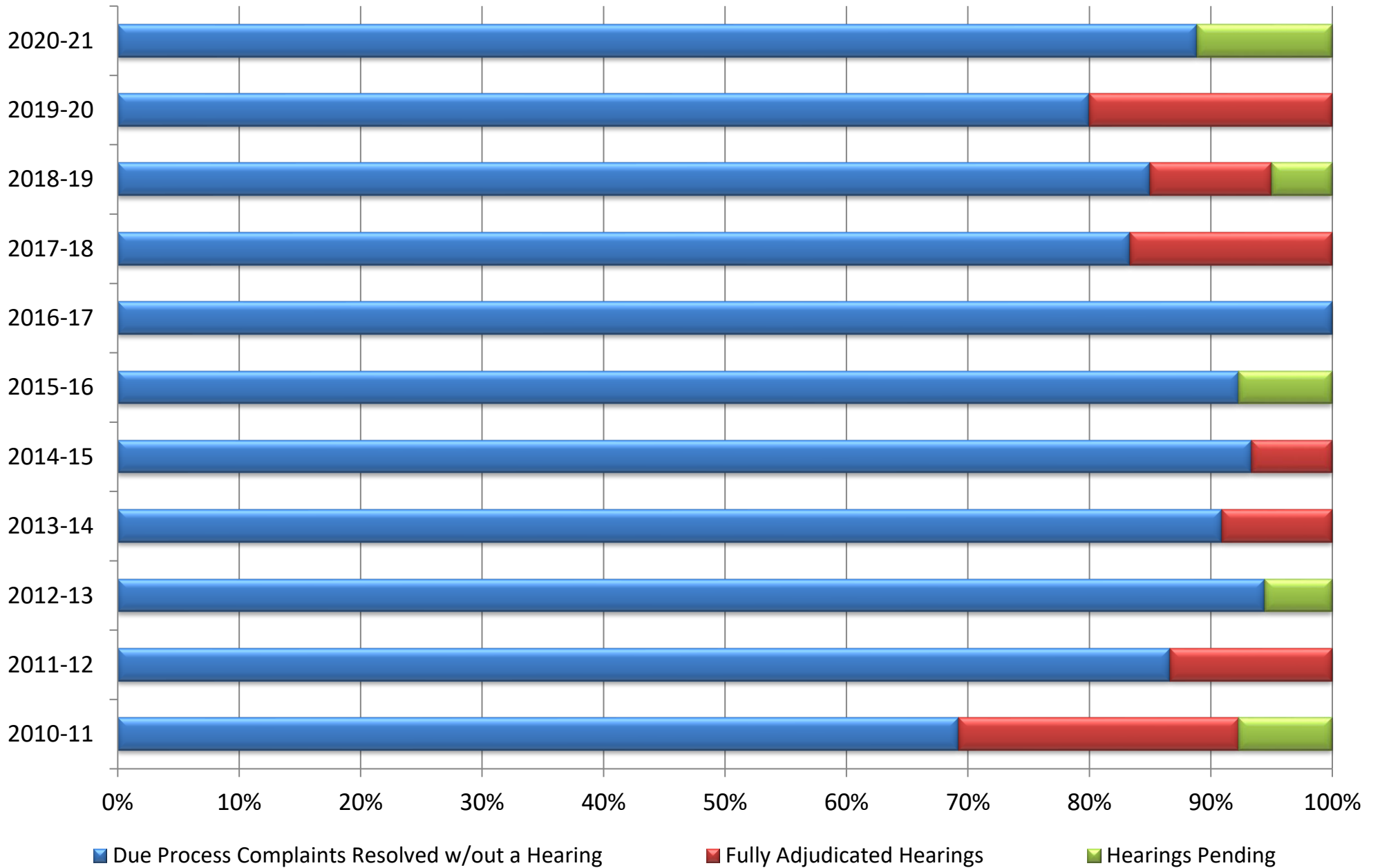


# Timeliness of Due Process Hearing Decisions per 10K Child Count: West Virginia





# Relative Disposition of Due Process Complaints: West Virginia





2010-11

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	41	9.1	7.6	4,911
Reports Issued Total	22	4.9	4.8	3,111
Reports with Findings	18	4.0	3.1	2,021
Reports within 60-Day Timeline	20	4.4	4.5	2,873
Reports within Extended Timelines	1	0.2	0.3	200
Total Reports within Timelines	21	4.7	4.8	3,073
Written State Complaints Pending	0	0.0	0.2	127
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	72
Written State Complaints Withdrawn or Dismissed	19	4.2	2.6	1,673
<b>Mediations</b>				
Mediation Requests Total	18	4.0	12.6	8,068
Mediations Held	17	3.8	8.1	5,177
Due Process-Related Mediations	4	0.9	3.9	2,501
Due Process-Related Mediation Agreements	3	0.7	2.4	1,569
Mediations Not Related to Due Process	13	2.9	4.2	2,676
Mediation Agreements Not Related to Due Process	7	1.6	3.2	2,054
Total Mediation Agreements	10	2.2	5.6	3,623
Mediations Pending	0	0.0	1.1	682
Mediations Withdrawn or Not Held	1	0.2	3.4	2,209
<b>Due Process Complaints</b>				
Due Process Complaints Filed	13	2.9	21.7	13,914
Resolution Meetings Held	3	0.7	12.2	7,841
Written Settlement Agreements in Resolution Period	3	0.7	2.3	1,487
Hearings Fully Adjudicated	3	0.7	1.3	823
Hearings Held within 45-day Timelines	3	0.0	0.3	201
Hearing Decisions within 45-day Timelines	0	0.7	0.9	549
Hearing Decisions with Extended Timelines	3	0.7	1.2	750
Due Process Complaints Pending	1	0.2	4.4	2,840
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	9	2.0	16.0	10,251
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	0	0.0	0.5	311
EHR Resolution Meetings Held	0	0.0	0.2	153
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	80
EHR Hearings Fully Adjudicated	0	0.0	0.1	35
EHR Change of Placements Ordered	0	0.0	0.0	10
EHR Pending	0	0.0	0.0	14
EHR Withdrawn, Dismissed or Resolved Without Hearings	0	0.0	0.4	262

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	41	9.3	7.7	4,893
Reports Issued Total	17	3.8	4.9	3,113
Reports with Findings	15	3.4	3.5	2,261
Reports within 60-Day Timeline	15	3.4	4.6	2,917
Reports within Extended Timelines	2	0.5	0.2	159
Total Reports within Timelines	17	3.8	4.8	3,076
Written State Complaints Pending	0	0.0	0.2	130
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	53
Written State Complaints Withdrawn or Dismissed	24	5.4	2.6	1,661
<b>Mediations</b>				
Mediation Requests Total	23	5.2	13.4	8,533
Mediations Held	18	4.1	8.7	5,576
Due Process-Related Mediations	1	0.2	4.4	2,803
Due Process-Related Mediation Agreements	0	0.0	2.6	1,670
Mediations Not Related to Due Process	17	3.8	4.3	2,773
Mediation Agreements Not Related to Due Process	15	3.4	3.3	2,117
Total Mediation Agreements	15	3.4	5.9	3,787
Mediations Pending	0	0.0	1.4	878
Mediations Withdrawn or Not Held	5	1.1	3.3	2,079
<b>Due Process Complaints</b>				
Due Process Complaints Filed	15	3.4	22.4	14,319
Resolution Meetings Held	14	3.2	12.0	7,659
Written Settlement Agreements in Resolution Period	13	2.9	2.1	1,339
Hearings Fully Adjudicated	2	0.5	1.7	1,106
Hearings Held within 45-day Timelines	2	0.0	0.4	231
Hearing Decisions within 45-day Timelines	0	0.5	1.2	764
Hearing Decisions with Extended Timelines	2	0.5	1.6	995
Due Process Complaints Pending	0	0.0	3.1	1,998
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	13	2.9	17.6	11,215
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	0	0.0	0.5	304
EHR Resolution Meetings Held	0	0.0	0.2	132
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	64
EHR Hearings Fully Adjudicated	0	0.0	0.0	27
EHR Change of Placements Ordered	0	0.0	0.0	10
EHR Pending	0	0.0	0.0	19
EHR Withdrawn, Dismissed or Resolved Without Hearings	0	0.0	0.4	258

**Notes:**

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	26	5.8	7.7	4,943
Reports Issued Total	16	3.6	4.8	3,098
Reports with Findings	12	2.7	3.2	2,045
Reports within 60-Day Timeline	16	3.6	4.5	2,876
Reports within Extended Timelines	0	0.0	0.3	200
Total Reports within Timelines	16	3.6	4.8	3,076
Written State Complaints Pending	0	0.0	0.2	147
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	49
Written State Complaints Withdrawn or Dismissed	10	2.2	2.6	1,698
<b>Mediations</b>				
Mediation Requests Total	12	2.7	13.6	8,744
Mediations Held	11	2.5	8.6	5,497
Due Process-Related Mediations	1	0.2	4.3	2,786
Due Process-Related Mediation Agreements	1	0.2	2.6	1,699
Mediations Not Related to Due Process	10	2.2	4.2	2,711
Mediation Agreements Not Related to Due Process	10	2.2	3.3	2,089
Total Mediation Agreements	11	2.5	5.9	3,788
Mediations Pending	0	0.0	1.5	973
Mediations Withdrawn or Not Held	1	0.2	3.5	2,274
<b>Due Process Complaints</b>				
Due Process Complaints Filed	18	4.0	21.8	13,987
Resolution Meetings Held	14	3.1	11.6	7,442
Written Settlement Agreements in Resolution Period	14	3.1	1.9	1,189
Hearings Fully Adjudicated	0	0.0	1.8	1,139
Hearings Held within 45-day Timelines	0	0.0	0.4	231
Hearing Decisions within 45-day Timelines	0	0.0	1.2	770
Hearing Decisions with Extended Timelines	0	0.0	1.6	1,001
Due Process Complaints Pending	1	0.2	4.8	3,100
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	17	3.8	15.2	9,748
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	0	0.0	0.5	298
EHR Resolution Meetings Held	0	0.0	0.2	150
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	72
EHR Hearings Fully Adjudicated	0	0.0	0.1	40
EHR Change of Placements Ordered	0	0.0	0.0	6
EHR Pending	0	0.0	0.0	15
EHR Withdrawn, Dismissed or Resolved Without Hearings	0	0.0	0.4	243

**Notes:**

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2013-14

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	37	8.3	7.6	4,929
Reports Issued Total	17	3.8	4.7	3,001
Reports with Findings	14	3.2	2.9	1,859
Reports within 60-Day Timeline	16	3.6	4.3	2,775
Reports within Extended Timelines	0	0.0	0.3	167
Total Reports within Timelines	16	3.6	4.6	2,942
Written State Complaints Pending	0	0.0	0.2	108
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	77
Written State Complaints Withdrawn or Dismissed	20	4.5	2.8	1,820
<b>Mediations</b>				
Mediation Requests Total	17	3.8	13.6	8,799
Mediations Held	13	2.9	8.5	5,453
Due Process-Related Mediations	1	0.2	4.5	2,889
Due Process-Related Mediation Agreements	0	0.0	2.8	1,832
Mediations Not Related to Due Process	12	2.7	4.0	2,564
Mediation Agreements Not Related to Due Process	11	2.5	3.0	1,946
Total Mediation Agreements	11	2.5	5.9	3,778
Mediations Pending	0	0.0	1.2	799
Mediations Withdrawn or Not Held	4	0.9	3.9	2,547
<b>Due Process Complaints</b>				
Due Process Complaints Filed	22	5.0	23.2	14,940
Resolution Meetings Held	13	2.9	12.2	7,852
Written Settlement Agreements in Resolution Period	11	2.5	1.8	1,140
Hearings Fully Adjudicated	2	0.5	1.9	1,221
Hearings Held within 45-day Timelines	2	0.0	0.3	219
Hearing Decisions within 45-day Timelines	0	0.5	1.4	875
Hearing Decisions with Extended Timelines	2	0.5	1.7	1,094
Due Process Complaints Pending	0	0.0	5.7	3,705
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	20	4.5	15.5	10,014
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	1	0.2	0.4	287
EHR Resolution Meetings Held	1	0.2	0.2	115
EHR Written Settlement Agreements in Resolution Period	1	0.2	0.1	70
EHR Hearings Fully Adjudicated	0	0.0	0.0	31
EHR Change of Placements Ordered	0	0.0	0.0	6
EHR Pending	0	0.0	0.0	15
EHR Withdrawn, Dismissed or Resolved Without Hearings	1	0.2	0.4	241

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2014-15

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	39	8.8	7.5	4,907
Reports Issued Total	20	4.5	4.5	2,952
Reports with Findings	8	1.8	2.8	1,857
Reports within 60-Day Timeline	17	3.8	4.2	2,777
Reports within Extended Timelines	3	0.7	0.2	142
Total Reports within Timelines	20	4.5	4.5	2,919
Written State Complaints Pending	0	0.0	0.3	191
Written State Complaints Pending Due Process Hearing	0	0.0	0.2	111
Written State Complaints Withdrawn or Dismissed	19	4.3	2.7	1,764
<b>Mediations</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Mediation Requests Total	14	3.2	14.5	9,482
Mediations Held	10	2.3	9.2	5,994
Due Process-Related Mediations	1	0.2	5.0	3,249
Due Process-Related Mediation Agreements	1	0.2	3.0	1,955
Mediations Not Related to Due Process	9	2.0	4.2	2,745
Mediation Agreements Not Related to Due Process	9	2.0	3.1	2,055
Total Mediation Agreements	10	2.3	6.1	4,010
Mediations Pending	0	0.0	1.4	924
Mediations Withdrawn or Not Held	4	0.9	3.9	2,564
<b>Due Process Complaints</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Due Process Complaints Filed	15	3.4	21.8	14,283
Resolution Meetings Held	10	2.3	10.9	7,123
Written Settlement Agreements in Resolution Period	10	2.3	1.8	1,194
Hearings Fully Adjudicated	1	0.2	1.2	805
Hearings Held within 45-day Timelines	1	0.0	0.3	209
Hearing Decisions within 45-day Timelines	0	0.2	0.8	527
Hearing Decisions with Extended Timelines	1	0.2	1.1	736
Due Process Complaints Pending	0	0.0	5.0	3,285
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	14	3.2	15.6	10,193
<b>Expedited Due Process Hearing Requests (EHR)**</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Expedited Hearing Requests (EHR) Filed	0	0.0	0.4	288
EHR Resolution Meetings Held	0	0.0	0.2	125
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	62
EHR Hearings Fully Adjudicated	0	0.0	0.0	29
EHR Change of Placements Ordered	0	0.0	0.0	5
EHR Pending	0	0.0	0.0	24
EHR Withdrawn, Dismissed or Resolved Without Hearings	0	0.0	0.4	235

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).





2015-16

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	25	5.5	8.0	5,301
Reports Issued Total	11	2.4	4.9	3,284
Reports with Findings	8	1.8	3.2	2,154
Reports within 60-Day Timeline	11	2.4	4.6	3,047
Reports within Extended Timelines	0	0.0	0.3	174
Total Reports within Timelines	11	2.4	4.8	3,221
Written State Complaints Pending	0	0.0	0.2	147
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	55
Written State Complaints Withdrawn or Dismissed	14	3.1	2.8	1,870
<b>Mediations</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Mediation Requests Total	11	2.4	12.3	8,227
Mediations Held	10	2.2	9.4	6,263
Due Process-Related Mediations	3	0.7	5.0	3,360
Due Process-Related Mediation Agreements	3	0.7	3.0	1,981
Mediations Not Related to Due Process	7	1.5	4.4	2,903
Mediation Agreements Not Related to Due Process	6	1.3	3.2	2,146
Total Mediation Agreements	9	2.0	6.2	4,127
Mediations Pending	0	0.0	0.7	480
Mediations Withdrawn or Not Held	1	0.2	2.2	1,484
<b>Due Process Complaints</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Due Process Complaints Filed	13	2.9	26.0	17,325
Resolution Meetings Held	6	1.3	11.9	7,936
Written Settlement Agreements in Resolution Period	6	1.3	2.1	1,423
Hearings Fully Adjudicated	0	0.0	1.2	833
Hearings Held within 45-day Timelines	0	0.0	0.3	216
Hearing Decisions within 45-day Timelines	0	0.0	0.8	529
Hearing Decisions with Extended Timelines	0	0.0	1.1	745
Due Process Complaints Pending	1	0.2	8.8	5,890
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	12	2.6	15.9	10,602
<b>Expedited Due Process Hearing Requests (EHR)**</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Expedited Hearing Requests (EHR) Filed	1	0.2	0.5	336
EHR Resolution Meetings Held	0	0.0	0.2	142
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	83
EHR Hearings Fully Adjudicated	0	0.0	0.0	24
EHR Change of Placements Ordered	0	0.0	0.0	6
EHR Pending	0	0.0	0.1	34
EHR Withdrawn, Dismissed or Resolved Without Hearings	1	0.2	0.4	278

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2016-17

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	25	5.4	7.8	5,195
Reports Issued Total	15	3.2	5.2	3,465
Reports with Findings	10	2.2	3.0	2,010
Reports within 60-Day Timeline	15	3.2	4.9	3,273
Reports within Extended Timelines	0	0.0	0.2	127
Total Reports within Timelines	15	3.2	5.1	3,400
Written State Complaints Pending	0	0.0	0.2	116
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	48
Written State Complaints Withdrawn or Dismissed	10	2.2	2.4	1,614
<b>Mediations</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Mediation Requests Total	21	4.5	16.0	10,634
Mediations Held	13	2.8	9.3	6,215
Due Process-Related Mediations	7	1.5	5.2	3,437
Due Process-Related Mediation Agreements	5	1.1	2.8	1,888
Mediations Not Related to Due Process	6	1.3	4.2	2,778
Mediation Agreements Not Related to Due Process	3	0.6	3.1	2,089
Total Mediation Agreements	8	1.7	6.0	3,977
Mediations Pending	0	0.0	1.7	1,103
Mediations Withdrawn or Not Held	8	1.7	5.0	3,316
<b>Due Process Complaints</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Due Process Complaints Filed	25	5.4	24.3	16,175
Resolution Meetings Held	18	3.9	13.7	9,107
Written Settlement Agreements in Resolution Period	18	3.9	2.2	1,458
Hearings Fully Adjudicated	0	0.0	1.6	1,099
Hearings Held within 45-day Timelines	0	0.0	0.4	257
Hearing Decisions within 45-day Timelines	0	0.0	1.1	733
Hearing Decisions with Extended Timelines	0	0.0	1.5	990
Due Process Complaints Pending	0	0.0	6.6	4,415
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	25	5.4	16.0	10,661
<b>Expedited Due Process Hearing Requests (EHR)**</b>	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
Expedited Hearing Requests (EHR) Filed	1	0.2	0.5	363
EHR Resolution Meetings Held	0	0.0	0.2	159
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	70
EHR Hearings Fully Adjudicated	0	0.0	0.1	36
EHR Change of Placements Ordered	0	0.0	0.0	5
EHR Pending	0	0.0	0.1	46
EHR Withdrawn, Dismissed or Resolved Without Hearings	1	0.2	0.4	281

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	13	2.8	7.7	5,320
Reports Issued Total	11	2.3	5.0	3,472
Reports with Findings	9	1.9	3.1	2,129
Reports within 60-Day Timeline	11	2.3	4.7	3,266
Reports within Extended Timelines	0	0.0	0.2	156
Total Reports within Timelines	11	2.3	4.9	3,422
Written State Complaints Pending	0	0.0	0.2	152
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	56
Written State Complaints Withdrawn or Dismissed	2	0.4	2.5	1,696
<b>Mediations</b>				
Mediation Requests Total	7	1.5	16.3	11,268
Mediations Held	4	0.9	9.4	6,472
Due Process-Related Mediations	4	0.9	5.3	3,642
Due Process-Related Mediation Agreements	3	0.6	3.0	2,090
Mediations Not Related to Due Process	0	0.0	4.1	2,830
Mediation Agreements Not Related to Due Process	0	0.0	3.1	2,124
Total Mediation Agreements	3	0.6	6.1	4,214
Mediations Pending	0	0.0	1.4	967
Mediations Withdrawn or Not Held	3	0.6	5.5	3,829
<b>Due Process Complaints</b>				
Due Process Complaints Filed	18	3.8	26.0	18,001
Resolution Meetings Held	10	2.1	14.7	10,187
Written Settlement Agreements in Resolution Period	9	1.9	1.8	1,253
Hearings Fully Adjudicated	3	0.6	1.9	1,286
Hearings Held within 45-day Timelines	3	0.0	0.4	259
Hearing Decisions within 45-day Timelines	0	0.6	1.3	872
Hearing Decisions with Extended Timelines	3	0.6	1.6	1,131
Due Process Complaints Pending	0	0.0	8.5	5,854
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	15	3.2	15.7	10,861
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	3	0.6	0.6	448
EHR Resolution Meetings Held	2	0.4	0.3	188
EHR Written Settlement Agreements in Resolution Period	2	0.4	0.1	98
EHR Hearings Fully Adjudicated	0	0.0	0.1	54
EHR Change of Placements Ordered	0	0.0	0.0	12
EHR Pending	0	0.0	0.1	75
EHR Withdrawn, Dismissed or Resolved Without Hearings	3	0.6	0.5	319

**Notes:**

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2018-19

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	17	3.6	7.8	5,533
Reports Issued Total	10	2.1	5.1	3,619
Reports with Findings	7	1.5	3.1	2,203
Reports within 60-Day Timeline	10	2.1	4.7	3,337
Reports within Extended Timelines	0	0.0	0.3	194
Total Reports within Timelines	10	2.1	5.0	3,531
Written State Complaints Pending	0	0.0	0.2	116
Written State Complaints Pending Due Process Hearing	0	0.0	0.0	35
Written State Complaints Withdrawn or Dismissed	7	1.5	2.5	1,798
<b>Mediations</b>				
Mediation Requests Total	9	1.9	15.5	11,053
Mediations Held	7	1.5	9.3	6,657
Due Process-Related Mediations	6	1.3	5.4	3,871
Due Process-Related Mediation Agreements	4	0.8	3.4	2,388
Mediations Not Related to Due Process	1	0.2	3.9	2,786
Mediation Agreements Not Related to Due Process	0	0.0	2.9	2,035
Total Mediation Agreements	4	0.8	6.2	4,423
Mediations Pending	0	0.0	1.3	918
Mediations Withdrawn or Not Held	2	0.4	4.9	3,478
<b>Due Process Complaints</b>				
Due Process Complaints Filed	20	4.2	27.0	19,224
Resolution Meetings Held	10	2.1	17.8	12,653
Written Settlement Agreements in Resolution Period	9	1.9	1.8	1,274
Hearings Fully Adjudicated	2	0.4	2.6	1,830
Hearings Held within 45-day Timelines	2	0.0	0.5	365
Decisions within 45-day Timelines	0	0.4	1.1	796
Hearing Decisions with Extended Timelines	2	0.4	1.6	1,161
Hearing Due Process Complaints Pending	1	0.2	12.0	8,568
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	17	3.6	12.4	8,826
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	1	0.2	0.5	333
EHR Resolution Meetings Held	1	0.2	0.2	162
EHR Written Settlement Agreements in Resolution Period	1	0.2	0.1	75
EHR Hearings Fully Adjudicated	0	0.0	0.0	34
EHR Change of Placements Ordered	0	0.0	0.0	4
EHR Pending	0	0.0	0.0	32
EHR Withdrawn, Dismissed or Resolved Without Hearings	1	0.2	0.4	267

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2019-20

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	5	1.1	7.4	5,297
Reports Issued Total	2	0.4	5.2	3,739
Reports with Findings	2	0.4	3.0	2,111
Reports within 60-Day Timelines	2	0.4	4.7	3,326
Reports within Extended Timelines	0	0.0	0.5	341
Total Reports within Timelines	2	0.4	5.1	3,667
Written State Complaints Pending	0	0.0	0.2	117
Written State Complaints Pending Due Process Hearing	0	0.0	0.1	43
Written State Complaints Withdrawn or Dismissed	3	0.6	2.0	1,441
<b>Mediations</b>				
Mediation Requests Total	6	1.3	14.0	9,983
Mediations Held	3	0.6	8.4	5,981
Due Process-Related Mediations	2	0.4	5.1	3,653
Due Process-Related Mediation Agreements	2	0.4	2.7	1,959
Mediations Not Related to Due Process	1	0.2	3.3	2,328
Mediation Agreements Not Related to Due Process	1	0.2	2.4	1,710
Total Mediation Agreements	3	0.6	5.1	3,669
Mediations Pending	0	0.0	0.8	547
Mediations Withdrawn or Not Held	3	0.6	4.8	3,455
<b>Due Process Complaints</b>				
Due Process Complaints Filed	15	3.2	29.2	20,887
Resolution Meetings Held	12	2.5	18.8	13,414
Written Settlement Agreements in Resolution Period	9	1.9	1.5	1,082
Hearings Fully Adjudicated	3	0.6	1.9	1,364
Hearings Held within 45-Day Timelines	3	0.4	0.4	296
Hearing Decisions within 45-Day Timelines	2	0.2	0.8	538
Hearing Decisions with Extended Timelines	1	0.6	1.2	834
Due Process Complaints Pending	0	0.0	13.3	9,497
DP Complaints Withdrawn, Dismissed or Resolved Without Hearings	12	2.5	14.0	10,026
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	2	0.4	0.5	338
EHR Resolution Meetings Held	1	0.2	0.2	122
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.1	58
EHR Hearings Fully Adjudicated	2	0.4	0.0	28
EHR Change of Placements Ordered	2	0.4	0.0	4
EHR Pending	0	0.0	0.0	17
EHR Withdrawn, Dismissed or Resolved Without Hearings	0	0.0	0.4	293

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).



2020-21

	West Virginia		50 States	
	Number Reported	Events Per 10K*	Events Per 10K*	Number Reported
<b>Written State Complaints</b>				
Written State Complaints Filed	12	2.6	5.9	4,169
Reports Issued Total	3	0.7	3.8	2,697
Reports with Findings	3	0.7	2.4	1,727
Reports within 60-Day Timelines	3	0.7	3.5	2,489
Reports with Extended Timelines	0	0.0	0.3	230
Total Reports within Timelines	3	0.7	3.8	2,719
Written State Complaints Pending	1	0.2	0.1	99
Written State Complaints Pending Due Process Hearings	1	0.2	0.1	47
Written State Complaints Withdrawn or Dismissed	8	1.7	1.8	1,273
<b>Mediations</b>				
Mediation Requests Total (Due Process and Non Due Process Related)	1	0.2	12.1	8,562
Mediations Held	1	0.2	6.6	4,659
Due Process Related Mediations	1	0.2	3.7	2,591
Due Process Related Mediation Agreements	1	0.2	1.1	790
Mediations Not Related to Due Process	0	0.0	2.9	2,068
Mediation Agreements Not Related to Due Process	0	0.0	2.0	1,427
Total Mediation Agreements (Due Process and Non Due Process Related)	1	0.2	3.1	2,217
Mediations Pending	0	0.0	0.7	476
Mediations Withdrawn or Not Held	0	0.0	4.8	3,427
<b>Due Process Complaints</b>				
Due Process Complaints Filed	9	2.0	32.2	22,759
Resolution Meetings Held	2	0.4	23.6	16,659
Written Settlement Agreements in Resolution Period	2	0.4	1.2	870
Hearings Fully Adjudicated	0	0.0	1.5	1,047
Hearings Held within 45-day Timelines	0	0.0	0.3	223
Hearing Decisions within 45-day Timelines	0	0.0	0.6	430
Hearing Decisions with Extended Timelines	0	0.0	0.9	653
Due Process Complaints Pending	1	0.2	17.6	12,435
DP Complaints Withdrawn, Dismissed, or Resolved Without Hearings	8	1.7	13.1	9,277
<b>Expedited Due Process Hearing Requests (EHR)**</b>				
Expedited Hearing Requests (EHR) Filed	0	0.0	0.1	88
EHR Resolution Meetings Held	0	0.0	0.0	29
EHR Written Settlement Agreements in Resolution Period	0	0.0	0.0	12
EHR Hearings Fully Adjudicated	0	0.0	0.0	7
EHR Change of Placements Ordered	0	0.0	0.0	0
EHR Pending	0	0.0	0.0	9
EHR Withdrawn, Dismissed, or Resolved Without Hearings	0	0.0	0.1	69

Notes:

\* "Per 10K" values are computed by dividing the number of events by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

\*\* Except for EHR Change of Placement Ordered, all EHR data points are included in the numbers reported for Due Process Complaints.

\*\*\* The counts reported under "Hearing Decisions with Extended Timelines" represent the number of written decisions from a fully adjudicated hearing that were provided to the parties in the due process hearing more than 45 days after the expiration of the 30-day or adjusted resolution period, but within a specific time extension granted by the hearing officer at the request of either party. No data is collected on the length of these time extensions.

For questions regarding this report, contact Melanie Reese at [mreese@directionservice.org](mailto:mreese@directionservice.org).