



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Roderick Bremby
Secretary of Health and Environment
Kansas Department of Health and Environment
Charles Curtis State Office Building
1000 SW Jackson
Topeka, KS 66612

SEP 21 2005

Dear Secretary Bremby:

The purpose of this letter is to respond to the Kansas Department of Health and Environment's (KDHE) March 30, 2005 submission of its Federal Fiscal Year (FFY) 2003 Annual Performance Report (APR) under the Individuals with Disabilities Education Act (IDEA) Part C for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that the State made during the reporting period, compared to established objectives. The Office of Special Education Programs (OSEP) has designed the APR under the IDEA to provide uniform reporting from States and result in high-quality information across States. The APR is a significant data source for OSEP in the Continuous Improvement and Focused Monitoring System (CIFMS).

The State's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to the State's FFY 2003 APR. OSEP has set out its comments, analysis and determinations by cluster area.

Background

The conclusion of OSEP's May 21, 2004 FFY 2002 APR response letter did not include any noncompliance; however, OSEP requested that KDHE provide updated data in the FFY 2003 APR on: (1) actual number of days to meet the 45-day timeline from referral to the initial individualized family service plan (IFSP) meeting; (2) continuous provision of early intervention services throughout the year; (3) IFSP natural environment content requirements; and (4) child outcome data. Comment on the data submitted will be included in the appropriate sections below.

General Supervision

Identification and timely correction of noncompliance

On pages 1 through 13 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure that a system was in place to identify noncompliance in the local networks and correct identified noncompliance in a timely manner. KDHE described changes to the general

supervision procedures that reflect a continuous improvement framework to address compliance and performance, strategies to strengthen data collection methods, technical assistance provided, information dissemination procedures, and strategies to encourage local networks to use data for program planning. OSEP looks forward to reviewing the State's updated data in Indicator 9 in the State Performance Plan (SPP), due December 2, 2005.

Dispute resolution

On pages 4 through 8 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance and improve performance. No formal complaints were submitted during the reporting period. KDHE provided family survey data asking if families had a functional understanding of procedural safeguards. KDHE identified strategies to ensure all families know how to use the procedural safeguard system. In addition, KDHE provided information about informal concerns and suggestions expressed to program staff by families and described procedures that were used to track the topics of concern and make program improvements that were based on the suggestions. OSEP looks forward to reviewing the State's updated data in Indicator 9 C through Indicator 13 in the SPP, due December 2, 2005.

Personnel

On pages 9 through 11 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure that sufficient qualified personnel were available to meet the identified early intervention needs of all eligible infants and toddlers and their families. KDHE reported that 100% of early intervention services began within one month after the IFSP meeting, 89% starting within 15 days; no personnel shortages were identified; general supervision procedures documented that all personnel were qualified; and continuing education opportunities were available. OSEP appreciates the State's efforts in this area.

Collection and timely reporting of accurate data

On pages 11 through 13 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance and improve performance. KDHE described the program review process that included a variety of data and validation sources; training to ensure accurate data reporting; public presentation of data to demonstrate how the collected information was used in general supervision; and safeguards to ensure data collection and analysis were valid and reliable. OSEP looks forward to reviewing the State's updated data in Indicator 14 in the SPP, due December 2, 2005.

Comprehensive Public Awareness and Child Find System

On pages 14 through 18 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance and improve performance. KDHE presented statewide data and also disaggregated by network. Historical data was presented to create trend lines with descriptive statistics about gender, ethnicity, foster care, live births, population served, referral sources, and eligibility criteria. Public awareness efforts and strategies to improve performance were also described. KDHE also provided an analysis of how the State was using population data, child find figures, and public awareness information to plan for future personnel and system

capacity needs. OSEP looks forward to reviewing the State's updated data in Indicators 5 and 6 in the SPP, due December 2, 2005.

Family Centered Services

On pages 19 through 21 of the FFY 2003 APR, the State included data and analysis regarding its efforts to improve performance. KDHE provided data from family surveys that demonstrated high levels of satisfaction with services, personnel, information, and the outlook for the future. Families reported limited understanding of resources available for children after the age of 3, so KDHE developed improvement strategies to address the need parents expressed for information about options after the child exits Part C. OSEP appreciates KDHE's efforts in this area.

Early Intervention Services (EIS) in Natural Environments (NE)

Service coordination

On pages 22 through 33 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure all children had a service coordinator and that service coordinators facilitated ongoing, timely early intervention services in natural environments. KDHE utilized service providers as service coordinators. General supervision strategies KDHE used to ensure that service coordination responsibilities were implemented included child record reviews, performance data about timelines, and family survey responses. OSEP looks forward to reviewing the updated data about the timely provision of services in Indicator 1 in the SPP, due December 2, 2005.

Evaluation and identification of needs

OSEP requested data regarding the actual number of days needed to meet the 45-day timeline on pages 6 and 7 of the FFY 2002 APR response letter. On page 26 of the FFY 2003 APR, KDHE provided data that during the reporting period, approximately 90% of IFSPs were developed within the 45-day timeline. KDHE tracked reasons for not completing the IFSP within the timeline and found that family availability, scheduling conflicts, and difficulties coordinating with the foster care system were the primary reasons for delay. KDHE provided a description of its general supervision procedures, including tracking through semi-annual reports from each network, to ensure timely correction of noncompliance. OSEP looks forward to reviewing the updated data in Indicator 7 in the SPP, due December 2, 2005.

OSEP also requested data regarding the continuous provision of early intervention services throughout the year. On page 28, KDHE documented that it reviewed child records to ensure continuous provision of early intervention services and did not identify noncompliance. The family survey was revised to specifically ask if all services on the IFSP were provided and timely. Information from the surveys may be helpful in responding to Indicator 1 in the SPP, due December 2, 2005.

Individualized family service plans (IFSPs) and natural environments

On pages 6 and 7 of the FFY 2002 APR response letter, OSEP requested data regarding IFSP content requirements regarding a justification statement for services not provided in natural environments. On pages 29 and 30 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance in this area and the area of natural environments. KDHE reported that 94% of children received services in the home or in a program for typically developing children, while 36% of children receive services in two or more locations. For the 6% of children who did not receive services in natural environments, KDHE reported that a justification statement was identified on the IFSPs to describe why services could not be provided in the child's natural environments. Family survey data was also collected and the results verified the State monitoring data. OSEP appreciates KDHE's efforts in this area and looks forward to reviewing the State's updated data in Indicator 2 in the SPP, due December 2, 2005.

Early childhood outcomes

On pages 6 and 7 of the FFY 2002 APR response letter, OSEP requested child outcome data. On pages 31 through 33 of the FFY 2003 APR, the State included data and analysis regarding its efforts to improve performance in this area. KDHE provided family survey and child outcome data. Child outcome data was tracked from child entry to exit at 36 months. The State tracked five types of individual child outcomes: use of arms and hands (motor); how well a child makes needs known (communication); communication milestones that are achieved; understanding of a child's speech; and child health. Data indicated that more children exited Part C using both arms and hands "normally" (increase from 80% to 86%); more children exited communicating "well" (increase from 17% to 40%); more children exited with communication fairly easy or very easy to understand (increase from 6% to 42%); and children exited early intervention services with excellent or very good health ratings (increase from 65% to 74%). Family survey data indicated that 98% of families believed early intervention services were helpful in meeting the family needs and 83% reported that early intervention services had an impact on the child's development. In preparation for submission of the SPP on December 2, 2005, the State should carefully consider data and information collected against the requirements related to this indicator in the SPP. The State must make a determination whether data collected related to this area will be responsive to those requirements.

Early Childhood Transition

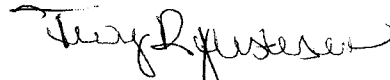
On pages 34 through 36 of the FFY 2003 APR, the State included data and analysis regarding its efforts to ensure compliance and improve performance in this area. During the reporting period, KDHE provided data that only three percent of children exited Part C without Part B eligibility determined. KDHE described general supervision strategies to ensure compliance in all networks and efforts to track children from the time they exited Part C until 5th grade were included. Numerous efforts to ensure compliance and coordination within local communities were described. OSEP looks forward to KDHE's updates in this area in Indicator 8 in the SPP, due December 2, 2005.

Conclusion

IDEA 2004, §616, requires each State to submit a State Performance Plan (SPP) that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators are, for the most part, similar to clusters and probes in the APR. OSEP encourages the State to carefully consider the comments in this letter as it prepares its SPP, due December 2, 2005.

OSEP recognizes that the APR and its related activities represent only a portion of the work in your State and looks forward to collaborating with you as you continue to improve results for infants and toddlers with disabilities and their families. If you have questions, please contact Kelly Worthington at (202) 245-7581.

Sincerely,



Troy R. Justesen
Acting Director
Office of Special Education Programs

cc: Deanna Peterson,
Part C Coordinator