

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 90.4%. However, that data includes as timely those eligible children for whom services were delayed due to documented exceptional family circumstances and inclement weather, which aggregate number the State provided. It is unclear that inclement weather would be an appropriate documented exceptional family circumstance. If the children for whom delays due to exceptional family circumstances and inclement weather are not included in the numerator of the State's calculation, the State's FFY 2006 data would be 74.2%. Regardless, the State's FFY 2006 data represent progress from the State's FFY 2005 data of 56.4%.</p> <p>In Indicator 9 of its FFY 2006 APR, the State reported that its one finding for FFY 2005 related to Indicator 1 was not corrected within one year.</p> <p>OSEP's FFY 2005 APR response table, and the State's FFY 2007 grant award special conditions, required the State to submit, with its FFY 2006 APR, updated correction data for the State's FFY 2004 findings (related to children and families receiving services in accordance with their IFSP as reported in Indicator 9 of the State's FFY 2005 APR), and the three providers listed in the State's June 2006 progress report that had less than full compliance with the service provision requirements. In Indicator 1 of its FFY 2006 APR, the State provided updated information for the three provider agencies listed in the State's June 2006 progress report indicating that they met compliance in August 2006.</p> <p>The State did not report updated correction data for the State's FFY 2004 findings. In its April 14, 2008 clarification letter, the State reported that "there was no Annual Performance Report submitted for FFY 04, as this was the year States established their baselines under the new SPP/APR process. Therefore there were no findings in FFY04." However, in Indicator 9 of its FFY 2005 APR, the State reported that it made 10 findings related to "children and families receive services in accordance with their IFSP," and that three of those findings were corrected within one year. The State did not include in its FFY 2006 APR updated correction data for the remaining seven providers.</p> <p>As stated in Enclosure B to its FFY 2007 grant award letter, dated July 2, 2007, the State is required to submit its second progress report by June 1,</p>	<p>As required by OSEP's June 15, 2007 FFY 2005 SPP/APR response table, the State reported data in the February 1, 2008 APR on all services for an IFSP, including those added at a later date.</p> <p>In the FFY 2007 APR, due February 1, 2009, the State may include in both the numerator and the denominator of the calculation for this indicator children for whom delays are due to documented exceptional family circumstances, and the documentation must include the specific reason(s), the number(s) of children, and the extent of delay.</p> <p>The State reported that noncompliance identified in FFY 2005 regarding the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was not corrected. In addition, the State did not report updated correction data for the seven providers identified in Indicator 9 of the State's FFY 2005 APR as not having corrected noncompliance related to "children and families receive services in accordance with their IFSP." The State must demonstrate, in the FFY 2007 APR, due on February 1, 2009, that the uncorrected noncompliance reported in Indicator 9 of the State's FFY 2005 and FFY 2006 APRs was corrected.</p> <p>The State must also review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §§303.340(c),</p>

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps				
	2008. OSEP will respond to that progress report separately.	303.342(e) and 303.344(f)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.				
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 97.2%. The State's data reflect a high level of performance for this indicator.</p> <p>The State met its FFY 2006 target of 87%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State's actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in that percentage is necessary. OSEP appreciates the State's efforts to improve performance and expects that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).</p>				
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator;]</p>	<p>Data for this indicator are considered not valid and reliable because the State did not provide progress data for FFY 2006. During FFY 2006 the State collected entry data on 635 children who entered the system and none of these children had exit data during 2006.</p> <p>The State provided improvement activities for this indicator covering the remaining years of the SPP.</p>	<p>The State did not report the required progress data. The State must provide progress data with the FFY 2007 APR, due February 1, 2009 and baseline data and targets with the FFY 2008 APR, due February 1, 2010.</p> <p>It is unclear to OSEP whether the State's plan to collect and report data for this indicator will result in the State's ability to provide valid and reliable baseline data in the FFY 2008 APR, due February 1, 2010. OSEP is available to provide technical assistance.</p>				
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="550 1419 1419 1500"> <tr> <td data-bbox="550 1419 1058 1500"></td> <td data-bbox="1058 1419 1178 1500">FFY 2005</td> <td data-bbox="1178 1419 1297 1500">FFY 2006</td> <td data-bbox="1297 1419 1419 1500">FFY 2006</td> </tr> </table>		FFY 2005	FFY 2006	FFY 2006	<p>As required by OSEP's June 15, 2007 FFY 2005 SPP/APR response table, the State included in the February 1, 2008 APR the family survey it used.</p>
	FFY 2005	FFY 2006	FFY 2006			

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps																
<p>A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.</p> <p>[Results Indicator]</p>	<table border="1"> <thead> <tr> <th></th> <th>Data</th> <th>Data</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>A. Know their rights.</td> <td>78%</td> <td>84.5%</td> <td>79%</td> </tr> <tr> <td>B. Effectively communicate their children's needs.</td> <td>72%</td> <td>88.4%</td> <td>73%</td> </tr> <tr> <td>C. Help their children develop and learn.</td> <td>92%</td> <td>89.5%</td> <td>92%</td> </tr> </tbody> </table>		Data	Data	Target	A. Know their rights.	78%	84.5%	79%	B. Effectively communicate their children's needs.	72%	88.4%	73%	C. Help their children develop and learn.	92%	89.5%	92%				<p>In the State's FFY 2005 SPP/APR submitted February 1, 2007, the State informed OSEP it was using census data and in the FFY 2006 SPP/APR submitted February 1, 2008, the State reported it has changed to sampling. It is important that the State have an approved sampling plan to ensure that the data are valid and reliable. The State must submit its sampling methodology for this indicator as soon as possible in order to ensure that its data for the FFY 2007 SPP/APR, due February 1, 2009, will be valid and reliable.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>
	Data	Data	Target																		
A. Know their rights.	78%	84.5%	79%																		
B. Effectively communicate their children's needs.	72%	88.4%	73%																		
C. Help their children develop and learn.	92%	89.5%	92%																		
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 2.21%. These data represent progress from the FFY 2005 data of 2.18%.</p> <p>The State did not meet its FFY 2006 target of 2.3%.</p>				<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>																
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 3.58%. These data represent slippage from the FFY 2005 data of 3.73%.</p> <p>The State did not meet its FFY 2006 target of 3.6%.</p>				<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</p>																
<p>7. Percent of eligible infants and</p>	<p>The State revised the improvement activities for this indicator in its SPP and</p>				<p>The State reported that noncompliance</p>																

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.</p> <p>[Compliance Indicator]</p>	<p>OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 81.5%. These data represent progress from the FFY 2005 data of 64%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>In Indicator 9 of its FFY 2006 APR, the State reported timely correction of its one FFY 2005 finding related to Indicator 7. OSEP's March 17, 2008 verification visit letter concluded that the State did not have a system that is reasonably designed to correct noncompliance. With its FFY 2006 APR clarification documents, the State submitted the final version of the State's General Supervision Manual, which describes a system that appears to be reasonably designed to correct noncompliance.</p> <p>OSEP's FFY 2005 APR response table, and the State's FFY 2007 grant award special conditions, required the State to submit, with its FFY 2006 APR, updated correction data for the State's FFY 2004 findings reported in Indicator 9 of the State's FFY 2005 APR, and the thirteen providers listed in the State's June 2006 progress report that had less than full compliance with the 45-day timeline requirements. In Indicator 7 of its FFY 2006 APR, the State reported updated correction data for the thirteen providers listed in the State's June 2006 progress report indicating that 11 of the providers have made progress and two have experienced slippage. The State did not provide updated correction data for the seven providers identified in Indicator 9 of the State's FFY 2005 APR that had not corrected noncompliance in this area.</p> <p>As stated in Enclosure B to its FFY 2007 grant award letter, dated July 2, 2007, the State is required to submit its second progress report by June 1, 2008. OSEP will respond to that progress report separately.</p>	<p>identified in FFY 2005 regarding the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342 was timely corrected. However, the State reported that the thirteen providers listed in the State's June 2006 progress report have not corrected the noncompliance with the 45-day timeline requirements, and the State did not report updated correction data for the seven providers identified in Indicator 9 of the State's FFY 2005 APR that had noncompliance in this area. The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the uncorrected noncompliance reported in the State's June 2006 progress report, and in Indicator 9 of the State's FFY 2005 APR, was corrected.</p> <p>In addition, the State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to demonstrate in the FFY 2007 APR, due February 1, 2009, that the State is in compliance with 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342, including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 88.8%. These data represent progress from the FFY 2005 data of 87%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to demonstrate in the FFY 2007 APR, due February 1, 2009, that the State is in compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h), including reporting correction of the noncompliance identified in the FFY 2006</p>

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Compliance Indicator]		APR.
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2006 reported data for this indicator are 100%. These data remain unchanged from the FFY 2005 data of 100%.</p> <p>The State met its FFY 2006 target of 100%.</p>	<p>OSEP appreciates the State’s efforts regarding compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State’s FFY 2006 reported data for this indicator are 75.3%. These data represent slippage from the FFY 2005 data of 83%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to demonstrate in the FFY 2007 APR, due February 1, 2009, that the State is in compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>9. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State’s reported data for this indicator are 50%, based on two findings of noncompliance. These data represent slippage from the FFY 2005 data of 57%.</p> <p>OSEP’s March 17, 2008 verification visit letter concluded that the State did not have a system that is reasonably designed to identify and correct noncompliance. With the State’s FFY 2006 APR clarification documents, the State submitted the final version of the State’s General Supervision Manual that describes a system that appears to be reasonably designed to identify and</p>	<p>The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the State has corrected the remaining noncompliance reported in Indicator 9 from FFY 2005.</p> <p>In addition, as required by OSEP’s March 17, 2008 verification visit letter, in its FFY 2007 APR, due February 1, 2009, the State must report correction of noncompliance with: (a) natural environments requirements in 34 CFR §§303.12(b),</p>

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	correct noncompliance.	<p>303.18, 303.344(d)(1)(ii) and transportation requirements in 34 CFR §§303.12(d)(15), 303.343 and 303.344 (by the three EIS providers listed in Critical Element 1 of the verification visit letter); and (b) Part C requirements for six-month IFSP reviews and parent consent in 34 CFR §303.342(b) and (e) (by the five/six EIS providers listed in Critical Element 1 of the verification visit letter).</p> <p>As further described in the verification visit letter, in Indicator 9 of its FFY 2007 APR, the State must describe any noncompliance identified as a result of implementing mechanisms to compile and integrate data across all of its Part C data systems to identify systemic noncompliance issues.</p> <p>The State must also review its improvement activities and revise them, if appropriate, to ensure they will enable the State to demonstrate in the FFY 2007 APR, due February 1, 2009 that the State is in compliance with the requirements in IDEA section 635(a)(10)(A) and 34 CFR §303.501.</p> <p>Further, in responding to Indicators 1, 7, 8A, and 8C the State must specifically identify and address the noncompliance identified in this table under those indicators.</p>
10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with	The State reported that it did not receive any signed written complaints during the reporting period.	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
respect to a particular complaint. [Compliance Indicator]		
11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline. [Compliance Indicator]	The State reported that it did not receive any due process hearing requests during the reporting period.	OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.
12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted). [Results Indicator]	Not applicable.	This indicator does not apply to the State because the State has not adopted the Part B due process procedures.
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that no mediations were held during the reporting period.	The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations were conducted.

New Mexico Part C FFY 2006 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 91.4%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p>	<p>The State did not provide valid and reliable data for Indicator 3 and the State's 618 Tables 3 and 4 were not submitted timely. The State must provide the required data in the FFY 2007 APR, due February 1, 2009 and submit the 618 tables on time.</p> <p>In addition, as required by OSEP's March 17, 2008 verification visit letter, the State must provide under Indicator 14 of its FFY 2007 APR, due February 1, 2009, a narrative describing the mechanisms NMDOH has developed and implemented to compile and integrate data across all of its Part C data systems to identify systemic noncompliance issues.</p> <p>The State must also review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely and accurate data requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p>