

**Table A – Tennessee Part B
Issues Identified in the State Performance Plan**

SPP Indicator	Issue	Required Action
<p>Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings). (20 U.S.C. 1416(a)(3)(A))</p>	<p>TDE did not provide baseline data from 2004-2005 in response to this indicator. On page 39 of the SPP, TDE indicated that 2004-2005 data were not available. TDE used trend data, along with baseline data from 2003-2004.</p>	<p>TDE must include in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data will affect OSEP's determination of the State's status under section 616(d) of the IDEA</p>
<p>Indicator 12: 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))</p>	<p>Noncompliance: On pages 63-64 of the SPP, TDE reported a 37% level of compliance for this Indicator, specifically the requirement at 34 CFR §300.132(b). TDE also reported that this represents a decline from the previous year of 69% to 37%.</p> <p>Other: TDE did not provide baseline data from 2004-2005 in response to this Indicator. In addition, the State did not use the required measurement in reporting its data. On pages 63-64 of the SPP, the State reported that in 2003-2004, 37% of children who exited Part C at age three were determined eligible for Part B. The baseline data did not include: (a) the number of children who have been served in Part C and referred to Part B for eligibility determination; (b) the number of those referred that were determined to be NOT eligible; and (c) of those that were found to be eligible, the number</p>	<p>The State must ensure that this noncompliance is corrected and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary, revise its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>TDE must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). The State must include the required data and calculations in reporting its performance on this indicator in the APR, due February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>

SPP Indicator	Issue	Required Action
<p>Indicator 15: 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. (20 U.S.C. 1416 (a)(3)(B))</p>	<p>who had an IEP developed and implemented by the third birthday. Further, the State did not, as required, account for children included in a but not included in b or c or include the range of days beyond the third birthday (if any) when eligibility was determined and reasons for delays.</p> <p>The State did not provide baseline data from 2004-2005 in response to this Indicator. On pages 79-81, TDE provided data indicating the number of districts in which it identified noncompliance during 2004-2005; however, it did not provide data on the percent of noncompliance that was corrected within one year of identification. In the SPP, the State should have provided baseline data on the findings of noncompliance identified in 2003-2004 that were corrected within one year of identification, in 2004-2005.</p>	<p>TDE must include in the APR due by February 1, 2007, baseline data from FFY 2004 (July 1, 2004 through June 30, 2005); the percent of noncompliance identified in 2003-2004 that was corrected within one year of identification in 2004-2005. TDE must also include progress data from FFY 2005 (July 1, 2005 through June 30, 2006); the percent of noncompliance identified in 2004-2005 that was corrected within one year of identification in 2005-2006. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>