

Delaware Part C FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	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. [Compliance Indicator]</p>	<p>The State’s FFY 2005 reported data for this indicator are 81.28%. This represents progress from the FFY 2004 data of 71.52%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was not corrected in a timely manner.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP March 10, 2006 SPP response letter required the State to submit in its FFY 2005 APR, its final progress report, which was due November 4, 2006, demonstrating compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). The data in the FFY 2005 APR demonstrate progress toward achieving compliance. The State has conducted an analysis of the data and has outlined revised improvement activities that will assist the State in meeting the target for this indicator.</p> <p>The State reported that prior noncompliance was not corrected in a timely manner. The State issues findings of noncompliance and determines timely correction based on region. The Birth to Three Early Intervention System in Delaware is divided into two regions – north and south. For this reporting period, the State issued two findings of noncompliance for this indicator – one for each of the regions. The State reported that neither of the regions corrected all noncompliance for this indicator in a timely manner.</p> <p>As required by OSEP’s March 10, 2006, SPP response letter, the State confirmed on page 4 of its FFY 2005 APR that the timeline for “timely” begins with parent consent to the provision of services under 34 CFR §303.404(a)(2).</p> <p>The State must continue to review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of noncompliance identified in FFY 2004 and FFY 2005.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or</p>	<p>The State’s FFY 2005 reported data for this indicator are 85.12%. The State met its FFY 2005 target of</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP appreciates the State’s efforts to improve performance.</p>

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programs for typically developing children. [Results Indicator]	83.20%.	It is also important that the State monitor to ensure that IFSP teams make individualized decisions regarding the settings in which infants and toddlers receive early intervention services, in accordance with Part C natural environment requirements.
3. Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]	Entry data provided.	The State reported the required entry data and activities. The State must provide progress data and improvement activities in the FFY 2006 APR, due February 1, 2008.
4. Percent of families participating in Part C who report that early intervention services have helped the family: A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.	The State's reported baseline data for this indicator are: 4A. 45.3% 4B. 54.4% 4C. 53.3%	The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.

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[Results Indicator; New]		
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator under IDEA section 618 are 0.98%. This represents slippage from FFY 2004 data of 1.30%. The State did not meet its FFY 2005 target of 1.31%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's eligibility criteria were changed from broad to moderate.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</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</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator under IDEA section 618 are 2.94%. This represents slippage from FFY 2004 data of 3.10%. The State did not meet its FFY 2005 target of 3.11%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>7. Percent of eligible infants and 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>The State's FFY 2005 reported data for this indicator are 89.90%. This represents progress from the FFY 2004 data of 86.30%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was corrected in a timely manner.</p>	<p>OSEP's March 10, 2006, SPP response letter required the State to include in the FFY 2005 APR the State's final progress report, which was due November 4, 2006, demonstrating compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a). While the State did not meet the target for this indicator, it did demonstrate progress toward achieving compliance and reported that prior noncompliance was corrected in a timely manner.</p> <p>As required in OSEP's March 10, 2006 SPP response letter, the State also reported that 96% of evaluations and assessments were completed within 45 days of referral to the early intervention program.</p> <p>The State reported on page 31 of its APR that it reviewed its improvement activities and determined that the activities positively impacted both timely evaluations and timely initial IFSP meetings. Additionally, the State included, in</p>

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		<p>both the numerator and the denominator, the number of 45-day timelines that were exceeded due to family circumstances.</p> <p>The State must continue to review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a), including correction of noncompliance identified in FFY 2005.</p>
<p>8A. 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>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 85.00%. This represents progress from the FFY 2004 data of 82.00%. The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine if the State corrected findings of noncompliance related to this indicator because the State did not report that it made any findings related to Indicator 8A in FFY 2004.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 10, 2006, SPP response letter required the State to include in the FFY 2005 APR data demonstrating compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h). While the State did not meet the 100% target, it showed progress toward achieving compliance. The State also reported on page 35 of its APR that it reviewed its improvement activities and determined that the activities positively impacted the percentage of children exiting Part C that have an IFSP with transition steps and services.</p> <p>The State did not provide the actual numbers for the percentage for this indicator and the State must provide these actual numbers in the FFY 2006 APR, due February 1, 2008.</p> <p>The State must continue to review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h), including correction of noncompliance identified in FFY 2005.</p>
<p>8B. 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</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 10, 2006, SPP response letter required the State to include in the FFY 2005 APR data demonstrating compliance with the requirements in 34 CFR §303.148(b)(1). The State met the 100% target and reported on page 35 of the APR that it reviewed its improvement activities and determined that the activities</p>

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<p>third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>		<p>positively impacted the percentage of children exiting Part C who are potentially Part B eligible who have notification sent to the local school district.</p> <p>The State did not provide the actual numbers for the percentage for this indicator and the State must provide these actual numbers in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008 that continue to demonstrate compliance with the requirements in 34 CFR §303.148(b)(1).</p>
<p>8C. 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's FFY 2005 reported data for this indicator are 75%. This represents progress from the FFY 2004 data of 73%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was partially corrected in a timely manner.</p> <p>The State submitted data beyond the FFY 2005 reporting period indicating 85.21% compliance for the period May through October 2006.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported that prior noncompliance was partially corrected in a timely manner. As stated under Indicator 1 in this table, the State makes findings based on its two regions. The State issued two findings of noncompliance for this indicator – one for each of the regions. The State reported that the Southern region corrected the noncompliance identified in FFY 2004, but the northern region has not corrected it yet.</p> <p>As stated in OSEP's June 3, 2006 grant award letter, the State's FFY 2006 IDEA Part C grant award was released subject to FFY 2006 Special Conditions, requiring the State to submit two reports, the first by February 1, 2007, and a final report by June 1, 2007, with data demonstrating compliance with the timely transition planning requirements in 34 CFR §303.148(b)(2)(i) as modified by IDEA section 637(a)(9).</p> <p>The State conducted focused monitoring from October 2006 – November 2006 to address these requirements. The State reviewed 284 applicable files of children who had turned three between May 1, 2006 and October 31, 2006, and of these, 242 or 85.21% demonstrated compliance with the indicator. The State provided data and descriptions to explain why timelines were not met in cases where the transition planning meeting did not happen at least 90 days prior to the child's third birthday.</p> <p>Beginning on page 36 of the FFY 2005 APR, the State disaggregated instances of noncompliance by EIS provider and reported on the actions the State is taking</p>

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		<p>to ensure correction of the noncompliance.</p> <p>OSEP will respond separately to the State's June 1, 2007 progress report under its FFY 2006 Part C Grant Special Conditions.</p> <p>The State must continue to review its improvement activities and revise the activities, if appropriate, to ensure that they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements 34 CFR §303.148(b)(2)(i) as modified by IDEA section 637(a)(9), including correction of noncompliance identified in FFY 2005 and outstanding noncompliance identified in the Northern Region in FFY 2004.</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's FFY 2005 reported data for this indicator are 62.50% (See OSEP Analysis/Next Steps). This represents slippage from 82.5% (113 of 137 findings corrected). The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 10, 2006 SPP response letter required the State to include in the FFY 2005 APR documentation that the State ensured the correction of identified noncompliance, as soon as possible but in no case later than one year from identification. The data in the February 1, 2007 APR show continuing noncompliance.</p> <p>The State reported data for this indicator based on an individual analysis of certain indicators. The State's FFY 2005 reported data included the following percentages for timely correction of noncompliance:</p> <ul style="list-style-type: none"> ▪ timely delivery of services, 0.00%. ▪ 45-day timeline, 100.00% ▪ timely transition conferences, 50.00% <p>As stated under Indicator 1 in this table, the State makes findings based on its two regions. In Indicator 9, the State reported that it issued a total of eight findings of noncompliance for indicators 1, 7, and 8C – four for each of the regions. The State further reported that five of the eight findings of noncompliance were corrected in a timely manner. Based on these numbers, the State's actual target data for FFY 2005 are 62.50%.</p> <p>In the FFY 2006 APR, due February 1, 2008, in addition to disaggregating by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005, the State must collapse the component</p>

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		<p>areas and report one actual target percentage for this indicator.</p> <p>The State must review its improvement activities and revise the activities, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR that demonstrate compliance with the requirements in IDEA section 616(a), 642, and 635(a)(10) and 34 CFR §303.501(b), including data on the correction of outstanding noncompliance identified in FFY 2004. In addition, the State must, in responding to Indicators 1, 7, 8A, and 8C, specifically identify and address the noncompliance identified in this table under those indicators.</p>
<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 respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>No signed written complaints received in FFY 2005.</p>	<p>The State reported that no signed written complaints were received in FFY 2005.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>No due process hearing requests received in FFY 2005.</p>	<p>The State reported that no due process hearing requests were received in FFY 2005.</p>
<p>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).</p> <p>[Results Indicator; New]</p>	<p>Not applicable.</p>	<p>The State has not adopted Part B due process procedures.</p>

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<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>No mediations held in FFY 2005.</p>	<p>The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations were conducted.</p>
<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's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008 that continue to demonstrate compliance with the requirements in IDEA sections 616, 618, and 642, and 34 CFR §§303.176 and 303.540.</p>