

Kentucky 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 79%. OSEP cannot determine whether there was progress or slippage because it is unclear whether the FFY 2004 data measured the timely provision of all new Part C services listed on IFSPs.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine whether prior noncompliance from FFY 2004 was timely corrected because the State reported that it did not monitor for timely services in FFY 2004.</p>	<p>The State revised its improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>In accordance with OSEP's March 27, 2006 SPP response letter, the State's February 1, 2007 APR:</p> <ol style="list-style-type: none"> (1) reported that its FFY 2005 data of 79% include the timely provision of all early intervention services listed on initial IFSPs and existing IFSPs when a new service was added; (2) confirmed that the IFSP meeting date is when a parent consents to the provision of early intervention services; and (3) clarified that the State Interagency Coordinating Council does not maintain a compliance policy separate from Kentucky's First Steps program policy, which is 100% compliance for timely provision of all early intervention services. <p>The State reported that the FFY 2005 data do not include the number of delays due to documented exceptional family circumstances. If the State wishes to track these data and include them in the compliance calculation for this indicator in the FFY 2006 APR, the number of such delays would be included in both the numerator and denominator of the calculation, and the State must provide the specific numbers for its calculation.</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, 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 2005.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention</p>	<p>The State's FFY 2005 reported data for this indicator are 98.7%. This represents progress from FFY 2004</p>	<p>The State revised the targets and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p>

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<p>services in the home or programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>reported data of 97.4%.</p> <p>The State met its FFY 2005 target of 97.45%.</p>	<p>In accordance with OSEP's March 27, 2006 SPP response letter, the State's February 1, 2007 APR confirmed that the State's 618 data system accurately reports children who receive early intervention services in the home and in programs for typically developing children.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance. It is important that the State also 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.</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; New]</p>	<p>Entry data not provided.</p>	<p>The State did not report the required entry data to address the indicator regarding: (1) the measurements for improving functioning (measurement b) (2) not improving functioning (measurement c); and (3) small percentages of unknown data for the percent of infants and toddlers who reach or maintain functions at the same level compared to same-aged peers (measurement a). The State reported on activities indicating that it would gather assessment data on all children assessed between July 1, 2006 and June 30, 2007.</p> <p>The State must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p>
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights;</p>	<p>Baseline, targets, and improvement activities provided.</p> <p>The State reported the following baseline data:</p> <p>4A. 82.2%</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>The State reported that only six family surveys were returned in Spanish. OSEP was not able to determine if the response rate to the surveys represented the racial, ethnic and disability population in the State. The State needs to determine if the response rate to its survey was representative of the population served and</p>

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<p>B. Effectively communicate their children's needs; and</p> <p>C. Help their children develop and learn.</p> <p>[Results Indicator; New]</p>	<p>4B. 73.3%</p> <p>4C. 89.1%</p>	<p>provide that required explanation in the FFY 2006 APR, due February 1, 2008.</p>
<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 0.49%. This represents progress from the FFY 2004 data of 0.46%.</p> <p>The State did not meet its FFY 2005 target of 0.51%.</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>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 2.17%. This represents slippage from the State's FFY 2004 data of 2.30%.</p> <p>The State did not meet its FFY 2005 target of 2.35%.</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>The State's FFY 2005 reported data for this indicator are 61%. This represents progress from the FFY 2004 data of 55%.</p> <p>The State did not meet 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 27, 2006 SPP response letter required the State to ensure that the identified noncompliance related to this indicator was corrected within one year of identification and include data in the February 1, 2007 APR demonstrating compliance with the requirements of 34 CFR §§303.321(e)(2), 303.322(e)(1),</p>

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[Compliance Indicator]	The State reported that eight of nine program/providers corrected prior noncompliance related to this indicator within one year.	and 303.342(a). The FFY 2005 data show continuing noncompliance. 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, due February 1, 2008, that demonstrate full compliance with the 45-day timeline requirement in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a), including correction of noncompliance identified in FFY 2005 and any remaining noncompliance from FFY 2004.
<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 did not provide FFY 2005 data for this indicator. The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine whether prior noncompliance was timely corrected because the State reported aggregated data for Indicator 8 (instead of disaggregated data by sub-indicator) showing that three of seven program/providers identified with noncompliance corrected it within one year.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP’s March 27, 2006 SPP response letter required the State to ensure that the identified noncompliance related to this indicator was corrected within one year of identification and include data in the February 1, 2007 APR demonstrating compliance with the transition planning requirements in 34 CFR §§303.148(b)(4) and 303.344(h). In the February 1, 2007 APR (Indicator 8, page 2), the State reported that “we do not have data which refers to transition steps and service.” The State suggested that “an assumption could be made that since the State’s IFSP form requires documentation of steps/services, that all Transition Conferences held included development of transition plan with steps and services.” However, all children exiting Part C, not just those for whom transition conferences were held, must have IFSPs with transition steps and services.</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, due February 1, 2008, that demonstrate full compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h)(1), including correction of noncompliance identified in FFY 2005 and any remaining noncompliance from FFY 2004.</p>
8B. Percent of all children exiting Part C who received timely transition planning to support the child’s transition to	The State’s FFY 2005 reported data for this indicator are 100%. It appears that the State met its FFY 2005 target of 100%, although the	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP’s March 27, 2006 SPP response letter required the State to include in the February 1, 2007 APR baseline data for FFY 2004 and FFY 2005 progress data.</p>

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<p>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>State did not provide the actual numbers underlying the compliance calculation for this indicator.</p>	<p>The State did not collect LEA notification data at the local level in 2005-2006. Instead, the State reported that the FFY 2005 data of 100% are “the result of the GSEG through a memorandum of understanding with the Kentucky Department of Education.” In the FFY 2006 APR, due February 1, 2008, the State must report the number of children exiting Part C who are potentially eligible for Part B and the number of those children for whom the LEA (where the child resides) was notified.</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 IDEA section 637(a)(9) and 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 90%. This represents progress from the State’s FFY 2004 data of 84%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine whether prior noncompliance was timely corrected because the State reported aggregated data for Indicator 8 (instead of disaggregated data by sub-indicator) showing that three of seven (43%) program/providers identified with noncompliance corrected it within one year.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP’s March 27, 2006 SPP response letter required the State to ensure that the identified noncompliance related to this indicator was corrected within one year of identification and include data in the February 1, 2007 APR demonstrating compliance with the transition conference requirements in 34 CFR §303.344(h). Although the FFY 2005 data do not show compliance, they represent progress from the State’s FFY 2004 data. It is unclear whether the State included in the FFY 2005 data the number of delays due to documented exceptional family circumstances. If the State wishes to track these data and include them in the compliance calculation for this indicator in the FFY 2006 APR, the number of such delays would be included in both the numerator and the denominator of the calculation, and the State must provide the specific numbers for its calculation.</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, due February 1, 2008, that demonstrate full compliance with the requirements in 34 CFR §303.148(b)(2)(i) as modified by section 637(a)(9) of the IDEA, including correction of noncompliance identified in FFY 2005 and any remaining noncompliance from FFY 2004.</p>
<p>9. General supervision system (including monitoring,</p>	<p>While the State did not report data in a single percentage for FFY 2005</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p>

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<p>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>data, OSEP was able to calculate a percentage for FFY 2005 data of 75% based on raw data reported for priority and nonpriority monitoring areas in the FFY 2005 APR (Indicator 9 pages 3 and 5). This represents slippage from the FFY 2004 data of 76.42%, which OSEP was also able to calculate based on raw data provided in the December 2005 SPP (Indicator 9 pages 6 and 8).</p> <p>The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 27, 2006 SPP response letter required the State to include in the February 1, 2007 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 FFY 2005 data show continuing noncompliance.</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, due February 1, 2008, that reflect a percentage of findings of identified noncompliance timely corrected and that demonstrate compliance with the requirements in sections 616, 618 and 642 of the IDEA and 34 CFR §303.540, including data on the correction of remaining noncompliance from FFY 2004. In its response to Indicator 9 in the FFY 2006 APR, due February 1, 2008, the State must disaggregate by APR indicator (including sub-indicators 8A, 8B and 8C) the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in responding to Indicators 1, 7, 8A, 8C and 14, 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>The State's FFY 2005 reported data for this indicator are 100%, based on the timely resolution of the six written complaints filed.</p> <p>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 34 CFR §303.512.</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>The State reported that it did not receive any requests for due process hearings in FFY 2005.</p>	<p>The State reported that it did not receive any requests for due process hearings in FFY 2005.</p>
<p>12. Percent of hearing requests that</p>	<p>Not applicable.</p>	<p>The State has adopted the Part C due process hearing procedures under 34 CFR</p>

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<p>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>§303.420.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that it did not hold any mediations 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 did not meet its FFY 2005 target of 100%.</p> <p>The State did not submit FFY 2005 data consistent with the required measurement for this indicator.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>Although the State did not report a FFY 2005 percentage for this indicator, OSEP's analysis under Indicator 8A above confirms that the State's 100% target for this indicator was not met.</p> <p>The State must provide data, in the FFY 2006 APR, due February 1, 2008, that includes a percentage regarding the extent to which the State's 618 and SPP/APR data for the reporting period are timely and accurate and demonstrate compliance with the requirements in sections 616, 618 and 642 of the IDEA and 34 CFR §§303.176 and 303.540.</p>