

Minnesota 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 91%. These data appear to represent progress from the State's FFY 2004 reported data of 90.5%. However, as explained in the next column, the data that the State reported for this indicator are not valid and reliable because they do not reflect the measurement for this indicator. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not address timely correction under this indicator.</p>	<p>OSEP's March 20, 2006 SPP response letter required the State to confirm in its February 1, 2007 SPP/APR submission that, in implementing its timely standard for this indicator, the individualized family service plan (IFSP) meeting date (which is when the period begins to run) is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). The State did not provide this information and must confirm this information in the FFY 2006 APR due February 1, 2008.</p> <p>The State's FFY 2005 reported data are 91%. The State's FFY 2004 reported data are 90.5%. Neither the FFY 2004 nor the FFY 2005 data measure whether the new Part C services on <i>all</i> IFSPs were initiated in a timely manner. Instead they measure only whether Part C services on <i>initial</i> IFSPs were initiated in a timely manner.</p> <p>The State must 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 both: (1) measure the timeliness of initiation for new Part C services on all IFSPs (not just initial IFSPs) and (2) demonstrate compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f), including correction of noncompliance identified in FFY 2005.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children. [Results Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 90.3%. The State met its FFY 2005 target of 89.5%.</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Percent of infants and toddlers with IFSPs who demonstrate</p>	<p>Entry data provided.</p>	<p>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,</p>

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<p>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>		2008.
<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>B. Effectively communicate their children's needs; and</p> <p>C. Help their children develop and learn.</p> <p>[Results Indicator; New]</p>	<p>The State's reported baseline data for this indicator are:</p> <p>4A. 74.2%</p> <p>4B. 82.1%</p> <p>4C. 86.8%</p>	The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar</p>	<p>The State's FFY 2005 reported data for this indicator under IDEA section 618 are 0.46%. The State met its FFY 2005 target of 0.45%.</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP accepts those revisions.</p> <p>OSEP's March 20, 2006 SPP response letter required the State to revise its eligibility criteria in the State's regulation at Section 3525.1350 and monitoring</p>

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<p>eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>		<p>checklist 3 to be consistent with IDEA section 632(5) and 34 CFR §§303.16(a) and 303.300. The State provided, on May 30, 2006, a specific written assurance (as part of its FFY 2006 Part C grant award application) that the State would submit its revised regulation, and any policies, procedures, and monitoring checklist, to OSEP by June 30, 2007, and would use the correct Part C eligibility criteria during the FFY 2006 grant year (consistent with IDEA section 632(5)(A) and 34 CFR §§303.16(a) and 303.322(b)(1) and (c)(3)(ii)). On page 7 of its FFY 2005 APR, the State reported that Rulemaking is now in process and will be finalized by June 30, 2006. (This is apparently a typographical error by the State, and intended to read “by June 30, 2007.”)</p> <p>The State met its target and OSEP appreciates the State’s efforts to improve performance.</p> <p>OSEP looks forward to receiving the revised eligibility criteria documents by June 30, 2007. In the FFY 2006 APR, due February 1, 2008, the State must report on the actions that it took during the FFY 2006 reporting period (i.e., July 1, 2006 through June 30, 2007) to ensure that eligibility decisions were made using criteria that were consistent with IDEA section 632(5)(A) and 34 CFR §§303.16(a) and 303.322(b)(1) and (c)(3)(ii).</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 1.56%. This represents progress from FFY 2004 data of 1.50%. The State did not meet its FFY 2005 target of 1.57%.</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State reported progress and OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p> <p>As noted under Indicator 5 above, OSEP also looks forward to receiving the revised eligibility criteria documents by June 30, 2007. In the FFY 2006 APR, due February 1, 2008, the State must also report on the actions that it took during the FFY 2006 reporting period (i.e., July 1, 2006 through June 30, 2007) to ensure that eligibility decisions were made using criteria that were consistent with IDEA section 632(5)(A) and 34 CFR §§303.16(a) and 303.322(b)(1) and (c)(3)(ii).</p>
<p>7. Percent of eligible infants and</p>	<p>The State’s FFY 2005 reported data</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP</p>

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<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>for this indicator are 83.4%. This represents progress from the FFY 2004 data of 75.9%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not address timely correction under this indicator.</p>	<p>accepts those revisions.</p> <p>OSEP's March 20, 2006 FFY 2004 SPP response letter required the State to ensure that the identified noncompliance was corrected and include in the February 1, 2007 APR data that demonstrate compliance with the requirements of 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). The data in the February 1, 2007 APR show continuing noncompliance.</p> <p>The State must implement and evaluate 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).</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 80.4%. This appears to represent slippage from the FFY 2004 data of 100%. The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 20, 2006 SPP response letter required that the State confirm that the child records it reviewed for this indicator represent children exiting Part C and not just those children who exit from Part C to Part B. The State confirmed that its FFY 2005 data were based on data from local education agencies (LEAs) for all children who received early intervention services and turned three between April 1 and June 30, 2006.</p> <p>The State must 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)(1), 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 third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for</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>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 §303.148(b)(1).</p>

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Part B; and [Compliance Indicator]		
<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 30.35%. The State did not meet its FFY 2005 target of 100%. OSEP cannot determine whether there was progress or slippage.</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP accepts those revisions.</p> <p>OSEP could not determine whether the FFY 2005 data represent progress or slippage from FFY 2004, because although the State reported 100% compliance for FFY 2004, the State did not use the required measurement for its FFY 2004 data. It is also unclear whether the FFY 2005 data represent the number and percent of children potentially eligible for Part B for whom the transition conference was timely held, as it appears that the State's data may include all children exiting Part C and not just those potentially eligible under Part B. The State did not provide the actual numbers that formed the basis of the State's FFY 2005 percentage of 30.35%.</p> <p>The State must implement and evaluate 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: (1) reflect compliance for children potentially eligible under Part B (and not all children exiting Part C); and (2) demonstrate compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), including correction of noncompliance identified in FFY 2005. In addition, the State must provide actual numbers for its compliance percentage for this indicator 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's FFY 2005 reported data for this indicator are 96.2%, which represents timely correction of 152 of 158 findings. The FFY 2005 data represent progress from the FFY 2004 APR data of 78.5%.</p> <p>(While the State did not revise the baseline for Indicator 9 to provide a single percentage for the indicator, OSEP recalculated the FFY 2004</p>	<p>The State revised its SPP improvement activities for this indicator and OSEP accepts those revisions.</p> <p>OSEP's March 20, 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.</p> <p>The State provided data for this indicator indicating 96.2% compliance. OSEP appreciates the State's efforts.</p> <p>The State did not break these data down by indicator or substantive finding</p>

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	data as 78.5% using the data that the State provided in its FFY 2004 APR/SPP.)	areas. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008 that demonstrate compliance with the requirements in IDEA sections 616(a), 642, and 635(a)(10) and 34 CFR §303.501(b). In its response to Indicator 9 in the FFY 2006 APR due February 1, 2008, the State must disaggregate by APR indicator 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.
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. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 100%, based on the timely resolution of the one written complaint filed. The State met its FFY 2005 target of 100%.	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.
11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline. [Compliance Indicator]	The State did not receive any hearing requests during the reporting period.	The State did not receive any due process hearing requests during the FFY 2005 reporting period.
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; New]	No resolution meetings held. Improvement activities provided.	The State reported that no resolution meetings were held during the FFY 2005 reporting period as no due process hearing requests were received. Although the State provided improvement activities, the State is not required to provide targets or improvement activities until any FFY in which 10 or more resolution meetings are held.

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<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>No mediations held.</p>	<p>The State reported that there were no mediations requested or held during the reporting period. The State is not required to provide or meet its targets or provide improvement activities until any FFY in which 10 or more mediations are 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 target of 100% for this indicator and OSEP could not determine whether progress was made.</p> <p>Data not valid and reliable. The State did not submit FFY 2005 data consistent with the required measurement for this indicator.</p>	<p>Although the State did not provide a specific percentage that reflects its FFY 2005 performance data for this indicator, OSEP's analysis under Indicator 1 above (in which the State's FFY 2005 data do not reflect the measurement) confirms that the State's 100% target for this indicator was not met. The State did not address the timeliness and accuracy of its SPP/APR data submissions under Part C. The State must provide data in the FFY 2006 APR due February 1, 2008: (1) that include a <i>percentage</i>; (2) regarding the extent to which the State's 618 and SPP/APR data for the reporting period were timely and accurate; and (3) that demonstrate compliance with the requirements in IDEA sections 616, 618 and 642, and 34 CFR §§303.176 and 303.540.</p>