

New Jersey 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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 82.3%. The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine whether progress was made because the State recalculated its FFY 2004 baseline data using the same data it used for the FFY 2005 APR data (from 2005-2006).</p> <p>The State did not address timely correction of prior noncompliance for this indicator.</p>	<p>The State revised its timely standard in the SPP for this indicator and OSEP accepts this revision.</p> <p>OSEP's March 10, 2006 SPP response letter required the State to ensure that the identified noncompliance was corrected within one year of identification and include data in the February 1, 2007 APR demonstrating compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) that new Part C services for all children with IFSPs must be timely initiated, not just those with initial IFSPs. OSEP's letter also required the State to submit in the FFY 2005 APR data demonstrating the number of delays attributable to documented exceptional family circumstances.</p> <p>The State's reported FFY 2005 data include Part C service initiation for all children with an active IFSP and account for the number of delays due to documented exceptional family circumstances, but the FFY 2005 data do not show compliance with the timely service provision requirements related to this indicator.</p> <p>The State did not provide FFY 2005 data regarding correction of previously identified noncompliance. However, the State reported it had provided compensatory services for children whose services were not timely and imposed sanctions on one program.</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 services in the home or</p>	<p>The State's FFY 2005 reported data for this indicator are 99.39%. The State met its FFY 2005 target of</p>	<p>The State revised one improvement activity for this indicator in its APR and OSEP accepts this revision.</p> <p>The State indicated it is monitoring for individualized setting decisions in</p>

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<p>programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>99.15%.</p>	<p>accordance with Part C natural environment requirements. The State met its target and OSEP appreciates the State's efforts to ensure compliance and improve performance. It is important that the State continue to monitor to ensure that the determination of settings in which infants and toddlers with disabilities receive early intervention services is individualized on the IFSP.</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 provided.</p>	<p>The State must provide progress data and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>The State reported in its revised SPP that it does not intend to use its sampling plan, but instead that it plans to phase-in its child outcome data reporting over a 4-year cycle by selecting a certain number of counties to be reported in the APRs that are due from February 2008 through February 2011. A State may phase-in its data collection and reporting as long as the data reported each year represent the population of children served within the State (including disability, age, gender, race/ethnicity) and all counties are included in the APR reporting by 2011.</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>B. Effectively communicate their children's needs; and</p> <p>C. Help their children develop and learn.</p>	<p>The State reported baseline data for this indicator are:</p> <p>4A. 90%</p> <p>4B. 92.5%</p> <p>4C. 93%</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 10, 2006 SPP response letter required the State to submit a revised sampling plan in the February 1, 2007 APR. On April 23, 2007, OSEP approved the survey methodology that New Jersey submitted to OSEP in the Fall of 2006. It is OSEP's understanding that the State intends to use this methodology when it implements the NCSEAM survey.</p> <p>The State did not submit a copy of the parent surveys it used. The State must provide the required surveys in the FFY 2006 APR, due February 1, 2008.</p> <p>The State did not report whether the results of its survey to its 21 counties were</p>

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[Results Indicator; New]		representative of the birth to three population served throughout the State. The State must describe how its results are representative in the FFY 2006 APR, due February 1, 2008.
<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 .56%. The State met its FFY 2005 target of .55%.</p>	<p>The State revised its improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</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 2.53%. The State met its FFY 2005 target of 2.21%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State met its target and OSEP appreciates the State's efforts to improve performance.</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 86.2%. This represents progress from the FFY 2004 data of 86%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that it timely corrected 5 of 6 findings of prior noncompliance and that the other finding has since been corrected (in December 2006).</p>	<p>OSEP's March 10, 2006 SPP response letter required the State to include in the February 1, 2007 APR data demonstrating compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a) and its final progress report which was due by November 3, 2006. The State's FFY 2005 data do not show compliance with these requirements. However, the State reported that the five counties that were found noncompliant in FFY 2005 had progressed to 90% compliance under corrective action plans scheduled for completion in August 2007. The State also reported that the one outstanding finding (one file) in one county for FFY 2004 achieved compliance by December 2006 after the State imposed sanctions.</p> <p>The State must review its improvement activities and revise the activities, if</p>

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		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 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a), including the correction of noncompliance identified in FFY 2005.
<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 95.2%. This represents progress from the FFY 2004 data of 94%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that it timely corrected prior noncompliance.</p>	<p>The State revised the timeline on one improvement activity in the APR and OSEP accepts the revision.</p> <p>OSEP's March 10, 2006 SPP response letter indicated that OSEP looked forward to data in the APR, due February 1, 2007, demonstrating compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h). The State's FFY 2005 data show progress toward achieving compliance.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing 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 the 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 Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 98.9%. This represents progress from the FFY 2004 data of 92%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that it timely corrected prior noncompliance.</p>	<p>The State revised the timeline on one improvement activity in the APR and OSEP accepts this revision.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA section 637(a)(9) and 34 CFR §303.148(b)(1), including correction of noncompliance identified in FFY 2005.</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</p>	<p>The State's FFY 2005 reported data for this indicator are 96%. This represents progress from the FFY 2004 data of 92%. The State did not meet its FFY 2005 target of</p>	<p>The State revised the timeline on one improvement activity in the APR and OSEP accepts the revision.</p> <p>OSEP's March 10, 2006 SPP response letter indicated that OSEP looked forward to data in the APR, due February 1, 2007, demonstrating compliance with the</p>

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<p>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>100%.</p> <p>The State reported that it timely corrected prior noncompliance.</p>	<p>requirements in 34 CFR §303.148(b)(2)(i). The State's FFY 2005 data show progress toward achieving compliance.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that 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.</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 96.3%. The State did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 10, 2006 SPP response letter indicated that OSEP looked forward to data in the APR, due February 1, 2007, that the State ensured the correction of identified noncompliance, as soon as possible but in no case later than one year from identification. The State reported that 26 of 27 findings of noncompliance identified in FFY 2004 were corrected within one year. The State reported that it timely corrected all findings of noncompliance under Indicator 8 and 5 of 6 findings under Indicator 7 with the remaining finding corrected by December 2006.</p> <p>OSEP appreciates the State's efforts and 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 continue to 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, 8B 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>The State's FFY 2005 reported data for this indicator are 100%. However, the data do not appear to include a written complaint that exceeded the 60-day time limit with no extension granted, which was discussed at OSEP's verification visit with the State in October 2006.</p>	<p>The State reported that three signed written complaints were received during the FFY 2005 reporting period with two complaints withdrawn or dismissed and one complaint investigated and resolved with a written report within the 60-day time limit. However, during OSEP's verification visit to the State in October 2006, the State reported to OSEP that one written complaint was not resolved within the required 60-day timeline nor was the timeline extended for exceptional circumstances. OSEP's December 22, 2006 verification visit letter required the State to submit in the APR due February 1, 2007: (1) information about any</p>

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[Compliance Indicator]	Therefore, the State did not meet its FFY 2005 target of 100%. However, the State provided updated data that demonstrate compliance.	<p>necessary revisions to or clarifications of its policies regarding extensions of time for complaints due to exceptional circumstances; and (2) updated data demonstrating compliance with the 60-day time limit for any written complaints filed with the State after June 30, 2006.</p> <p>The State reported in the FFY 2005 APR that its Procedural Safeguards Handbook adequately addressed procedures for extending the 60-day timeline for issuing written complaint reports. In addition, the State reported that it received one complaint on December 20, 2006 and issued a written decision within the required timeline. OSEP appreciates the State's clarification and updated data showing compliance with the 60-day timeline for issuing written complaint reports.</p> <p>OSEP assumes that the State did not include data regarding the untimely resolved complaint discussed above on the Table 4 attachment to its FFY 2005 APR. The State may wish to review Table 4 and revise the table, if appropriate, to include the FFY 2005 data discussed.</p> <p>OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §303.512.</p>
11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline. [Compliance Indicator]	The State reported that each of the six hearing requests received in FFY 2005 were resolved prior to a hearing.	The State reported that the six hearing requests received in FFY 2005 were resolved without hearings.
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).	Not applicable.	The State has adopted Part C due process procedures.

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13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that it received five requests for mediation in FFY 2005.	The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations were conducted.
14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.	OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in sections 616, 618 and 642 of the IDEA and 34 CFR §§303.176 and 303.540.