

New Mexico 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 56.4%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>OSEP cannot determine progress or slippage.</p> <p>The State reported that prior noncompliance, related to Special Conditions on the State’s FFY 2006 grant award, was not corrected.</p>	<p>OSEP’s February 28, 2006 SPP response letter required the State to revise its timely standard for this indicator. The State revised its timely standard and the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP cannot determine progress or slippage because the measurement for the baseline and actual target data are not comparable. The State changed its timely standard to be consistent with Part C regulations.</p> <p>In its “explanation of progress or slippage that occurred for FFY 05” for this indicator, the State reported that “the FIT program will analyze the data and queries to determine whether adding a service during the year (i.e., between IFSPs) would count the service as not being delivered timely, as it would be delivered more than the 30 days from the original IFSP.” The State must report data on the timeliness of early intervention services for all IFSPs (including any revisions that occur other than at six months or annually), not just initial IFSPs.</p> <p>OSEP’s February 28, 2006 SPP response letter required the State, under the Special Conditions on the State’s FFY 2005 grant award, to submit a final progress report on May 11, 2006. The State submitted its final progress report on June 23, 2006, which continued to show noncompliance. Therefore, OSEP’s July 3, 2006, FFY 2006 grant award letter included Special Conditions to ensure compliance with Part C’s service provision requirements. Those Special Conditions required the State to submit two progress reports, the first with the State’s FFY 2005 APR and the second by June 1, 2007.</p> <p>The State’s February 1, 2007 report under these Special Conditions provided data for the period July 1, 2005 through June 30, 2006, indicating 56.4% compliance with the requirement to provide early intervention services on IFSPs in a timely manner. However, the State did not provide updated data from July 1 through December 1, 2006 regarding the percentage of infants and toddlers with disabilities and their families who receive all the Part C services identified on</p>

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		<p>their IFSPs.</p> <p>The State also indicated that it did not monitor against their timely standard in FFY 2004 and did not provide correction data specific to this indicator. The State did monitor in FFY 2004 specific to children receiving services in accordance with their IFSPs and reported only 30% correction within one year. However, the State did not provide any information regarding what actions the State was taking to ensure that the outstanding noncompliance was corrected.</p> <p>In addition, the State did not provide, as required by the FFY 2006 Special Conditions, updated monitoring data and information regarding the three providers listed in its June 2006 progress report that had less than full compliance with the requirement to ensure that the early intervention services listed on the IFSPs were provided.</p> <p>The State reported that it “currently has no way to document and account for” the reasons for exceeding the 30 days. The State indicated that it is developing a methodology for monitoring that will take into account the reasons for untimely services.</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>In addition, 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 requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of noncompliance identified in FFY 2005, the remaining noncompliance identified in FFY 2004, and the three providers listed in its June 2006 progress report.</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.</p>	<p>The State’s FFY 2005 reported data for this indicator are 93%. This represents progress from FFY 2004 data of 87%.</p> <p>The State met its FFY 2005 target</p>	<p>The State met its target and OSEP appreciates the State’s efforts to improve performance.</p> <p>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</p>

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[Results Indicator]	of 87%.	environment requirements.
<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>	Entry data provided.	<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, 2008.</p> <p>OSEP's February 28, 2006 SPP response letter required the State to include in the February 1, 2007 APR its sampling plan for this indicator. The State included their plan to pilot and to move to census data for the entry data and the baseline.</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>[Results Indicator; New]</p>	<p>Baseline, targets, and improvement activities provided.</p> <p>The State's reported FFY 2005 baseline data for this indicator are:</p> <p>4A. 78%</p> <p>4B. 72%</p> <p>4C. 92%</p>	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's February 28, 2006 SPP response letter required the State to include in the February 1, 2007 APR a revised sampling plan or, if the State decided to gather census data, to inform OSEP of that and revise the SPP accordingly. The State informed OSEP that it is using census data and revised its improvement activities as required.</p> <p>The State reported it used an adaptation of the NCSEAM survey but did not include the survey with the SPP/APR. The State must include its version of the NCSEAM family survey with the FFY 2006 APR, due February 1, 2008.</p>
5. Percent of infants and toddlers birth to 1 with IFSPs compared	The State's FFY 2005 reported data for this indicator under IDEA	The State met its target and OSEP appreciates the State's efforts to improve

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<p>to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>section 618 are 2.18%. The State met its FFY 2005 target of 2.1%.</p>	<p>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 3.73%. The State met its FFY 2005 target of 3.5%.</p>	<p>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 64%. This represents progress from the FFY 2004 data of 59%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was not corrected.</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 it has begun to look at the reasons for delays. However, the State attempted to apply the percentages from its analysis of the reasons for delays from its data from 7/01/2006 through 12/31/2006 to its FFY 2005 data. The State reported that "if these were included in the denominator for FFY 05 the actual target data for New Mexico would be 90.1%." OSEP appreciates the State looking at the reasons for the delays, but the State may not apply percentages from one set of data to another. The State has amended its improvement activities to collect the reasons for delays, analyze the data and include these data in the numerator and denominator for the FFY 2006 APR submission. OSEP looks forward to reviewing the State's data under this indicator that will include the reasons for untimely evaluations.</p> <p>OSEP's February 28, 2006, SPP response letter required the State, under the Special Conditions on the State's FFY 2005 grant award, to submit a final progress report on May 11, 2006. The State submitted its final progress report on June 23, 2006, which continued to show noncompliance. Therefore, OSEP's</p>

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		<p>July 3, 2006, FFY 2006 grant award letter included Special Conditions to ensure compliance with Part C's 45-day timeline. Those Special Conditions required the State to submit two progress reports, the first by February 1, 2007, and the final report by June 1, 2007, with data demonstrating compliance with the requirements at 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (45-day timeline).</p> <p>The State's February 1, 2007 report under these Special Conditions provided data for the period July 1, 2005 through June 30, 2006 of 64%.</p> <p>The State also reported that 30% of the noncompliance identified in FFY 2004 related to the 45-day timeline was corrected within one year. However, the State did not provide any information regarding the actions the State was taking to ensure that the outstanding noncompliance was corrected. In addition, the State did not provide updated monitoring data and information regarding the 13 providers listed in the State's June 2006 progress report that had less than full compliance with the 45-day timeline.</p> <p>OSEP looks forward, and will respond separately, to the State's June 1, 2007 Progress Report under its FFY 2006 Part C Grant Special Conditions.</p> <p>In addition, 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 requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a), including correction of noncompliance identified in FFY 2005, the remaining noncompliance from FFY 2004, and the 13 providers listed in the State's June 2006 progress report that had less than full compliance with the 45-day timeline.</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>The State's FFY 2005 reported data for this indicator are 87%. This represents slippage from the FFY 2004 data of 96%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p>	<p>The State revised the improvement activities for this sub-indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's February 28, 2006 SPP response letter indicated that the State must include in the FFY 2005 APR data that demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h). The data in the FFY 2005 APR show 87% compliance.</p> <p>The State combined the sub-indicators under Indicator 8 in reporting correction;</p>

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<p>A. IFSPs with transition steps and services; [Compliance Indicator]</p>		<p>therefore, OSEP is unable to determine timely correction for 8A. In the FFY 2006 APR, due February 1, 2008, the State must report correction data by each sub-indicator for transition.</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 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 third birthday including: B. Notification to LEA, if child potentially eligible for Part B; and [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>OSEP appreciates the State's efforts in achieving compliance, and looks forward to 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: C. Transition conference, if child potentially eligible for Part B. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 83%. This represents progress from FFY 2004 data of 75%. The State did not meet its target of 100%.</p>	<p>OSEP's February 28, 2006 SPP response letter required the State to include in the FFY 2005 APR data that demonstrate compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)). The data in the FFY 2005 APR show progress toward achieving compliance.</p> <p>The State combined the sub-indicators for Indicator 8 in reporting correction; therefore, OSEP is unable to determine timely correction for 8C. In the FFY 2006 APR due February 2008, the State must report correction data by each sub-indicator for transition.</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 requirements</p>

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		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>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 57%. This represents slippage from the FFY 2004 data of 73.68%.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior noncompliance was not corrected.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's February 28, 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.</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 requirements in IDEA sections 616(a), 642 and 635(a)(10) and 34 CFR §303.501(b), including correction of outstanding noncompliance identified in FFY 2004.</p> <p>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 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>The State reported that it did not receive any signed written complaints during this reporting period.</p>	<p>The State reported that it did not receive any signed written complaints during this reporting period.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within</p>	<p>The State reported that there were no requests for due process hearings during this reporting period.</p>	<p>The State reported that there were no requests for due process hearings during this reporting period.</p>

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the applicable timeline. [Compliance Indicator]		
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]	NA	The State has not adopted Part B due process procedures.
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that it had not held any mediations during this reporting period.	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%.	The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions. The State met its target. 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.