

Tennessee 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 data of 78%. 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.</p> <p>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 revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP’s March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR data that demonstrate compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). The State’s FFY data are 91% and its FFY 2004 data were 78%. Neither the State’s FFY 2004 data nor its FFY 2005 data measure whether the new Part C services on all IFSPs (initial and existing) were initiated in a timely manner. Instead, the data only measure whether Part C services on initial IFSPs were initiated in a timely manner.</p> <p>The State reported that 3 of 6 programs identified as noncompliant in FFY 2004 (from April 15, 2005 Self-Assessment data) corrected the noncompliance by March 2006 and 2 more (5 of 6) programs corrected their noncompliance by December 2006.</p> <p>The State must implement and evaluate 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 both: (1) measure the timeliness of initiation for new Part C services on <i>all</i> 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)(1), including correction of noncompliance identified in FFY 2005 and remaining noncompliance identified in FFY 2004.</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 76%.</p> <p>The State met its FFY 2005 target of 73.34%.</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>However, because the State’s FFY 2003 APR reported that only 78% of IFSPs included justifications for not providing services in the natural environment, OSEP’s March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR either data demonstrating, or a plan ensuring, compliance</p>

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		with 34 CFR §303.344(d)(1)(ii) which requires that all IFSPs include a statement regarding the natural environments in which early intervention services will be provided and a justification when the services are not provided in that environment. The State did not submit a plan or data related to these requirements in its February 1, 2007 APR. In the FFY 2006 APR, due February 1, 2008, the State must provide, in addition to the data reporting required under this indicator, data demonstrating compliance with the requirements in 34 CFR §303.344(d)(1)(ii).
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <ul style="list-style-type: none"> 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. <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 with the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR a revised sampling methodology that describes how data were collected for the State's FFY 2005 APR. The State indicated in its February 1, 2007 APR, and revised SPP, it would phase-in the use of census data for this indicator.</p>
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop 	<p>The State's reported baseline data for this indicator are:</p> <ul style="list-style-type: none"> 4A. 90% 4B. 95% 4C. 95% 	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR a revised sampling methodology that describes how data were collected for the State's FFY 2005 APR. The State indicated in its February 1, 2007 APR, and revised SPP, it would phase-in the use of census data for this indicator.</p> <p>The State did not provide a description of the representativeness of the FFY 2005 data it submitted in the FFY 2005 APR. 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>and learn.</p> <p>[Results Indicator; New]</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 under IDEA section 618 for this indicator are .73%. This represents progress from the FFY 2004 data of .67%. The State did not meet its revised FFY 2005 target of .74%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and revised its targets on April 4, 2007. 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 1.80%. This represents progress from the FFY 2004 data of 1.71%. The State did not meet its revised FFY 2005 target of 1.92%.</p>	<p>The State revised the improvement activities for this indicator in its SPP and revised its targets on April 4, 2007. 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 86%. This represents progress from the State's FFY 2004 data of 58% (OSEP notes that the FFY 2005 data measured the 45-day timeline from referral instead of parent consent as the State had done in the past).</p> <p>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 its improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 15, 2006 SPP response letter required that the State include in the February 1, 2007 APR: (1) data that demonstrate compliance with the requirements in 34 CFR §§303.321(e)(1), 303.322(e)(1) and 303.342(a); (2) its final progress report which was due October 12, 2006; and (3) a description of the causes for exceeding the 45-day timeline. In the February 1, 2007 APR, the State reported that its monitoring system tracks the reasons (provider or family) for delays in meeting the 45-day timeline requirements and reported on delays attributable to family circumstances in its FFY 2005 data. The State's FFY 2005 data are 86% and data as of September 2006 are 88%. Although the data show noncompliance, the State's data represent progress from its FFY 2004 data.</p> <p>The State reported that the three programs identified as noncompliant in FFY 2004 (from April 15, 2005 Self-Assessment data) had not corrected their</p>

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	<p>The State submitted data beyond the FFY 2005 reporting period indicating 88% compliance as of September 2006.</p>	<p>noncompliance by March or December 2006.</p> <p>The State must implement and evaluate 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 45-day timeline requirements in 34 CFR §§303.321(e)(1), 303.322(e)(1) and 303.342(a), including correction of noncompliance identified in FFY 2005 and remaining noncompliance identified in FFY 2004.</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 did not report FFY 2005 data for this indicator. 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 revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State reported in its February 1, 2007 APR that 5 of 11 programs identified as noncompliant in FFY 2004 (from April 15, 2005 Self-Assessment data) corrected their noncompliance by March 2006 and three more (8 of 11) programs had corrected their noncompliance by December 2006.</p> <p>OSEP's March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR, data that demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h) and its final progress report which was due October 12, 2006. Although the State reported correction data in its February 1, 2007 APR, the State did not submit FFY 2004 baseline data in its SPP submitted in December 2005 or FFY 2005 data in its February 1, 2007 APR. Instead, to address the FFY 2005 data reporting requirements for this indicator, the State submitted a summary of State regulations related to transition planning and a description of trainings performed in the State.</p> <p>The State must implement and evaluate 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: (1) are collected from the data source required for reporting data for this indicator; and (2) demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h), including correction of noncompliance identified in FFY 2005 and remaining noncompliance identified in FFY 2004. In addition, the State must provide the actual numbers for its compliance percentage for this indicator in the FFY 2006 APR due February 1, 2008.</p>
<p>8B. Percent of all children exiting Part C who received timely</p>	<p>The State's FFY 2005 reported data for this indicator are 81%. OSEP</p>	<p>The State revised the improvement activities for this indicator in its SPP and</p>

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<p>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>cannot determine whether this represents progress or slippage because the State did not submit FFY 2004 baseline data. 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>OSEP accepts those revisions.</p> <p>The State reported that 2 of 5 programs identified as noncompliant in FFY 2004 (from April 15, 2005 Self-Assessment data) corrected their noncompliance by March 2006 but three remained noncompliant as of December 2006.</p> <p>OSEP's March 15, 2006 SPP response letter requested that the State adopt an opt-out policy consistent with OSEP's 2004 Elder Letter since its regulations require parent consent for LEA notification. In its FFY 2005 data, the State reported on families who declined LEA notification. Unless a State has adopted a written notice and opt-out policy, IDEA section 637(a)(9) and 34 CFR §303.148(b)(1) require the lead agency to notify the LEA where a child resides of a child transitioning to Part B. While the State indicated that its system is consistent with these provisions, it does not have such a policy on file with OSEP.</p> <p>In the FFY 2006 APR, the State must exclude from its calculations (in both the numerator and denominator) for Indicator 8B, but provide a numerical count of, those children whose families elected to opt out. In addition, the State must ensure that its opt-out policy for LEA notification is included for OSEP's review and approval, as an amendment to the State's FFY 2007 Part C grant application. If the State has not adopted such a policy, then LEAs must be notified of the child's name, date of birth, and parent contact information as required by IDEA section 637(a)(9) and 34 CFR §303.148(b)(1).</p> <p>The State must implement and evaluate 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)(1), including correction of noncompliance identified in FFY 2005 and remaining noncompliance identified in FFY 2004.</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>The State's FFY 2005 reported data for this indicator are 91%. This represents progress from the FFY 2004 data of 80.14%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State reported that prior</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR data that demonstrate compliance with the requirements in 34 CFR §303.148(b)(2)(i) and its final progress report which was due October 12, 2006. The State's reported FFY 2005 data are 91%. Although the data show noncompliance, the data represent progress from the State's FFY 2004 data.</p>

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<p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>noncompliance was partially corrected in a timely manner.</p>	<p>The State reported that 2 of 6 programs found noncompliant in FFY 2004 (from April 15, 2005 Self-Assessment data) corrected noncompliance by March 2006 and three more (5 of 6) programs corrected their noncompliance by December 2006.</p> <p>The State must implement and evaluate 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)(2)(i) as modified by section 637(a) (9) of the IDEA, including correction of noncompliance identified in FFY 2005 and remaining noncompliance identified 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 48%. OSEP cannot determine whether this represents progress or slippage because the FFY 2005 APR data are from the State's redesigned CIMP monitoring process and the State did not submit revised FFY 2004 data incorporating correction standards that are part of the redesigned process.</p> <p>The State did not meet its FFY 2005 target of 100%.</p> <p>The State submitted data beyond the FFY 2005 reporting period indicating 58% compliance as of December 2006.</p>	<p>The State revised the improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 15, 2006 SPP response letter required the State to include in the February 1, 2007 APR: (1) documentation that the State ensured the correction of identified noncompliance, as soon as possible but in no case later than one year from identification; and (2) confirmation that its policies and procedures include an appropriate identification date for starting the one-year timeline for correction of noncompliance.</p> <p>In the February 1, 2007 APR, the State indicated that its standard for the identification date of noncompliance is when the early intervention service program is notified of noncompliance, which is within four to six weeks after the program's submission of its Self-Assessment report. The State reported data showing that 15 of 31 findings of noncompliance identified in FFY 2004 (from April 15, 2005 Self-Assessment data) under all State CIMP indicators were corrected at the program level by March 2006 and 18 of 31 findings were corrected by December 2006. The State also provided a more detailed FFY 2005 data analysis on the correction of State CIMP indicators, selected as more closely aligned with APR compliance indicators, which shows that 52.29% of those findings were corrected by March 2006 and 72.48% by December 2006.</p> <p>The State must implement and evaluate 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), 635(a)(10) and 642 and 34 CFR §303.501(b), including data on the correction of remaining noncompliance</p>

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		identified in FFY 2004. 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, 8B, 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%. The State met its FFY 2005 target of 100%.	The State received three written complaints in FFY 2005 and all were resolved within the 60-day timeline. OSEP appreciates the State's efforts in achieving compliance.
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 in FFY 2005.
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]	The State did not hold any resolution meetings during the FFY 2005 reporting period.	The State is not required to provide targets or improvement activities until any FFY in which 10 or more resolution meetings were held.
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State did not receive any mediation requests during the FFY 2005 reporting period.	The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations were conducted.

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<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>Data not valid and reliable. 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 provide a specific percentage that reflects its FFY 2005 performance data for this indicator, OSEP's analysis under Indicators 1 and 8A above confirms that the State's 100% FFY 2005 target for this indicator was not met.</p> <p>The State addressed the timeliness of its 618 and SPP/APR data submissions under Part C, but did not specifically address the accuracy of the submissions.</p> <p>The State must provide data in the FFY 2006 APR due February 1, 2008 that: (1) include a <i>percentage</i>; (2) address the extent to which the State's 618 <i>and SPP/APR data</i> for the reporting period were timely and accurate; and (3) demonstrate compliance with the requirements in IDEA sections 616, 618 and 642, and 34 CFR §§303.176 and 303.540.</p>