

New York Part C FFY 2006 SPP/APR Response Table

While the State has publicly reported on the performance of each local program located in the State on the targets in the State’s performance plan as required by IDEA section 616(b)(2)(C)(ii)(I), those reports do not contain the required information. Specifically, the State must revise its targets of 85% for Indicators 1, 7, 8A, 8B and 8C to reflect the State’s targets of 100% for each of these indicators.

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	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 revised its FFY 2005 data and the standard it used to determine the timely initiation of Part C services (from 21 days to 30 days from parental consent) for the applicable IFSPs for this indicator. OSEP accepts these revisions.</p> <p>The State’s FFY 2006 reported data for this indicator are 87.8%. These data represent slippage from the revised FFY 2005 data of 90.94%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State did not account for untimely receipt of services.</p> <p>The State reported in Indicator 9 of its FFY 2006 APR that four of four findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was corrected 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 provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.</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>[Results Indicator]</p>	<p>The State’s FFY 2006 reported data for this indicator are 91.5%. These data represent progress from the FFY 2005 data of 89.81%.</p> <p>The State met its FFY 2006 target of 89.51%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</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>The State’s FFY 2006 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 1235 1419 1479"> <thead> <tr> <th data-bbox="548 1235 1060 1409">06-07 Infant and Toddler Outcome Progress Data</th> <th data-bbox="1060 1235 1178 1409">Social Emotional</th> <th data-bbox="1178 1235 1297 1409">Knowledge & Skills</th> <th data-bbox="1297 1235 1419 1409">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1409 1060 1479">a. % of infant & toddlers who did not improve functioning.</td> <td data-bbox="1060 1409 1178 1479">5%</td> <td data-bbox="1178 1409 1297 1479">3%</td> <td data-bbox="1297 1409 1419 1479">4%</td> </tr> </tbody> </table>	06-07 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of infant & toddlers who did not improve functioning.	5%	3%	4%	<p>The State reported the required progress data and improvement activities. The State must provide progress data with the FFY 2007 APR, due February 1, 2009, and baseline data and targets with the FFY 2008 APR, due February 1, 2010.</p>
06-07 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior							
a. % of infant & toddlers who did not improve functioning.	5%	3%	4%							

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<p>C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]</p>	<p>b. % of infant & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</p>	22%	18%	17%	
	<p>c. % of infant & toddlers who improved to a level nearer to same-aged peers but did not reach it.</p>	20%	34%	26%	
	<p>d. % of infant & toddlers who improved functioning to reach a level comparable to same-aged peers.</p>	23%	29%	33%	
	<p>e. % of infant & toddlers who maintained functioning at a level comparable to same-aged peers.</p>	31%	17%	20%	
	<p>The State revised the improvement activities for this indicator in its SPP covering the remaining years of the SPP through FFY 2010.</p>				
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family: A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. [Results Indicator]</p>	<p>The State revised the improvement activities for this indicator in its APR and OSEP accepts those revisions. The State's reported data for this indicator are:</p>				<p>OSEP appreciates the State's efforts to improve performance.</p>
		FFY 2005 Data	FFY 2006 Data	FFY 2006 Target	
	A. Know their rights.	71.2%	73.78%	72.2%	
	B. Effectively communicate their children's needs.	65.69%	68.08%	66.69%	
	C. Help their children develop and learn.	82.41%	83.83%	83.41%	
	<p>These data represent progress from the FFY 2005 data. The State met its FFY 2006 targets.</p>				

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<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 2006 reported data for this indicator are 1.09%. These data represent slippage from the FFY 2005 data of 1.10%.</p> <p>The State did not meet its FFY 2006 target of 1.13%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2007 APR, due February 1, 2009.</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 revised its baseline, targets, and improvement activities for this indicator in its SPP. OSEP accepts the revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 4.24%. These data represent slippage from the FFY 2005 data of 4.56%.</p> <p>The State met its revised FFY 2005 target of 4.09%.</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 2006 reported data for this indicator are 71.3%. These data represent progress from the FFY 2005 data of 52.9%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that three of the three findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2005 with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342 was corrected 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 provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342, including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>

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<p>8. 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 2006 reported data for this indicator are 88.2%. However, OSEP recalculated these data to be 87.1%. These data represent progress from the corrected FFY 2005 data of 83.3% (submitted on November 15, 2007 in response to the Department's October 22, 2007 letter).</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that two of two findings of noncompliance identified in FFY 2005 related to this indicator were corrected in a timely manner.</p>	<p>The State reported FFY 2006 data for this indicator using a weighted ratio count. OSEP recalculated these data using the actual numbers. In the FFY 2007 APR, due February 1, 2009, the State must use the actual numbers when reporting on this indicator.</p> <p>The State reported that noncompliance identified in FFY 2005 with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) was corrected 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 provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the requirements in, 34 CFR §§303.148(b)(4) and 303.344(h), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>
<p>8. 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 2006 reported data for this indicator are 99.6%. However, OSEP recalculated these data to be 97.8%.</p> <p>These data represent progress from the corrected FFY 2005 data of 95.3% (submitted on November 15, 2007 in response to the Department's October 22, 2007 letter). The State did not meet its FFY 2006 target of 100%.</p>	<p>The State reported FFY 2006 data for this indicator using a weighted ratio count. OSEP recalculated these data using the actual numbers. In the FFY 2007 APR, due February 1, 2009, the State must use the actual numbers when reporting on this indicator.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2007 APR, due February 1, 2009, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §§303.148(b)(1), including reporting</p>

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		correction of the noncompliance identified in the FFY 2006 APR.
<p>8. 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 2006 reported data for this indicator are 44.6%. However, OSEP recalculated these data to be 53.7%. These data represent progress from the corrected FFY 2005 data of 37.1% (submitted on November 15, 2007 in response to the Department's October 22, 2007 letter).</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>The State reported that none of the three FFY 2005 findings were corrected in a timely manner. For the uncorrected noncompliance, the State reported that follow-up activities were implemented that included technical assistance, submission of a corrective action plan (CAP) and follow-up monitoring by State staff to demonstrate compliance.</p>	<p>As required by OSEP's June 15, 2007 FFY 2005 SPP/APR response table, the State reported in the February 1, 2008 APR that the noncompliance identified in FFY 2004 with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)) was corrected.</p> <p>The State reported FFY 2006 data for this indicator using a weighted ratio count. OSEP recalculated these data using the actual numbers. In the FFY 2007 APR, due February 1, 2009, the State must use the actual numbers when reporting on this indicator.</p> <p>The State reported that noncompliance identified in FFY 2005 with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)) was not corrected in a timely manner. The State must report on the correction of the uncorrected noncompliance in the FFY 2007 APR, due February 1, 2009.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to demonstrate in the FFY 2007 APR, due February 1, 2009, that the State is in compliance with requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), including reporting correction of the noncompliance identified in the FFY 2006 APR.</p>

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<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 revised the data for this indicator in its SPP and OSEP accepts those revisions.</p> <p>The State's FFY 2006 reported data for this indicator are 75% (or correction of 9 of 12 FFY 2005 findings). These data represent slippage from the corrected FFY 2005 data of 97% (submitted on November 15, 2007 in response to the Department's October 22, 2007 letter).</p> <p>The State did not meet its FFY 2006 target of 100%.</p> <p>For the uncorrected noncompliance, the State reported that it provided intensive technical assistance, the development of a CAP and follow-up monitoring to ensure compliance.</p>	<p>The State must demonstrate, in the FFY 2007 APR, due February 1, 2009, that the State has corrected the remaining noncompliance identified in Indicator 9 from FFY 2005.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State timely corrected noncompliance identified in FFY 2006 (2006-2007) under this indicator in accordance with IDEA section 635(a)(10)(A) and 34 CFR §303.501.</p> <p>In addition, in responding to Indicators 1, 7, 8A, 8B, and 8C the State must 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 2006 reported data for this indicator are 82% (based on 9 of 11 complaints). These data represent progress from the FFY 2005 data of 0%.</p> <p>The State did not meet its FFY 2006 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2007 APR, due February 1, 2009, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §§303.510 through 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 due process hearing requests during the FFY 2006 reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2007 APR, due February 1, 2009.</p>

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<p>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]</p>	<p>Not applicable.</p>	<p>This indicator does not apply to the State because the State has not adopted the Part B due process procedures.</p>
<p>13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 96% (based on 27 of 28 requests for mediation). These data represent progress from the FFY 2005 data of 80%. The State met its FFY 2006 target of 82%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State's FFY 2006 reported data for this indicator are 100%. The State met its FFY 2006 targets of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with IDEA section 616, 618, 642 and 34 CFR §§76.720 and 303.540.</p>