

Table A – Part C - Alabama

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p><b>Indicator 1:</b> Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. (20 USC 1416(a)(3)(A) and 1442)</p>	<p><b>(1) Noncompliance:</b> The State reported a 96% level of compliance for Indicator 1 in the SPP, specifically the requirements at 34 CFR §303.342(e) and 303.344(f)(1). While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p> <p><b>(2) Other:</b> The State's timely standard begins with the IFSP development date (specifically, page 3 of the SPP provides "within 30 days of IFSP development"). The Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) require that the lead agency provide the early intervention services that are consented to by the parent as soon as possible after the IFSP meeting. OSEP assumes that the IFSP development date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p> <p><b>(3) Other:</b> In the State's computation of its baseline data for this compliance Indicator, the State may have included children for whom reasonable delays were attributable to exceptional family circumstances documented in the child's record.</p>	<p>(1) OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p> <p>(2) The State must confirm in the FFY 2005 APR due February 2, 2007 that the IFSP development date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p> <p>(3) In the FFY 2005 APR, due February 1, 2007, the State should not include in the calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record. The State must include in its discussion of data, the numbers it used to determine its calculation under this Indicator and report separately the number of documented delays attributable to family circumstances.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 4:</b> Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> <li>A. Know their rights;</li> <li>B. Effectively communicate their children's needs; and</li> <li>C. Help their children develop and learn.</li> </ul> <p>(20 USC 1416(a)(3)(A) and 1442)</p> <p><b>Indicator 7:</b> 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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>An evaluation of the sampling plan for Indicator 4 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish entry level data for this Indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p><b>Noncompliance:</b> The State reported a 96% level of compliance for Indicator 7 in the SPP, specifically the requirements at 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p>	<p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State's FFY 2005 APR. In the FFY 2005 APR, the State also needs to explain how the State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If the State decides not to sample, but rather gather census data, please inform OSEP and revise the SPP accordingly.</p> <p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 8:</b> 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> <ul style="list-style-type: none"> <li>A. IFSPs with transition steps and services</li> <li>B. Notification to LEA, if child potentially eligible for Part B; and</li> <li>C. Transition conference, if child potentially eligible for Part B.</li> </ul> <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> The State reported an 88% level of compliance for Indicator 8(A) in the SPP, specifically the requirements at 34 CFR §§303.344(h) and 303.148(b)(4).  The State reported a 99% level of compliance for Indicator 8(B) in the SPP, specifically the requirement at 34 CFR §303.148(b)(1).  The State reported a 92% level of compliance for Indicator 8(C) in the SPP, specifically the requirement at 34 CFR §303.148(b)(2)(i).  While these levels of compliance are below 100% and require improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with these requirements.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>