

Table A – Delaware Part C

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 1: 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>Noncompliance: See Table B.</p> <p>Other: On page 3 of the SPP, the State clarified that the State guideline for timely initiation of services is “30 days from referral to EI providers.” DHSS further clarified that “referred for service is defined as date referred for service with parent consent as indicated on the IFSP. IFSP service initiation date is date a service starts.” OSEP appreciates DHSS’ inclusion of definitions, but it is not clear from the wording whether “date referred for service” is the same date that the parent consents for services, or a subsequent date.</p>	<p>Noncompliance: See Table B.</p> <p>Other: The State must confirm in the FFY 2005 APR, due February 1, 2007, that the timeline for “timely” begins when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). If the “date referred for service” is not the same date that the parent consents, the State must revise its definition of “timely” to be consistent with 34 CFR §§303.342(e) and 303.344(f)(1).</p>
<p>Indicator 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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: See Table B.</p>	<p>Noncompliance: See Table B.</p>

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SPP Indicator	Issue	Required Action
<p>Indicator 8:</p> <p>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"> A. IFSPs with transition steps and services; B. Notification to LEA, if child potentially eligible for Part B; and C. Transition conference, if child potentially eligible for Part B. <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <p><u>Indicator 8A</u>: The State reported an 82% level of compliance for this indicator, specifically the requirements at 34 CFR §§303.344(h) and 303.148(b)(4).</p> <p><u>Indicator 8B</u> - The State reported approximately an 80% level of compliance for this indicator, specifically the requirement at 34 CFR §303.148(b)(1).</p> <p><u>Indicator 8C</u>: Noncompliance - See Table B.</p>	<p>Noncompliance:</p> <p><u>Indicators 8A and 8B</u> - The State must ensure that this noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary, revise its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p> <p><u>Indicator 8C</u>: Noncompliance - See Table B.</p>
<p>Indicator 9:</p> <p>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>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <p>The State reported correction of noncompliance rates for priority areas and areas that were not included in priority areas. In the priority areas, the range of correction was between 74.3% and 88.9%. In the nonpriority areas, the State was able to report that all of the findings related to the distribution of family rights information were corrected within one year of identification.</p>	<p>Noncompliance:</p> <p>The State must ensure that noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary, revise its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>