

Table B – Florida Part C

Previously Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
Early Intervention Services in Natural Environments			
<p>Indicator 1 – OSEP’s March 26, 2004 letter accepted the State’s plan to ensure compliance with the requirement to ensure the provision of early intervention services on the IFSP in a timely manner as required by 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1).</p> <p>OSEP’s November 8, 2005 FFY 2003 APR required FDOH to submit updated data in the SPP demonstrating compliance with this requirement.</p> <p>If the data indicate noncompliance, the State must include as part of Indicator 1 its analysis and provide any additional strategies to ensure compliance as soon as possible.</p> <p>OSEP’s November 8, 2005 FFY 2003 APR letter also stated that failure to demonstrate compliance may result in the State being considered a “high risk” designee for its FFY 2006 Part C grant under IDEA.</p>	<p>On page 2 of Attachment II in the FFY 2005 SPP, FDOH reported that 50% of the findings, (1 of 2 local programs), were corrected. FDOH reported that the one remaining local program was required to demonstrate compliance by July 1, 2006 or be designated as a “high risk program” and be subject to enforcement action.</p> <p>On pages 5-6 and 39 of its SPP, FDOH identified strategies to ensure compliance with this requirement.</p>	<p>FDOH reported data that identified noncompliance with the requirement to ensure the provision of services in a timely manner as required by 34 CFR §303.344(f).</p> <p>On pages 5-6 and 39 of its SPP, FDOH identified strategies to ensure compliance with this requirement for the one remaining local program.</p>	<p>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.</p> <p>See Table A for related issues with this requirement.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 2 - OSEP's March 26, 2004 letter accepted the State's plan to ensure compliance regarding the requirement to ensure that individualized decisions are made by participants at the Individualized Family Service Plan (IFSP) meeting, including the decision to determine and document the provision of services in natural environments, as required by 34 CFR §§303.12, 303.18 and 303.344(d)(1)(i).</p> <p>OSEP's November 8, 2005 letter responding to the State's FFY 2003 APR required FDOH to submit updated data in the SPP demonstrating compliance with this requirement.</p> <p>The State was required to provide the number of children without appropriate child-outcome based justifications when they are not receiving services in the natural environment.</p> <p>OSEP's November 8, 2005 FFY 2003 APR stated that failure to demonstrate compliance may result in the State being considered a "high risk" designee for its FFY 2006 Part C grant under IDEA.</p>	<p>On page 2 of Attachment II in FFY 2005 SPP, FDOH reported that 60% of the findings, (3 of 5 local programs), were corrected.</p> <p>FDOH reported that the two remaining local programs were required to demonstrate compliance by July 1, 2006 or be designated as a "high risk program" and be subject to enforcement action.</p>	<p>FDOH provided data that demonstrate continuous noncompliance, specifically a 60% level of compliance for Indicator 9B, to ensure that individualized decisions are made, including the decision to determine the provision of services in natural environments, as required by 34 CFR §§303.12, 303.18 and 303.344(d)(1)(i).</p>	<p>The State must submit data that demonstrate compliance with this requirement by June 1, 2006 for the three remaining local programs.</p> <p>Failure to demonstrate compliance at that time may result in the State being identified as a "high risk" grantee or otherwise affect the State's FFY 2006 grant award.</p> <p>See Indicator 2 in Table A for related issues regarding this requirement.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 7 – OSEP’s March 26, 2004 letter accepted the State’s plan to ensure compliance regarding the requirement to ensure timely evaluations and assessments in order to conduct the initial IFSP meeting within 45 days of the referral to Part C, as required by 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p> <p>OSEP’s November 8, 2005 letter responding to the State’s FFY 2003 APR required FDOH to submit in the SPP updated data demonstrating compliance with this requirement.</p> <p>OSEP’s November 8, 2005 FFY 2003 APR stated that failure to demonstrate compliance may result in the State being considered a “high risk” designee for its FFY 2006 Part C grant under IDEA.</p>	<p>On page 3 of Attachment II in the FFY 2005 SPP, FDOH reported that 50% of the findings, (3 of 6 local programs), were corrected.</p> <p>FDOH reported that the remaining three local programs were required to demonstrate compliance by July 1, 2006 or be designated as a “high risk program” and be subject to enforcement action.</p>	<p>FDOH reported data that indicate continuous noncompliance with the requirement to ensure timely evaluations and assessments in order to conduct the initial IFSP meeting within 45 days of the referral to Part C, as required by 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p> <p>FDOH reported baseline data in its SPP that demonstrated continued improvement, but not full compliance with this requirement.</p> <p>On page 28 of its SPP, FDOH stated that 69% of local programs were in compliance. Forty-three percent of the 31% not in compliance had an appropriate child–outcome based justification, 56% of the 31% IFSPs did not.</p>	<p>The State must submit data that demonstrate compliance with this requirement by June 1, 2006 for the three remaining local programs.</p> <p>Failure to demonstrate compliance at that time may result in the State being identified as a “high risk” grantee or otherwise affect the State’s FFY 2006 grant award.</p> <p>See Table A for related issues regarding this requirement.</p>

Issue	State Submission	OSEP Analysis	Required Action
Early Childhood Transition			
<p>Indicator 8A – OSEP’s November 19, 2004 letter responding to the State’s FFY 2002 APR identified noncompliance with the requirement to document steps on the IFSP to support the transition of the child and family, as required by 34 CFR §§303.148(b)(4) and 303.344(h).</p> <p>OSEP’s November 8, 2005 FFY 2003 APR required FDOH to submit updated data with its SPP demonstrating compliance with this requirement.</p> <p>OSEP’s November 8, 2005 FFY 2003 APR required FDOH to submit monitoring data (if these data were used to determine compliance) by local service area regarding transition planning requirements.</p>	<p>On page 33 of the SPP, FDOH reported baseline data that indicated 66% of children exiting Part C have an IFSP with transition steps and services.</p> <p>This baseline data was determined based on FDOH’s review of IFSPs in all 16 local programs.</p>	<p>Rather than reporting follow-up monitoring data, FDOH reported baseline data that demonstrate continuous noncompliance with the requirement to support the transition of the child and family, as required by 34 CFR §§303.148(b)(4) and 303.344(h).</p> <p>FDOH did not provide data delineated by local program as specified in OSEP’s November 8, 2005 APR response.</p>	<p>The State must submit data that demonstrate compliance with this requirement in the FFY 2005 APR due February 1, 2007.</p> <p>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>See Table A for related issues regarding this requirement.</p>
<p>Indicator 8C- OSEP’s March 26, 2004 letter accepted the State’s plan to ensure compliance with the requirement to hold the transition meeting, with concurrence from the family, at least 90-days before the child’s third birthday for children potentially eligible for Part B services, as required by 34 CFR §303.148(b)(2)(i).</p> <p>OSEP’s November 8, 2005 FFY 2003 APR required FDOH to submit updated data in demonstrating compliance with this requirement.</p> <p>OSEP’s November 8, 2005 FFY 2003 APR stated that failure to demonstrate compliance may result in the State being considered a “high risk” designee for its FFY 2006 Part C grant under IDEA.</p>	<p>On page 4 of Attachment II in the FFY 2005 SPP, FDOH reported that 57% of the findings, (4 of 7 local programs), were corrected.</p> <p>FDOH reported that child record reviews were conducted to verify correction of the noncompliance.</p> <p>FDOH reported that the three remaining local programs were required to demonstrate compliance by July 1, 2006 or be designated as a “high risk program” and be subject to enforcement action.</p>	<p>FDOH reported data that identified continuous noncompliance with the requirement to hold the transition meeting, with concurrence from the family, at least 90-days before the child’s third birthday for children potentially eligible for Part B services, as required by 34 CFR §303.148(b)(2)(i).</p> <p>On pages 34-36 and 39 of its SPP, FDOH identified strategies to ensure compliance with this requirement for the three remaining local programs that did not demonstrate compliance.</p>	<p>The State must submit data that demonstrate compliance with this requirement by June 1, 2006 for the three remaining local programs.</p> <p>Failure to demonstrate compliance at that time may result in the State being identified as a “high risk” grantee or otherwise affect the State’s FFY 2006 grant award.</p> <p>See Table A for related issues regarding this requirement.</p>

Issue	State Submission	OSEP Analysis	Required Action
General Supervision			
<p>Indicator 9C - OSEP's November 8, 2005 letter responding to the State's FFY 2003 Annual Performance Report (APR) required FDOH to submit a written assurance that its revised complaint procedures and revised notice have been implemented and provide a copy of the memorandum to demonstrate that the complaint procedures and notice were issued to all local programs, as required by 34 CFR §§303.500-303.512.</p>	<p>FDOH submitted in conjunction with its SPP an interoffice memorandum dated July 14, 2005, and letter to OSEP dated July 15, 2005 clarifying the revisions that were made to its complaint procedures and distributed to all local programs. FDOH stipulated that the revised procedures must be implemented by July 15, 2005.</p>	<p>FDOH provided documentation that demonstrated compliance with the requirement to ensure that the State's complaint procedures comply with the requirements at 34 CFR §§303.500 through 303.512.</p> <p>OSEP appreciates the State's efforts in ensuring compliance with this requirement.</p>	<p>No further action required.</p>