

Table B – Hawaii Part C
Previously Identified Issues

| Issue | State Submission | OSEP Analysis | Required Action |
|--|--|---|---|
| <p>Indicator 7: Special conditions attached to Hawaii's FFY 2005 Part C grant award, dated July 6, 2005, required Hawaii to submit data demonstrating that infants and toddlers receive a comprehensive evaluation and assessment in all five developmental areas on a timely basis under 34 CFR §303.322.</p> <p>OSEP's February 27, 2006 letter responding to HDOH's progress report under the Special Conditions required HDOH to submit data demonstrating compliance in the final progress report due April 14, 2006.</p> | <p>HDOH reported in the SPP, page 28, that 77% of eligible infants and toddlers had an evaluation within 45 days of referral. The State reported that 73% had an initial IFSP within 45 days of referral.</p> <p>HDOH's Special Condition Progress Report dated November 17, 2005, indicated that in September 2005 noncompliance was identified in 12 early intervention programs/sections.</p> | <p>Data indicates continued noncompliance with Part C's requirement for conducting evaluations and assessments and an initial IFSP meeting within 45 days of referral under 34 CFR §§303.321(e)(2) and 303.322(e)(2).</p> | <p>As part of the final Special Conditions Report due April 14, 2006, Hawaii must provide:</p> <ul style="list-style-type: none"> • Updated data for October, November and December 2005 and January, February, and March 2006; and • Updated monitoring data for EIS programs identified as being in noncompliance with the comprehensive evaluations requirement through March 30, 2006. <p>Failure to provide data demonstrating compliance with 34 CFR §303.322 may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award. OSEP encourages the State to determine whether it can demonstrate compliance within the required timeframe, and, if not, to determine whether the State wishes to request a compliance agreement, which, if negotiated and agreed to by the Department and the State, would provide the State with up to three years to demonstrate compliance.</p> |

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| <p>Indicator 8: Special conditions attached to Hawaii’s FFY 2005 Part C grant award, dated July 6, 2005, required Hawaii to submit data demonstrating compliance with timely transition planning under 34 CFR §303.148.</p> | <p>8A: The SPP, page 31, indicates that 61% of IFSPs contained transition steps and services.</p> <p>8B: The SPP, page 32, indicated “there is no baseline data for Transition Notices as Transition Notices was just implemented.”</p> <p>8C: The SPP, page 31, indicates that 41% of children exiting Part C and potentially eligible for Part B had a transition conference at least 3 months prior to the child’s third birthday.</p> <p>HDOH’s Special Conditions Interim Report dated January 31, 2006, included revised data indicating that as of:</p> <ul style="list-style-type: none"> • September 2005, 72% of children exiting Part C had an IFSP that contained transition steps and services, and 67% of children exiting Part C and potentially eligible for Part B had a transition conference at least 3 months prior to the child’s third birthday; and • December 2005, notification to the school district occurred for 88% of children approaching the age of transition. | <p>Data indicates continued noncompliance.</p> <p>Transition notification data has only been collected for three months.</p> | <p>HDOH must submit a final Special Conditions Progress Report on April 14, 2006 that includes:</p> <ul style="list-style-type: none"> • Updated transition planning data for October, November and December 2005 and January, February, and March 2006; and • Updated transition planning compliance information through March 30, 2006. <p>Failure to provide data demonstrating compliance with 34 CFR §303.148 may result in the State’s continuing designation as a “high risk” grantee or otherwise affect its FFY 2006 grant award. OSEP encourages the State to determine whether it can demonstrate compliance within the required timeframe, and, if not, to determine whether the State wishes to request a compliance agreement, which, if negotiated and agreed to by the Department and the State, would provide the State with up to three years to demonstrate compliance.</p> |

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| <p>Indicator 9: <u>Identification and Correction of Noncompliance</u></p> <p>OSEP’s FFY 2005 Part C Grant Award letter dated July 6, 2005 to Hawaii included Special Conditions regarding failure of the lead agency to monitor all programs and agencies used to provide Part C services and correct identified noncompliance under 34 CFR §303.501(b).</p> | <p>The SPP, page 36, indicates that for the EIS program, only 27.3% of identified noncompliance in priority areas was corrected within one year and for the Public Health Nursing Branch (PHNB) and Healthy Start (HS), correction rates were 7.7%, and 16.7%, respectively.</p> <p>The percent of noncompliance in non-priority areas corrected within one year ranged from 0% to a high of 57.1%.</p> <p>HDOH’s November 21, 2005 Special Conditions Report, page 3, indicates that of 40 indicators reviewed, six early intervention programs had 10 or more areas of noncompliance identified, and two programs had 20 or more areas of noncompliance identified.</p> | <p>Data indicates continued significant noncompliance.</p> | <p>HDOH must submit a final Special Conditions Progress Report on April 14, 2006 that includes:</p> <ul style="list-style-type: none"> • Updated information from the November 21, 2005 report for agencies monitored through March 30, 2006; • Corrective actions approved prior to March 30, 2006, the status of correction including data submitted to the lead agency by the agency or program and any additional enforcement or corrective actions taken by the lead agency; and • A list of any sanctions and enforcement mechanisms used or identified as needed by the lead agency by each program or agency providing Part C services in Hawaii. |
| <p>Indicator 9: <u>IFSPs contain the present levels of developmental functioning</u></p> <p>OSEP’s FFY 2005 Part C Grant Award letter, dated July 6, 2005, to Hawaii included Special Conditions regarding failure of the lead agency to ensure that IFSPs contain the present levels of developmental functioning for each child under 34 CFR §303.344(a).</p> | <p>HDOH’s Special Conditions Interim Report dated January 31, 2006, included:</p> <ul style="list-style-type: none"> • Revised data indicating that as of September 2005, 85% of IFSPs reviewed contained present levels of functioning; and • Data indicating that 15 programs remained noncompliant in this area. <p>The SPP, page 36, indicates that the percent of IFSPs with present levels of functioning increased to 90% for EIS programs.</p> | <p>In the SPP, the State reported a 90% level of compliance for EIS programs with this requirement. 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>HDOH must submit a final Special Conditions Progress Report on April 14, 2006 that includes:</p> <ul style="list-style-type: none"> • Updated EIS program data for October, November and December 2005 and January, February, and March 2006; and • Updated monitoring data for EIS program programs identified as being in noncompliance with the present level of functioning requirement through March 30, 2006. <p>Failure to provide data demonstrating compliance with 34 CFR §303.344(a) may result in the State’s continuing designation as a “high risk” grantee or otherwise affect its</p> |

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