

Illinois – Part C

Table A - Issues Identified in the State Performance Plan (SPP)

SPP Indicator	Issue	Required Action
<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: The State reported a 95% level of compliance for Indicator 1 in the SPP, specifically the requirement 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>OSEP looks forward to reviewing data in the Annual Performance Report (APR), due February 1, 2007, that demonstrate full compliance with this requirement.</p>
<p>Indicator 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: 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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: The State reported the following levels of compliance for Indicator 8 A, B, and C on page 47 of the SPP: 8A (34 CFR §§303.148(b)(4) and 303.344(h)) – 8.5% 8B (34 CFR §303.148(b)(1)) – 11.9% 8C (34 CFR §303.148(b)(2)(i)) – 5.3%</p> <p>On pages 45 and 46 of the SPP, the State explained why it believes that these data are not accurate and under-represent the levels of compliance with these requirements, and described the steps that it is taking to ensure that it will, in the future, have accurate compliance data.</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. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include valid and reliable 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>Indicator 13: Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>(1) The State included targets and improvement activities regarding mediation; however, baseline data indicated that the total number of mediations requested during the reporting period was fewer than ten. OSEP guidance on developing the SPP indicated that targets and improvement activities were not needed until the total number of mediations requested totaled ten or greater.</p> <p>(2) The State established a target above 90% for mediation. The consensus among mediation practitioners is that 75-85% is a reasonable rate of mediations that result in agreements and is consistent with national mediation success rate data. A higher mediation goal, while appropriate for some States, may not be appropriate if it results in agreements that are not voluntarily implemented. It is better to have a lower percentage of viable, implemented agreements than a higher percentage of agreements, some of which are not voluntarily implemented.</p>	<p>(1) The State may remove the targets and improvement activities related to mediation in the APR, due February 1, 2007, if the number of mediations for FFY 2005 is less than 10. In a reporting period when the number of mediations reaches ten or greater, the State must develop targets and improvement activities, and report them in the corresponding APR.</p> <p>(2) If the State is required to establish a target in a future APR because it meets the threshold of ten or more mediation requests, the State may want to review its target, to determine if an adjustment is needed and submit the revised target in that APR.</p>