

**TABLE A**  
**Issues Identified in the State Performance Plan**  
**INDIANA PART C**

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 U.S.C. 1416(a)(3)(A) and 1442)</p>	<p><b>Noncompliance:</b> The State reported an 80% level of compliance for Indicator 1, specifically the requirement at 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1).  <b>Other:</b> On page 3 of the SPP, 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><b>Noncompliance:</b> 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.  <b>Other:</b> In the 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>
<p><b>Indicator 5:</b>  Percent of infants and toddlers birth to 1 with IFSPs compared to:  A. Other States with similar eligibility definitions; and  B. National data.  (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>On page 17 of the SPP, the State provided baseline information using its December 1, 2003 child count data. The State indicated that it would amend the baseline data in its next APR submission, due February 1, 2007.  See numbers 3 and 4, in Indicator 6 below, that address issues relating to the State's proposed changes to its eligibility criteria and system of payments.</p>	<p>In the APR, due February 1, 2007, the State must include both updated baseline data for FFY 2004 (July 1, 2004 through June 30, 2005) and its first reporting of progress data for this target from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data for both years may affect OSEP's determination in 2007 of the State's status under section 616(d) of the IDEA.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 6:</b> Percent of infants and toddlers birth to 3 with IFSPs compared to</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>On page 21 of the SPP, the State provided baseline information using its December 1, 2003 child count data. The State indicated that it would amend the baseline data in its next APR submission, due February 1, 2007.</p> <p>The State provided targets for FFY 2006 through FFY 2010 that reflect a 0.35% decrease in the State's identification of children served in the birth to 3 year old category. The State cites proposed changes to its eligibility criteria and system of payments as the basis for the expected decrease. OSEP's review of the State's targets confirms that the State not only proposes to remain above the national identification rate for birth to three year olds, but also above the identification rates for States with comparable eligibility criteria.</p> <p>The State reported on page 17 of the SPP that it intends to revise its eligibility criteria in 2006 through rule promulgation.</p> <p>The State reported on page 19 of the SPP that a second legislative change that will be implemented in 2006 is an increase in cost participation criteria and copy fees. The State's proposed changes to its system of payments may not impact negatively on the State's identification rate of birth to three year olds because the State must count all children with IFSPs in the calculation. OSEP has neither reviewed nor approved the State's proposed system of payments described in the SPP.</p>	<ol style="list-style-type: none"> <li>In the APR, due February 1, 2007, the State must include both updated baseline data for FFY 2004 (July 1, 2004 through June 30, 2005) and its first reporting of progress data for this target from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include both types of these data may affect OSEP's determination in 2007 of the State's status under section 616(d) of the IDEA.</li> <li>No further action is required.</li> <li>The State must submit as a grant application amendment, for OSEP's approval, any proposed revisions to its eligibility criteria policies. The policies may not be adopted until they have been subject to the public participation requirements of 34 CFR §§303.110 through 303.113 and have been approved by OSEP.</li> <li>The State must submit as a grant application amendment, for OSEP's approval, any proposed revisions to its system of payments policies. The policies may not be adopted until they have been subject to the public participation requirements of 34 CFR §§303.110 through 303.113 and have been approved by OSEP.</li> </ol>
<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.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> The State reported a 95.63% level of compliance for Indicator 7 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 APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>

SPP Indicator	Issue	Required Action
<p><b>Indicator 8:</b></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"> <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 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b></p> <ol style="list-style-type: none"> <li>1. The State reported a 94.7% level of compliance for Indicator 8B in the SPP, specifically the requirement at 34 CFR §303.148(b)(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.</li> <li>2. In addition, see Table B for previously identified issues relating to Indicator 8C.</li> </ol> <p><b>Other:</b> On page 30 of the SPP, the State submitted baseline data for Indicator 8C based only on family surveys, which are not reliable as the sole source of data in determining compliance with this indicator.</p>	<p><b>Noncompliance:</b></p> <ol style="list-style-type: none"> <li>1. OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</li> <li>2. As discussed in Table B.</li> </ol> <p><b>Other:</b> The State must include in the FFY 2005 APR, due February 1, 2007, valid and reliable data, which may include monitoring findings.</p>
<p><b>Indicator 9:</b></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>The State did not provide the information required for Indicator 9B and 9C. Indicator 9B requests data on noncompliance related to areas not included in monitoring priority areas and indicators corrected within one year of identification. Indicator 9C requests data on noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification. Instead, the State on Indicator 9B and 9C, pages 33 and 34 of the SPP, provided information on noncompliance related to monitoring priority areas and indicators corrected within one year of identification.</p>	<p>The State must include this information in the APR, due February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>
<p><b>Indicator 13:</b></p> <p>Percent of mediations held that resulted in mediation agreements.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>The State included targets and improvement activities regarding mediation; however, baseline data indicated that the total number of mediations requested 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>The State may remove the improvement activities related to mediation in the APR, due February 1, 2007, if the number of mediations for 2004-2005 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>