

MAINE PART C

Table A – Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p><b>Indicator 3:</b> Percent of infants and toddlers with IFSPs who demonstrate improved outcomes. (20 USC 1416(a)(3)(A) and 1442)</p>	<p>An evaluation of the sampling plan for Indicator 3 indicated that it was not technically sound (see OSEP’s February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because the State’s plan is to use these invalid data to establish entry-level data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>	<p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State’s FFY 2005 APR. In the FFY 2005 APR, the State also needs to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If the State decides not to sample, but rather gather census data, please inform OSEP and revise the SPP accordingly.</p>
<p><b>Indicator 4:</b> Percent of families participating in Part C who report that early intervention services have helped the family. (20 USC 1416(a)(3)(A) and 1442)</p>	<p>OSEP could not determine if the State plans to use sampling in collecting data for this indicator. If so, it is important that the State have a technically sound sampling plan to ensure that data used for entry, baseline, or to report on progress are valid and reliable. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>	<p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State’s FFY 2005 APR. In the FFY 2005 APR, the State also needs to explain how the State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If the State decides not to sample, but rather gather census data, please inform OSEP and revise the SPP accordingly.</p>
<p><b>Indicator 6:</b> Percent of infants and toddlers birth to 3 with IFSPs compared to: A. Other States with similar eligibility definitions; and B. National data. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>The State indicated on page 36 in the SPP that the State is considering revising its Part C eligibility criteria. In anticipation of such a change, the State has developed targets that it indicated reflect improvement despite a slight downward slope from 2.8% in 2005 to 2.6% in 2010. In addition, the State’s proposed targets are expected to remain above the national average of identification of children with disabilities birth to three.</p>	<p>If the State revises its eligibility criteria, then no further action is required prior to submission of the FFY 2005 APR. However, any proposed revised eligibility criteria must be submitted for OSEP’s approval and may not be implemented until they have been subject to Part C’s public participation requirements in 34 CFR §§303.110 through 303.113 and have been approved by OSEP. If the State does not revise its eligibility criteria, it must revise its targets to reflect improvement.</p>

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Table A – Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p><b>Indicator 8:</b> 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 USC 1416(a)(3)(B) and 1442)</p>	<p>8A, 8B and 8C: The State did not provide baseline data in the SPP in response to Indicators 8A, 8B and 8C. The State indicated on page 43 that the current data system does not record transition data other than eligibility criteria.</p>	<p>The State must include, in the FFY 2005 APR, due February 1, 2007, data from FFY 2005 (July 1, 2005 through June 30, 2006) that meet the required measurements for Indicators 8A, 8B and 8C. Failure to include these data may affect OSEP’s determination in 2007 of the State’s status under section 616(d) of the IDEA.</p>
<p><b>Indicator 9:</b> 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. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>The State did not provide adequate baseline data in the SPP in response to this indicator.</p> <p>Although the State indicated on page 48 that the State is 100% compliant, it provided no data related to the nature of the findings made in the 16 Child Development Services (CDS) monitoring visits during summer of 2005. The State referred to “a number of technical assistance needs and improvement opportunities” that were identified. It is not, however, clear whether or not these were findings of noncompliance.</p>	<p>The State must include, in the FFY 2005 APR, due February 1, 2007, the required baseline data for this indicator, including whether or not identified noncompliance was corrected within one year. 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.</p>
<p><b>Indicator 14:</b> State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>Although the State reported current and sustained performance of 100% for this indicator, on page 58 of the SPP, the baseline data only references timeliness of State-reported data. There is no reference to accuracy of the data. In addition, the measurable and rigorous targets set by the State on page 59 do not expressly specify 100% timeliness and accuracy of State-reported data.</p>	<p>While the State provided some information that allows OSEP to make inferences regarding the State’s intended targets for Indicator 14, the State did not explicitly indicate that its targets are 100% for both timely data and accurate data reports.</p> <p>The State must revise the targets in the APR, due February 1, 2007, to clarify that it is the State’s intent to reach 100% timeliness AND 100% accuracy regarding data reported, in the SPP and in the APRs, as well as under section 618.</p>