

**Table A – North Carolina Part C
Issues Identified in the State Performance Plan**

SPP Indicator	Issue	Required Action
<p>Indicator 1:</p> <p>Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>(20 USC 1416(a)(3)(A) and 1442)</p>	<p>Noncompliance:</p> <p>The State reported an 80% level of compliance for indicator 1 in the SPP, specifically the requirements at 34 CFR §§303.342(e) and 303.344(f)(1). The State reported that: (1) services were provided in a timely manner for 76% of infants and toddlers with IFSPs; (2) there were delays for 4% due to family circumstances; and (3) there were delays for an additional 20% for other reasons.</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 these requirements. 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 these requirements. 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 8:</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> <p>A. IFSPs with transition steps and services</p> <p>B. Notification to LEA, if child potentially eligible for Part B: and</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <p><u>Indicator 8A</u> - The State reported a 66% level of compliance for this indicator, specifically the requirements at 34 CFR §§303.344(h) and 303.148(b)(4).</p> <p><u>Indicator 8B</u> - The State reported an 83% level of compliance for this indicator, specifically the requirement at 34 CFR §303.148(b)(1).</p> <p><u>Indicator 8C</u> - See Table B.</p>	<p><u>Indicators 8A and 8B</u> - 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 these requirements. 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 these requirements. 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><u>Indicator 8C</u> – See Table B.</p>

SPP Indicator	Issue	Required Action
<p>Indicator 13: Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<ol style="list-style-type: none"> 1. 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 number of mediations requested totaled ten or greater. 2. OSEP also noted that the State established a target of 100% for mediation. A target of 100% for this indicator is inappropriate. 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. 	<ol style="list-style-type: none"> 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 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. 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 targets to determine if an adjustment is needed and submit the revised targets in that APR.