

Table A – Ohio Part C

Issues Identified in the State Performance Plan

| SPP Indicator  | Issue  | Required Action  |
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| <p><b>Indicator 1:</b><br/>Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.<br/>(20 USC 1416(a)(3)(A) and 1442)</p> | <p><u>Other:</u></p> <p>(1) Family survey data is not reliable or valid as the sole source of data for this Indicator under Section 616(b)(2)(B). Current valid and reliable data (that may include monitoring data) is required in order to determine compliance.</p> <p>(2) The State's timely standard begins with a starting point that is not consistent with the Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1). The Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) require that the lead agency provide the early intervention services that are consented to by the parent as soon as possible after the IFSP meeting.</p> <p>(3) 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>(1) Ohio must submit valid and reliable data regarding timely provision of early intervention services. Ohio must ensure that it is implementing its improvement strategies to enable the State to include data in the APR, due February 1, 2007, 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>(2) The State must revise its timely standard and may use a starting point consistent with the Part C regulations, such as when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). Alternatively, the State may use "IFSP initiation date" as its standard but must monitor the implementation of this standard to ensure that this date is reasonable when applied to individual IFSPs. The State must submit its revised standard and data in the FFY 2005 APR due February 1, 2007.</p> <p>(3) In the FFY 2005 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> |

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| <p><b>Indicator 4:</b><br/>Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> <li>A. Know their rights;</li> <li>B. Effectively communicate their children's needs; and</li> <li>C. Help their children develop and learn.</li> </ul> <p>(20 USC 1416(a)(3)(A) and 1442)</p> | <p><u>Other:</u><br/>OSEP is unable to determine whether the plan included for this indicator will result in the collection of the required data by the submission of the APR, due February 1, 2007.</p> | <p>The State must, in the APR due February 1, 2007, ensure that any activities or strategies regarding this indicator result in the collection of the required baseline data, for the required time period, and that the baseline data and any other required data are reported in the APR. Failure to report the required data in the APR may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> |
| <p><b>Indicator 7:</b><br/>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.<br/>(20 USC 1416(a)(3)(B) and 1442)</p>   | <p><u>Other:</u><br/>The State did not provide required baseline data in the SPP in response to this indicator. SPP data was from August 2004 – March 2005.</p>  | <p>The State must include, in the APR due February 1, 2007, both the baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006).</p>  |

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| <p><b>Indicator 8:</b><br/>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. (20 USC 1416(a)(3)(B) and 1442)</p> | <p><u>Noncompliance:</u><br/>The SPP states "Each Family and Children First Council (FCFC) is required to provide a report to the local education agency (LEA) by February 1 of each year... With written parental consent, the names of these children may be included on the report" (SPP, page 24). Ohio's policy regarding the sharing of transition notification information incorrectly requires parental consent.</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> <li>Ohio's monitoring indicators, used to obtain baseline data, do not adequately measure the SPP indicator or sub-indicators.</li> <li>The State did not provide required baseline data in the SPP in response to this indicator. SPP data was from August 2004 – March 2005.</li> </ul> | <p>In the SPP, the State identified a need for revision to Ohio's policy regarding transition notification to LEAs. OSEP will address this issue under separate cover.</p> <ul style="list-style-type: none"> <li>Ohio's final Special Conditions Progress Report is due to OSEP on April 14, 2006. In the report, Ohio must provide valid and reliable data that measures this indicator and demonstrates compliance.</li> <li>The State must include, in the APR due February 1, 2007, both the baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006).</li> </ul> |
| <p><b>Indicator 9:</b><br/>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><u>Noncompliance:</u><br/>In the SPP, OH identified three areas where State policy/procedures require clarification: 1) the determination of eligibility using informed clinical opinion; 2) personnel qualification requirements were both identified; and 3) transition notice policies were found to be noncompliant (see indicator 8). Incorrect or confusing policies and procedures limit the ability of the State to effectively monitor for noncompliance and ensure correction as required under General Supervision.</p>  | <p>In the SPP, the State identified a need for revision to Ohio's policies and procedures for consistency with the following requirements under Part C: 34 CFR §§303.322, 303.361 and 303.148. The State must submit its revised policies as part of its FFY 2006 Part C grant application and OSEP will address this issue under separate cover.</p>   |

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| <p><b>Indicator 13:</b><br/>Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)</p> | <p><u>Other:</u><br/>The following SPP-required baseline data was not submitted:</p> <ul style="list-style-type: none"> <li>• Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification;</li> <li>• Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification;</li> <li>• Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) and those corrected within one year of identification.</li> </ul> | <p>The State must include in the FFY APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). 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><b>Indicator 13:</b><br/>Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)</p> | <p><u>Other:</u><br/>Ohio 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>Ohio 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.</p> |

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| <p><b>Indicator 14:</b><br/>                     State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.<br/>                     (20 U.S.C. 1416(a)(3)(B) and 1442)</p> | <p><u>Noncompliance:</u><br/>                     The State has identified several areas in the SPP where additional data fields or modifications are needed in the Early Track data system. These changes are necessary in order to provide baseline data and demonstrate progress in areas of noncompliance.<br/>                     Additionally, the State has demonstrated continued difficulties in obtaining accurate and reliable data necessary to meet reporting requirements.</p> | <p>The State should reconsider the baseline data provided for indicator 14 of the SPP and provide accurate data and include improvement activities, in the APR, due February 1, 2007.<br/>                     Failure to accurately report information in this indicator may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> |