

Table B – Ohio Part C

Previously-Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
<p><u>SPP Indicator 7</u> -</p> <p>Special conditions attached to Ohio's FFY 2005 Part C grant award required Ohio to submit data demonstrating that evaluations and assessments, including family assessments, and the initial IFSP meeting were completed within 45 days from referral under 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p> <p>OSEP's January 20, 2006 response to Ohio's Special Condition Progress Report stated that the indicators reported do not adequately measure the Special Condition requirements. No one indicator or combination of indicators measures compliance with the 45-day timeline requirements in 34 CFR §303.321(e)(2), 303.322(e)(1) and 303.342(a).</p>	<p>In the SPP, page 22, the State indicated that:</p> <ul style="list-style-type: none"> • "Lack of documentation of informed clinical opinion; failure to complete and document the required vision, hearing and nutrition screenings; and lack of personnel or providers to conduct hearing and vision screenings" are root causes for continued noncompliance. • The HMG Advisory Council identified an inability to obtain provider reports, finding personnel with the certificates required to conduct the evaluations, incomplete evaluations, etc., as additional causes of noncompliance. 	<p>The SPP did not contain valid and reliable data necessary to determine whether Ohio has made progress in ensuring compliance with the 45-day timeline requirements. The monitoring indicators used to obtain baseline data did not measure compliance with the requirements of 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p>	<p>As part of the final Special Conditions Report due April 14, 2006, ODH/HMG must provide:</p> <ul style="list-style-type: none"> • Current, valid and reliable data regarding the number of children for whom initial evaluations and assessments and the initial IFSP meetings were not conducted within 45 days and identify separately any delays due to documented exceptional, child or family circumstances outside the lead agency's control. Monitoring data may be used if the data measures all components of the 45-day timeline requirement; • The State's analysis of the causes for delays in each county; and • Corrective actions approved by the State (including data required by the State from the county to demonstrate correction) to ensure correction as soon as possible, but no later than one year after the State's identification of the noncompliance. <p>Failure to provide data demonstrating compliance with 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a) may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award. OSEP encourages the State to determine whether it can demonstrate compliance within the required timeframe, and, if not, to determine whether the State wishes to request a compliance agreement, which, if negotiated and agreed to by the Department and the State, would provide the State with up to three years to demonstrate compliance.</p>

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Issue	State Submission	OSEP Analysis	Required Action
<p><u>SPP Indicator 8</u> – Special conditions attached to Ohio’s FFY 2005 Part C grant award required Ohio to submit updated data in their SPP regarding timely transition planning under 34 CFR §§303.148(b)(2)(i) and 303.344(h).</p>	<ul style="list-style-type: none"> “The data reflect that indicator #52 - ‘Every child exiting the HMG system has a written transition outcome page as part of the IFSP that adheres to transition timelines as outlined in the interagency agreement between ODH and ODE and transition guidelines’, demonstrates the lowest level of compliance...” (SPP, page 25). “Ohio recognizes that the lack of documentation of a transition plan on the IFSP and data entry are systemic problems, and therefore requires state level changes in order to demonstrate improvement” (SPP, page 26). “The survey from the Service Delivery committee contained the following reasons for not meeting transition requirements: child enters HMG system too close to third birthday; schools do not meet over the summer which slows down, lack of availability of school district representative, especially in summer; etc.” (SPP, page 28). 	<ul style="list-style-type: none"> ODH/HMG submitted no monitoring data regarding whether a transition conference was held at least 90 days prior to the eligible child’s third birthday. The SPP did not contain valid and reliable data necessary to determine whether Ohio has made progress in ensuring compliance with transition planning requirements as required in OSEP’s FFY 2005 Part C grant award letter. The monitoring indicators used to obtain baseline data did not measure compliance. OSEP’s January 20, 2006 response to Ohio’s Special Condition Progress Report stated that it is unclear if “ODH/HMG is measuring or monitoring for compliance with Part C’s 90-day transition conference requirements in 34 CFR §303.148(b)(2)(i) and the transition planning requirements of 34 CFR 	<p>As part of the final Special Conditions Report due April 14, 2006, ODH/HMG must provide:</p> <ul style="list-style-type: none"> Current, valid and reliable data regarding the notification to LEA, if child is potentially eligible for Part B, of the transition planning conference at least 90 days before the child’s 3rd birthday, and of IFSP transition planning content requirements; The number of counties not meeting transition requirements and the descriptions of why the timelines were not met; The State’s analysis of the causes for delays in each county; and Corrective actions approved by the State (including data required by the State from the county to demonstrate correction) to ensure correction as soon as possible, but no later than one year after the State’s identification of the noncompliance. <p>Failure to provide data demonstrating compliance with 34 CFR 34 CFR §§303.148(b)(2)(i) and 303.344(h) may result in the State’s continuing designation as a high risk grantee or otherwise affect its FFY 2006 grant award. OSEP encourages the State to determine whether it can demonstrate compliance within the required timeframe, and, if not, to determine whether the State wishes to request a compliance agreement, which, if negotiated and agreed to by the Department and the State, would provide the State with up to three years to demonstrate compliance.</p>

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Issue	State Submission	OSEP Analysis	Required Action
<p><u>SPP Indicator 9</u> – Special conditions attached to Ohio’s FFY 2005 Part C grant award required Ohio to submit updated data in their SPP regarding correction of State-identified noncompliance under 34 CFR §303.501(b). OSEP’s October 4, 2005 letter to OH indicated the State had not resolved the finding from OSEP’s 2001 Monitoring Report that the State had failed to timely correct State-identified noncompliance as required under 34 CFR §303.501(b);</p>	<ul style="list-style-type: none"> Baseline data stated “See Part C Attachment 1” (SPP, page 29). The State described its process for identification and correction of noncompliance through Continuous Improvement Plans (CIPs). Each county is required to submit CIP to ODH on each indicator scored below 100%. 	<p>§§303.148(b)(4) and 303.344(h).”</p> <ul style="list-style-type: none"> The only information in the Baseline data section states “See Part C Attachment 1” (SPP, page 29). Ohio did not submit, in the SPP, data regarding its status in correcting State-identified noncompliance, including areas still outstanding from OSEP’s 2001 Monitoring Report as required in OSEP’s FFY 2005 Part C grant award. SPP, page 3, states “Each year forty-four (44) counties are monitored through an on-site visit by the HMG State Monitoring Team.” However, the number of early intervention system programs identified as noncompliant and data regarding correction of noncompliance within one year of identification was not included. 	<ul style="list-style-type: none"> By March 1, 2006, ODH/HMG must provide its written explanation of how it monitors for, and timely corrects any findings regarding, Part C’s 45-day timeline and transition conference planning requirements.” (OSEP Special Conditions Response, page 4.) In the FFY 2005 APR due February 2, 2007, ODH/HMG must provide data regarding timely correction of noncompliance in response to Indicator #9. <p>Failure to provide data demonstrating compliance with 34 CFR §§303.148(b)(2)(i) and 303.344(h) may result in the State’s continuing designation as a high risk grantee or otherwise affect its FFY 2006 grant award. OSEP encourages the State to determine whether it can demonstrate compliance within the required timeframe, and, if not, to determine whether the State wishes to request a compliance agreement, which, if negotiated and agreed to by the Department and the State, would provide the State with up to three years to demonstrate compliance.</p>