

Table A – Tennessee Part C

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. (20 USC 1416(a)(3)(A) and 1442)</p>	<p>Noncompliance: The State reported a 78% level of compliance for Indicator 1, specifically the requirement at 34 CFR §§ 303.340(c), 303.342(e) and 303.344(f)(1).</p>	<p>Noncompliance: 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.</p>
<p>Indicator 3: Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. (20 USC 1416(a)(3)(A) and 1442)</p>	<p>Other: 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 your 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 will affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>	<p>Other: 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 revised sampling methodology that describes how data were collected with the State’s FFY 2005 APR. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>

SPP Indicator	Issue	Required Action
<p>Indicator 4: Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. <p>(20 USC 1416(a)(3)(A) and 1442)</p>	<p>Other: An evaluation of the sampling plan for Indicator 4 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 your plan is to use these invalid data to establish baseline 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 will 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 revised sampling methodology that describes how data were collected with the State's FFY 2005 APR. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p>Indicator 7: 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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: See Table B for previously identified issues relating to Indicator 7.</p> <p>Other: 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>See Table B.</p> <p>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>

SPP Indicator	Issue	Required Action
<p>Indicator 8: 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"> A. IFSPs with transition steps and services; B. Notification to LEA, if child potentially eligible for Part B; and C. Transition conference, if child potentially eligible for Part B. <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: See Table B for previously identified issues relating to Indicator 8A and 8C.</p> <p>Other: Indicator 8B --</p> <ul style="list-style-type: none"> 1. The State did not provide baseline data; instead it reported data ranging from 9% of children being reported to LEAs by age two to 57% of children being reported to LEAs by age three, inconsistent with the requirement at 34 CFR §303.148(b)(1). 2. The State indicated that Tennessee's State regulations related to notification to the LEA include the language "with parent consent." 	<p>See Table B.</p> <ul style="list-style-type: none"> 1. The State must include, in the FFY 2005 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 include both types of these data will affect OSEP's determination in 2007 of the State's status under section 616(d) of the IDEA. 2. The State must adopt a policy consistent with OSEP's 2004 Elder Letter. If a family does not provide approval for LEA notification under the policy consistent with that letter, then in the FFY 2005 APR, due February 1, 2007, the State should exclude from its calculation those children whose families did not provide approval. The State must include in its discussion of the data, the numbers it used to determine its calculation under this indicator and report separately the number of children for whom the family did not provide approval for LEA notification.

SPP Indicator	Issue	Required Action
<p>Indicator 9: 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 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <ol style="list-style-type: none"> Indicator 9A – The State reported a level of compliance ranging from 33% to 100% for specific indicators in monitoring priority areas, specifically the requirement at 34 CFR §303.501. Indicator 9B – The State reported a level of compliance ranging from 20% to 100% related to areas not included in the monitoring priority areas and indicators. See Table B for previously identified issues relating to Indicator 9. <p>Other: The State did not provide the information required under Indicator 9. (The State did not indicate the number of programs monitored and did not explain reasons for lack of correction within one year.)</p>	<ol style="list-style-type: none"> and 2. 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 that 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. See Table B. <p>The State must include the 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>