

**Table B --Vermont Part C
Previously Identified Issues**

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 7: OSEP's November 15, 2004 letter accepted the State's plan to ensure compliance with the requirements listed below. OSEP's September 8, 2005 response to Vermont's FFY 2003 APR required the State to provide a final Progress Report in the SPP with data demonstrating full compliance. The evaluation, assessment and initial IFSP meeting are conducted within the 45-day timeline as required by 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p>	<p>OSEP's November 15, 2004 letter accepted the State's plan to ensure compliance with the requirements listed below. OSEP's September 8, 2005 response to Vermont's FFY 2003 APR required the State to provide a final Progress Report in the SPP with data demonstrating full compliance. The State reported monitoring data indicating levels of compliance of 50% in one region, 66% in another, 75% in two more, and 92% in the last two regions monitored regarding the 45-day timeline.</p>	<p>Although the State provided data in the SPP that indicate continuing noncompliance with the requirement regarding 45-day timeline (34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a)), the State's data demonstrated improvement from its FFY 2003 APR data indicating 45% noncompliance. In addition, it is unclear if the State is including in its compliance calculation delays that are attributable to documented child or family exceptional circumstances.</p>	<p>By June 1, 2006, the State must submit: (1) its progress in ensuring correction with this requirement for Regions 1, 2 and 3; and (2) the cause(s) for delay including any delays attributable to documented family and child circumstances. The State may wish to review its data for these three regions to determine whether delays attributable to documented child or family circumstances were included in the compliance calculations and, if so, provide these numbers to OSEP by June 1, 2006. Failure to provide the information requested may result in the State being identified as a "high risk" grantee or otherwise affect the State's FFY 2006 grant award.</p> <p><u>Other:</u> In the FFY 2005 APR, due February 1, 2007 and with the June 1, 2006 data, the State should not include in the calculation children for whom the State has identified the cause for the delay as exceptional child or 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</p>

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<p>Indicator 8: Whether the State provides timely transition planning to support the child's transition to preschool by the child's third birthday.</p> <p>Based on information obtained during the July 2004 verification visit and from the FFYs 2003 and 2004 APRs, OSEP conditionally approved the State's FFY 2005 Part C grant. This conditional approval was based on the State's assurance that it would submit to OSEP by June 30, 2006 its interagency agreement with the Vermont Department of Education (VDE), which would include all of Part C's transition requirements in 34 CFR §§303.148 and 303.344(h).</p>	<p>In its cover letter accompanying its SPP, the State reported being on track to submit a final interagency agreement that includes the transition requirements by June 30, 2006.</p>	<p>There is no current interagency agreement between the lead agency and VDE on early childhood transition matters. Part C regulations at 34 CFR §303.148(c) require that if the State educational agency, which is responsible for administering preschool programs under Part B of IDEA, is not the lead agency under Part C, the lead agency must submit an interagency agreement between the two agencies to ensure coordination on transition matters. The interagency agreement must conform to the requirements at 34 CFR §§303.523 through 303.525 as well as the requirements at 34 CFR §§300.132, 303.148(b) and 303.344(h).</p>	<p>delays attributable to child or family circumstances.</p> <p>As part of its FFY 2006 Part C application, the State lead agency must submit a copy of its signed interagency agreement with the Vermont SEA that meets these requirements.</p>
<p>Indicator 9B: 1. All eligible children have a single service coordinator identified on the IFSP as required by 34 CFR §303.23(a).</p> <p>OSEP's November 15, 2004 letter accepted the State's plan to ensure compliance with the above requirement. OSEP's September 8, 2005 response to Vermont's FFY 2003 APR required the State to provide a final Progress Report in the SPP with data demonstrating full compliance with this requirement.</p>	<p>Under Indicator 9(b), pages 40 and 41 of the SPP, the State reported a Statewide level of 92% compliance based on monitoring of three regions regarding the requirement to have a single service coordinator identified on the IFSP as required by 34 CFR §303.23(a).</p>	<p>While this level of compliance is below 100% for some providers and requires full improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with the requirement at 34 CFR §303.23(a).</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with the single service coordinator requirement in 34 CFR §303.23(a).</p>

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<p>Indicator 9B:</p> <p>2. IFSPs must contain each child's present level of development in five domains as required by 34 CFR §303.344(a)(1).</p> <p>OSEP's November 15, 2004 letter accepted the State's plan to ensure compliance with the above requirement. OSEP's September 8, 2005 response to Vermont's FFY 2003 APR required the State to provide a final Progress Report in the SPP with data demonstrating full compliance with this requirement.</p>	<p>Under Indicator 9B, page 41 of the SPP, the State reported a Statewide level of 56% compliance based on monitoring of three regions regarding the requirement that IFSPs contain the present level of development in each of five developmental domains as required by 34 CFR §303.344(a)(1).</p>	<p>The State provided data that demonstrate continuing noncompliance with the requirement regarding present level of development in five domains (34 CFR §303.344(a)(1)). However, given that the State's data indicate noncompliance with Part C's 45-day timeline, OSEP recommends the State review data to determine if the cause for noncompliance with 34 CFR §303.344(a) is lack of complete evaluations that would provide the present level of development in each developmental area.</p>	<p>By June 1, 2006, the State must submit: (1) its progress in ensuring correction for Regions 1, 2 and 3 with this requirement; and (2) its analysis as to the cause(s) for IFSPs not reflecting present levels of development, including potentially incomplete evaluations. Failure to provide the information requested may result in the State being identified as a "high risk" grantee or otherwise affect the State's FFY 2006 grant award.</p>