

## **Enclosure B**

### **Mississippi FFY 2008 Special Conditions**

#### **1. Basis for Requiring Special Conditions**

Pursuant to 34 CFR §80.12, the Office of Special Education Programs (OSEP) is imposing Special Conditions on Mississippi's Federal Fiscal Year (FFY) 2008 grant award under Part C of the Individuals with Disabilities Education Act (Part C). These Special Conditions are imposed to ensure the timely provision of early intervention (EI) services to infants and toddlers with disabilities and their families (timely service provision) as required by 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). Special conditions regarding timely service provision requirements were also imposed on Mississippi's FFY 2007 Part C grant award.

Mississippi's final progress report, submitted on June 2, 2008, under its FFY 2007 Part C grant award Special Conditions demonstrated continued noncompliance with the timely provision of early intervention services in eight of Mississippi's nine health districts (all but Health District II). Therefore, these Special Conditions are being imposed on the State's FFY 2008 grant award to ensure timely service provision.

#### **2. Nature of the Special Conditions**

The State must provide data to OSEP by May 15, 2009 demonstrating compliance with the timely early intervention service requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). MDH must submit two progress reports with the following data.

- A. In the first Progress Report, due by February 2, 2009 with its FFY 2007 APR, data for the period from July 1, 2008 through December 31, 2008, for each Health District (except for Health District II) on: (1) the number and percentage of infants and toddlers with disabilities for whom the Part C services identified on the child's individualized family service plan (IFSP) were timely initiated (i.e., services on initial IFSPs and new services on subsequent IFSPs), including for any services not timely initiated, the type of EI service; and (2) the explanations as to why delays for these EI services occurred (including any identified barriers that impacted timely service provision); and
- B. In the final Progress Report, due by May 15, 2009, updated data for the period from January 1, 2009 through April 30, 2009 on any Health Districts for which compliance was not reported in the February 2, 2009 Progress Report on: (1) the number and percentage of infants and toddlers with disabilities for whom Part C services identified on the child's IFSP were timely initiated (i.e., services on initial IFSPs and new services on subsequent IFSPs), including for any services not timely initiated, the type of EI service; (2) the explanations as to why delays for these EI services occurred (including any identified barriers that impacted timely service provision); and (3) the actions that MDH has implemented to address the cause(s) for the delays in any Health Districts still in noncompliance with Part C's timely service provision requirements.

### **3. Evidence Necessary for Conditions To Be Removed**

The Department will remove the Special Conditions if, at any time prior to the expiration of the grant year, Mississippi provides documentation, satisfactory to the Department, that it has met the requirements and conditions set forth above.

### **4. Method of Requesting Reconsideration**

Mississippi may write to the Office of Special Education Programs Acting Director, William W. Knudsen, at the address below, if it wishes the Department to reconsider any aspect of these Special Conditions. The request must describe in detail the changes to the Special Conditions sought by the State and the reasons for those requested changes.

### **5. Submission of Reports**

All reports from Mississippi to the Department under these Special Conditions must be submitted to:

U.S. Department of Education  
Office of Special Education and Rehabilitative Services  
Attn: Rhonda Spence  
400 Maryland Ave., S.W.  
Washington, D.C. 20202-2550