

Table A – Part C - Mississippi
Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<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. Other: In the State's computation of its baseline data for this compliance indicator, the State may have included in its reported percentage children for whom reasonable delays were attributable to documented exceptional child or family circumstances. See discussion in Table B.</p>	<p>Noncompliance: See Table B. Other: 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 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 delays attributable to child or family circumstances.</p>
<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: 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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: 8A: The State reported a 42% level of compliance for Indicator 8A in the SPP, specifically the requirements at 34 CFR §§303.344(h) and 303.148(b)(4). 8B: The State reported a 32% level of compliance for Indicator 8B in the SPP, specifically the requirement at 34 CFR §303.148(b)(1). 8C: The State reported a 54% level of compliance for Indicator 8C in the SPP, specifically the requirement at 34 CFR §303.148(b)(2)(i).</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 demonstrates compliance with these requirements. 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 these requirements. 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 11: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: The State reported in the SPP that its prior written notice under 34 CFR §303.403 does not provide information regarding the availability of due process hearings and mediation. The Part C regulations at 34 CFR §303.403(b) require that the State include in the content of its prior written notice that it must provide parents information about due process hearing requests and mediation under 34 CFR §§303.419 and 303.420.</p>	<p>Noncompliance: As part of its FFY 2006 Part C grant application, the State must submit a written assurance that its prior written notice has been revised to include the required content about due process hearings and mediations as required by 34 CFR §303.403(b).</p>