

North Dakota Part C FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 98.19%. These data represent progress from the FFY 2006 data of 98.07%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that it had corrected the remaining four findings of noncompliance reported in the FFY 2005 APR. The State reported that all four findings of noncompliance identified in FFY 2005 were corrected.</p> <p>The State reported that it made a new finding of noncompliance in FFY 2006. Although the State reported less than 100% compliance for this indicator for FFY 2006, the State did not address the timely correction of the FFY 2006 noncompliance. For the uncorrected noncompliance, the State indicated four of the Infant Development programs developed a method for sharing staff. The one region with an uncorrected finding of noncompliance achieved 95% compliance and continues to show progress. All of its untimely services were due to staff vacancies.</p>	<p>The State reported that all but one FFY 2006 finding with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was corrected.</p> <p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, the State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has initiated services for each child, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data are 94.3%. These data represent progress from the FFY 2006 data of 92.07%.</p> <p>The State did not meet its FFY 2007 target of 96.5%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>

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<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported progress data for this indicator are:</p>				<p>The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.</p>
	<p align="center">07-08 Infant and Toddler Outcome Progress Data</p>	<p align="center">Social Emotional</p>	<p align="center">Knowledge & Skills</p>	<p align="center">Appropriate Behavior</p>	
	<p>a. % of infants & toddlers who did not improve functioning.</p>	<p align="center">32.32</p>	<p align="center">34.85</p>	<p align="center">22.22</p>	
	<p>b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</p>	<p align="center">14.65</p>	<p align="center">10.61</p>	<p align="center">4.55</p>	
	<p>c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.</p>	<p align="center">15.15</p>	<p align="center">11.62</p>	<p align="center">3.54</p>	
	<p>d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.</p>	<p align="center">1.01</p>	<p align="center">30.30</p>	<p align="center">25.76</p>	
	<p>e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.</p>	<p align="center">36.87</p>	<p align="center">12.63</p>	<p align="center">43.94</p>	
	<p>Total (approx. 100%)</p>	<p align="center">100.00 %</p>	<p align="center">100.01 %</p>	<p align="center">100.01 %</p>	

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<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.</p> <p>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 313 1480 708"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. Know their rights. (%)</td> <td>85.12</td> <td>89.14</td> <td>85</td> <td>4.02%</td> </tr> <tr> <td>B. Effectively communicate their children's needs. (%)</td> <td>88.46</td> <td>92.10</td> <td>89</td> <td>3.64%</td> </tr> <tr> <td>C. Help their children develop and learn. (%)</td> <td>85.79</td> <td>89.80</td> <td>87</td> <td>4.01%</td> </tr> </tbody> </table> <p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>These data represent progress for this indicator.</p> <p>The State met all of its targets for this indicator.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	85.12	89.14	85	4.02%	B. Effectively communicate their children's needs. (%)	88.46	92.10	89	3.64%	C. Help their children develop and learn. (%)	85.79	89.80	87	4.01%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. Know their rights. (%)	85.12	89.14	85	4.02%																		
B. Effectively communicate their children's needs. (%)	88.46	92.10	89	3.64%																		
C. Help their children develop and learn. (%)	85.79	89.80	87	4.01%																		
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</p> <p>[Results Indicator]</p>	<p>The State revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 2.12%. These data represent progress from the FFY 2006 data of 1.92%.</p> <p>The State met its FFY 2007 target of 1.81%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</p> <p>[Results Indicator]</p>	<p>The State revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 3.29%. These data represent progress from the FFY 2006 data of 3.11%.</p> <p>The State met its FFY 2007 target of 3.07%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				

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<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 84.37%. These data include the timeliness of evaluations in all five developmental areas (in addition to assessments and initial IFSP meetings), which were conducted within 45 days of a child's referral, as required by OSEP's June 6, 2008 FFY 2006 APR response table. These data represent progress from the FFY 2006 data of 56.25%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table also required the State to demonstrate in the FFY 2007 APR, due February 2, 2009, that it has corrected the remaining four findings of noncompliance reported in the FFY 2005 APR related to this indicator. The State reported that one of the four findings of noncompliance identified in FFY 2005 APR was subsequently corrected. For the remaining uncorrected noncompliance, the State reported that equipment was purchased and training was provided.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining three FFY 2005 findings were corrected.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction of the FFY 2005 findings and the noncompliance reported by the State in the FFY 2007 APR, the State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation, assessment, and IFSP meeting, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure</p>

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<p>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> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>compliance.</p> <p>OSEP appreciates the State's efforts in achieving compliance with the IFSP transition planning requirements in 34 CFR §§303.148(b)(4) and 303.344(h).</p>
<p>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> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
<p>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> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)).</p>

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<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 70.89%. These data represent progress from the FFY 2006 data of 44%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 134 of 190 findings on noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that four of the Infant Development programs developed a method for sharing staff and that equipment was purchased and training provided to address noncompliance.</p>	<p>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining 56 FFY 2006 findings and the three FFY 2005 findings.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007, in accordance with IDEA section 635(a)(10)(A) and 34 CFR §303.501(b) and OSEP's 09-02 Memo.</p> <p>In reporting on correction of noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that each EIS program with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 1 and 7 in the FFY 2008 APR due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 9 in the FFY 2008 APR, the State must use the Indicator 9 Worksheet.</p>
<p>10. Percent of signed written</p>	<p>The State reported that it did not receive any signed or written complaints</p>	<p>OSEP looks forward to reviewing the</p>

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<p>complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>during the FFY 2007 reporting period.</p>	<p>State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it did not receive any due process hearing requests during the FFY 2007 reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted).</p> <p>[Results Indicator]</p>	<p>Not applicable.</p>	<p>This indicator does not apply to the State because the State has not adopted the Part B due process procedures to resolve Part C due process hearing requests.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that no mediations were held during the FFY 2007 reporting period.</p> <p>The State reported fewer than ten mediations held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 93.7%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p>