

Minnesota Part C

Table A - 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>1. The State's timely standard is "not more than 30 calendar days following the initial IFSP team meeting." The Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) require that the lead agency provide the early intervention services that are consented to by the parent as soon as possible after the IFSP meeting. OSEP assumes that the IFSP meeting date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p> <p>2. In addition, the State's standard suggests that the State's baseline data may only measure the timeliness of early intervention services for children with initial IFSPs and not all children with IFSPs. OSEP assumes the data reported meets the State's 30-day standard for all eligible children with IFSPs.</p>	<p>1. The State must confirm in the FFY 2005 APR, due February 1, 2007, that the IFSP meeting date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p> <p>2. The State must confirm in Indicator 1 of the FFY 2005 APR due February 1, 2007 data on the timeliness of early intervention services on the IFSP for all eligible children with IFSPs, and not just those with initial IFSPs.</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. Individualized family service plans (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>8A: On page 36 of the SPP the State reported that: (1) 78 Part C records were reviewed as part of the established cyclical monitoring process; and (2) among those files, there were no findings of non-compliance regarding documentation of transition steps on the IFSP. The State further reported, however, that it did not have data on the proportion of the reviewed Part C files that were for toddlers preparing for transition to Part B.</p> <p>8C: In response to Indicator 8C, the State indicated that, "Transition services on IFSPs are the result of an IFSP team meeting held for the purposes of reviewing child progress and planning transition activities. In Minnesota the meeting held to plan transition does not involve an additional agency as the LEA is the primary provider of services under Part C and Part B. Because no citations were issued for failure to appropriately document transition services on the IFSP it is reasonable to assume that transition conferences were held to develop transition plans. Similarly, no citations were issued during the reporting period for failure to convene the IFSP team to review child progress in a timely manner." It is unclear whether the State is monitoring to ensure that the transition conference is held as required under 34 CFR §303.148(b)(2)(i) to explain to parents the availability of Part B services under section 619. Although the LEA is both the Part C early intervention services (EIS) program and the LEA under Part B, the Part C requirement is not that the LEA attend the conference (as it is under Part B at 34 CFR §300.132) but rather that the transition conference is held at least ninety days (and at the discretion of all parties nine months) prior to the child's third birthday and the parent is informed of transition options.</p>	<p>8A: To the extent that the State uses sampling of child records as part of its monitoring data to respond to Indicator 8A in the APR, due February 1, 2007, the State must, as part of its response to that indicator, describe how it ensured that the child records were representative of children exiting from Part C, regardless of whether such children are transitioning to Part B.</p> <p>8C: The State must include, in the FFY 2005 APR, due February 1, 2007, data from FFY 2005 (July 1, 2005 through June 30, 2006) for Indicator 8C, that demonstrate that a transition conference, as required by 34 CFR §303.148(b)(2)(i), was timely held, and include actual numbers of children for whom the transition conference was timely held. Failure to include these data may affect OSEP's determination in 2007 of the State's status under section 616(d) of the IDEA.</p>
<p>Indicator 13: Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>The State included targets (in the range of 80% to 88%) and improvement activities regarding mediation; however, baseline data indicated that the number of mediations requested was fewer than ten. OSEP guidance on developing the SPP indicated that targets and improvement activities were not needed until the total number of mediations requested totaled ten or greater. The consensus among mediation practitioners is that 75-85% is a reasonable rate of mediations that result in agreements and is consistent with national mediation success rate data.</p>	<p>The State may remove the targets and improvement activities related to mediation in the APR, due February 1, 2007, if the number of mediations for FFY 2005 is less than 10. In a reporting period when the number of mediations reaches ten or greater, the State must develop targets and improvement activities, and report them in the corresponding APR.</p>