

Minnesota Part C

Table B -- Previously Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
<p><b>Indicator 1</b>  <b>34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1).</b></p> <p>The State's FFY 2003 APR did not include the required data and analysis regarding whether all individualized family service plans (IFSPs) included all services necessary to meet the identified needs of the child and family and whether all early intervention services on IFSPs were timely provided. In its October 18, 2005 response to the State's FFY 2003 APR, OSEP required the State to submit, as part of its response to Indicator 1 in the SPP, baseline data on the percent of infants and toddlers with IFSPs who received the early intervention services on their IFSPs in a timely manner.</p>	<p>On page 2 of the SPP, the State reported that baseline data from 2004-2005 indicated that 90.4% of eligible infants and toddlers and their families received Part C services on their IFSPs in a timely manner.</p>	<p>The State reported a 90.4% level of compliance for Indicator 1 in the SPP, specifically the requirements at 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with these requirements.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with these requirements.</p>
<p><b>Indicators 5 and 6</b>  <b>34 CFR §§303.16(a) and 303.300</b></p> <p>OSEP's March 9, 2005 verification letter included a finding that the State was not implementing eligibility criteria for Part C services that were consistent with Part C (with IDEA section 632(5) and 34 CFR §§303.16(a) and 303.300) or the State's approved Part C application. In its November 14, 2005 letter, OSEP informed the State that it was important that the State submit to OSEP its revised eligibility provisions (final after applicable public comments) as soon as possible, but no later than June 1, 2006.</p>	<p>Although the eligibility provisions, as described on pages 19-20 and 27-28 of the SPP are not consistent with Part C, the State confirmed, in its letter to OSEP of January 20, 2006, that it will make the required revisions to its eligibility criteria, and set forth the timeline for making those revisions.</p>	<p>The State's January 20, 2006 letter set forth a plan to make the State's eligibility provisions consistent with Part C.</p>	<p>As part of its FFY 2006 Part C grant application and not later than June 1, 2006, the State must submit its revised eligibility criteria to OSEP that are consistent with IDEA section 632(5) and 34 CFR §§303.16(a) and 303.300.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p><b>Indicator 7</b>  <b>34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a)</b></p> <p>The State's FFY 2003 APR did not include the required data and analysis regarding the extent to which public agencies convened initial IFSP meetings within 45 days of a child's referral to Part C. In its October 18, 2005 response to the State's FFY 2003 APR, OSEP required the State to submit, as part of its response to Indicator 7 in the SPP, baseline data and analysis as to whether the evaluation, assessment and initial IFSP meeting were conducted within 45 days from referral.</p>	<p>On page 33 of the SPP, the State reported that baseline data from 2004-2005 indicated that 75.9% of evaluations, assessments and initial IFSP meetings were conducted within the 45-day timeline.</p>	<p>The State reported a 75.9% level of compliance for Indicator 7, specifically the requirements at 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a).</p>	<p>The State must ensure that noncompliance is corrected within one year of its identification, and include data in the APR, due February 1, 2007, that demonstrate 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><b>Indicator 9</b>  <b>34 CFR §303.501(b)</b></p> <p>The State's FFY 2003 APR included data and information raising concerns about whether the timely correction of State-identified noncompliance was occurring. In its October 18, 2005 response to the APR, OSEP required the State to submit, as part of its response to Indicator 9 in the SPP, data reflecting timely correction (and implementation of corrective action plans (CAPs)). OSEP further specified that if the State could not provide such data or the data indicated noncompliance, the State must provide a plan to ensure compliance with this requirement within one year of OSEP's acceptance of the plan.</p>	<p>On page 42 of the SPP, the State reported that baseline data from 2004-2005 indicated that, in SPP priority areas (Indicator 9A): (1) a total of 186 Part C files were reviewed through the Minnesota Department of Education's (MDE's) traditional monitoring between July 1, 2003 and June 30, 2004; (2) seven instances of noncompliance were identified; and (3) MDE did not verify the correction of the noncompliance in any of these instances for a baseline of 0%. Regarding areas not included in the SPP priorities (Indicator 9B): (1) two instances of noncompliance were identified through Part C files reviewed during 2003-2004; and (3) MDE did not verify the correction of the noncompliance in either of these instances for a baseline of 0%. Regarding Indicator 9C: (1) a total of 33 instances of noncompliance were identified through alternate means, including complaints and the locally-driven planning/monitoring process, and (2) MDE verified the correction of the noncompliance within one year in 100% of these instances.</p>	<p>The State reported 0% compliance for Indicators 9A and 9B, specifically the requirement to ensure the timely correction of noncompliance at 34 CFR §303.501(b).</p>	<p>The State must ensure that noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. 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 this requirement. 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>