

**Table A – Part C (North Dakota)
Issues Identified in the State Performance Plan**

SPP Indicator	Issue	Required Action
<p>Indicator 1</p> <p>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>Noncompliance – The State’s timely standard begins with a starting point that is not consistent with the Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) (SPP page 2). The “IFSP service initiation date” is established by the IFSP team, which includes the parent, and may serve as the standard, but the State may not add an additional period to this date.</p>	<p>The State must revise its timely standard and may use a starting point consistent with the Part C regulations, such as when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). Alternatively, the State may use “IFSP initiation date” as its standard but must monitor the implementation of this standard to ensure that this date is reasonable when applied to individual IFSPs. The State must revise its Indicator 1 targets to include the correct standard. The State must submit its revised standards and data in the FFY 2005 APR due February 1, 2007.</p>
<p>Indicator 7</p> <p>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 – The State reported a 50.1% level of compliance for Indicator 7 in the SPP, specifically the requirements at 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) regarding completion of assessments, evaluations and initial IFSP meetings within 45 days of referral (SPP page 23).</p> <p>See Table B for previously-identified issues relating to Indicator 7.</p> <p>Other – In the State’s computation of its baseline data for this compliance indicator, the State may have included children for whom reasonable delays were attributable to exceptional family circumstances documented in the child’s record.</p>	<p>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 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> <p>See Table B for required action regarding previously-identified issues relating to Indicator 7.</p> <p>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 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 family circumstances.</p>

**Table A – Part C (North Dakota)
Issues Identified in the State Performance Plan**

SPP Indicator	Issue	Required Action
<p>Indicator 8</p> <p>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; 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 – See Table B for previously-identified issues relating to Indicator 8A and 8C.</p> <p>Other – In the State’s computation of its baseline data for compliance Indicator 8C, the State may have included children for whom the family did not provide approval to conduct the transition conference.</p>	<p>See Table B for required action regarding previously-identified issues relating to Indicators 8A and 8C.</p> <p>Other – In the FFY 2005 APR, due February 1, 2007, the State should not include in the calculation children for whom the family did not provide approval to hold the transition conference. 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 children for whom the family did not provide approval to conduct the conference.</p>
<p>Indicator 9</p> <p>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. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance – See Table B for previously-identified issues relating to Indicator 9.</p> <p>Other – The State did not provide baseline data in the SPP in response to this indicator.</p>	<p>See Table B for required action regarding previously-identified issues relating to Indicator 9.</p> <p>Other – The State must include, in the FFY 2005 APR, due February 1, 2007, both baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include both types of these data will affect OSEP’s determination in 2007 of the State’s status under section 616(d) of the IDEA.</p>
<p>Indicator 14</p> <p>State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>The State reported that its data were not submitted in a timely and accurate manner. The State reported that accurate 618 data for December 2004 were submitted timely, but the Annual Performance Report for FFY 2003 was not submitted in a timely manner.</p>	<p>The State should include improvement activities in the APR, due February 1, 2007 to facilitate timely submission of data required to be submitted to OSEP. Failure to timely and accurately report information in this indicator may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>