

**OREGON**

**Table A – Part C**

**Issues Identified in the State Performance Plan**

<b>SPP Indicator</b>	<b>Issue</b>	<b>Required Action</b>
<p><b>Indicator 1:</b> 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><b>Noncompliance:</b> The State reported a 98% level of compliance for Indicator 1 in the SPP, specifically the requirement at 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a). 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 this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>
	<p><b>Other:</b> The State did not specifically address the information required under Indicator 1, accounting for untimely receipt of services.</p> <p>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 child or family circumstances documented in the child’s record.</p>	<p>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>

SPP Indicator	Issue	Required Action
<p><b>Indicator 4:</b></p> <p>Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights;</p> <p>B. Effectively communicate their children's needs; and</p> <p>C. Help their children develop and learn.</p> <p>(20 USC 1416(a)(3)(A) and 1442)</p>	<p><b>Other:</b> An evaluation of the sampling plan for Indicator 3 indicated that it was not technically sound (see OSEP's February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>	<p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State's FFY 2005 APR. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p><b>Indicator 7:</b></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.</p> <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> Special Conditions regarding the requirements of this indicator were imposed as part of Oregon's FFY 2005 Part C grant award and are discussed in Table B.</p>	<p>See Table B.</p>

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	<p><b>Other:</b> In the State's computation of its baseline data for this compliance indicator, it included children for whom reasonable delays were attributable to exceptional family circumstances documented in the child's record.</p> <p>In January 2005, ODE began collecting reasons for not meeting the timeline. ODE reported if they removed those with documented child or family circumstances as the reason for the delay, 37 cases, then Oregon would be at 96% rather than 95%.</p>	<p>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><b>Indicator 8:</b></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;</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> See Table B for discussion of 8A and 8C.</p> <p><b>Other:</b> 8B: ODE reported that notification is not necessary because the LEA is already providing early intervention services under Part C.</p>	<p>See Table B for discussion of 8A and 8C.</p> <p>8B: In the FFY 2005 APR due February 1, 2007, ODE must report its baseline data and progress data in percentages and identify the number of eligible children with IFSPs who are of transition age and potentially eligible for Part B services.</p> <p>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>

SPP Indicator	Issue	Required Action
<p><b>Indicator 9:</b>            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 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> See Table B for discussion of 9A and 9B.</p>	<p>See Table B for discussion of 9A and 9B.</p>