

Table A – Part C (Pennsylvania)

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<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>Noncompliance - The State reported an 85% level of compliance for Indicator 1 in the SPP, specifically the requirements at 34 CFR 34 CFR §§303.342(e) and 303.344(f)(1). (SPP, page 8).</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>

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	<p>Other: On page 8 of its SPP, the State includes the following standard for timely for Indicator 1: “As soon as possible after the IFSP is completed but no later than 14 calendar days from the completion of the IFSP unless the IFSP team, including the family, agrees to a different start date. If a service is expected to start past that date, then a reason for the later date must be documented.” When discussing its baseline data on page 9 of the SPP, the State indicated that “85% of all children received services no later than 14 calendar days from the date of the IFSP 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 development [or meeting] date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). In addition, based on the additional language included in the State’s standard, if services are provided at a later date because the IFSP team, including the family, agrees to a different start date, the State must monitor the implementation of that practice to ensure that this date is reasonable when applied to individual IFSPs.</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 confirm in the FFY 2005 APR due February 1, 2007 that the IFSP development [or meeting] date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p> <p>In addition, if services are provided by a different date specified in the IFSP, the State must monitor to ensure that the IFSP service initiation date is reasonable and that early intervention services are provided as soon as possible after the IFSP meeting and report any noncompliance with this monitoring requirement in Indicators 1 and 9A of the FFY 2005 APR due February 1, 2007.</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 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>

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<p><b>Indicator 2:</b> Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.<sup>1</sup> (20 USC 1416(a)(3)(A) and 1442)</p>	<p>Other: While the State’s overall targets for provision of services to infants and toddlers in natural environments do not demonstrate an increase, because the State reported more than 95% of infants and toddlers receiving services in natural environments, there is no expectation that an increase in that percentage is necessary. OSEP appreciates the State’s efforts to serve infants and toddlers with disabilities in natural environments to the maximum extent appropriate to the child’s needs.</p>	<p>No action required.</p>
<p><b>Indicator 4:</b> Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> <li>A. Know their rights;</li> <li>B. Effectively communicate their children’s needs; and</li> <li>C. Help their children develop and learn.</li> </ul>	<p>An evaluation of the sampling plan for Indicator 4 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>

<sup>1</sup> At the time of the release of this package, revised forms for collection of 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State reported data collections.

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<p><b>Indicator 7:</b> 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 an 81% 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) (SPP, page 37).</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>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>
	<p>The SPP identified the following barriers to compliance: (1) scheduling issues with the evaluation team; and (2) cancellations by therapists due to illness or personal emergencies, etc. (SPP, page 37).</p>	<p>The State must include in the FFY 2005 APR, due February 1, 2007, an improvement activity to address the barriers to compliance.</p>

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<p><b>Indicator 8:</b> 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"> <li>A. IFSPs with transition steps and services;</li> <li>B. Notification to LEA, if child potentially eligible for Part B; and</li> <li>C. Transition conference, if child potentially eligible for Part B.</li> </ul> <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance - See Table B for issues regarding Indicators 8A and 8C.</p>	<p>See Table B.</p>
<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>Noncompliance – The State reported a 72% level of compliance for Indicator 9A (correction of noncompliance within one year of identification) in the SPP, specifically the requirement at 34 CFR §303.501 (SPP, page 48).</p> <p>The State reported a 79% level of compliance for Indicator 9B (correction of noncompliance related to non-indicators within one year of identification) in the SPP, specifically the requirement at 34 CFR §303.501 (SPP, page 48).</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>