

**Table A – Rhode Island 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></p> <p>1. 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). 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>2. The State’s timely standard is based on 70% of the services being delivered within the specified timeframe, which is inconsistent with the Part C regulations at 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). The lead agency must ensure the timely provision of <i>all</i> early intervention services on the IFSP that are consented to by the parent.</p> <p><b>Other:</b></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 family circumstances documented in the child’s record.</p>	<p><b>Noncompliance:</b></p> <p>1. 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 submit its revised standards and data in the FFY 2005 APR due February 1, 2007.</p> <p>2. In the FFY 2005 APR due February 1, 2007, the State must submit: (1) a revised definition of timely that makes clear that its timely standard applies to the provision of <i>all</i> early intervention services on the IFSP; and (2) data based on the timely provision of <i>all</i> early intervention services on the IFSP. Failure to include this information may affect OSEP’s determination of the State’s status under Section 616(d) of the IDEA.</p> <p><b>Other:</b></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 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>

SPP Indicator	Issue	Required Action
<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><b>Noncompliance:</b> See Table B for previously identified issues relating to Indicator 7. The data in the SPP demonstrated the State has not yet shown full correction of the previously-identified noncompliance.</p> <p><b>Other:</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. The State indicated that it takes certain enforcement actions if a provider has a compliance rate below 80% with the 45-day timeline requirements. However, the State did not describe what actions it takes if the provider has a compliance rate above 80%, but is not in full compliance.</li> </ol>	<p><b>Noncompliance:</b> As discussed in Table B.</p> <p><b>Other:</b></p> <ol style="list-style-type: none"> <li>1. 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 number it used to determine its calculation under this indicator and report separately the number of documented delays attributable to family circumstances.</li> <li>2. In the APR, due February 1, 2007, the State must describe how it ensures full (i.e., 100%) compliance with this Part C requirement.</li> </ol>

SPP Indicator	Issue	Required Action
<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> <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><b>Noncompliance:</b></p> <p><b>Indicator 8A:</b> The State reported a 77% level of compliance for Indicator 8A, specifically the requirement at 34 CFR §303.344(h) (transition steps and services).</p> <p><b>Indicator 8B and 8C:</b> The State reported a 93% level of compliance for Indicator 8B, specifically the requirement at 34 CFR §303.148(b)(1) (LEA notification) and a 91% level of compliance for Indicator 8C, specifically the requirement at 34 CFR §303.148(b)(2)(i) (transition conference). While these levels of compliance are below 100% and require improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with these requirements.</p> <p><b>Other:</b></p> <p>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 conference.</p>	<p><b>Noncompliance:</b></p> <p><b>For Indicator 8A,</b> 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><b>For Indicator 8B and 8C,</b> OSEP looks forward to reviewing the data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p> <p><b>Other:</b></p> <p>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. The State must include in its discussion of data, the number it used to determine its calculation under this indicator and report separately the number of documented delays attributable to family circumstances.</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 previously identified issues relating to Indicator 9. The data in the SPP demonstrated the State has not yet shown full correction of the previously-identified noncompliance.</p> <p><b>Other:</b> The State did not provide the information required under Indicator 9, specifically how it will select EIS programs for monitoring.</p>	<p><b>Noncompliance:</b> As discussed in Table B.</p> <p><b>Other:</b> The State must include this information in the APR, due February 1, 2007. Failure to include this information may affect OSEP's determination of the State's status under Section 616(d) of the IDEA.</p>
<p><b>Indicator 14:</b> State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.  (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p><b>Noncompliance:</b> See Table B for previously identified issues relating to Indicator 14. The data in the SPP demonstrated the State has not yet shown full correction of the previously-identified noncompliance.</p> <p><b>Other:</b> While the State provided some information that allows OSEP to make inferences regarding the State's intended targets for Indicator 14, the State did not explicitly indicate that its targets are 100% for both timely data and accurate data reports.</p>	<p><b>Noncompliance:</b> As discussed in Table B.</p> <p><b>Other:</b> The State must revise the targets in the APR, due February 1, 2007, to clarify that it is the State's intent to reach 100% accuracy and 100% timeliness regarding data reported, whether to OSEP or publicly, under Section 618 of the IDEA, in the SPP and in the APRs.</p>