

**Maine Part C FFY 2007 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 94.5%. The FFY 2006 data were 95.4%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>In the March 30, 2009 status chart, OSEP questioned why the State reported the actual numbers for this measurement as numbers with decimals when the numerator and denominator should represent whole numbers of infants and toddlers. In response, the State deleted the decimals from the numbers and indicated on page 14 of the State’s revised FFY 2007 APR, that, “The submission numbers are submitted with decimals consistent with previous years. The decimals are the result of averaging the number of children from the monthly summaries these data are drawn from. These data are consistent with the method of collection described in Maine’s original SPP submission.” It is unclear why the State’s response refers to “averaging” as there does not appear to be a reference to “averaging” in Indicator 1 of the State’s original SPP submission. The measurement for this indicator does not permit States to “average numbers”; rather, the numerator must be the number of infants and toddlers with IFSPs who received all of the early intervention services on their IFSPs in a timely manner, and the denominator must be the total number of children who received an initial IFSP or a subsequent IFSP with new services. In reviewing the State’s original SPP, it also appears that the State may be “focusing” on four specific services: Developmental Delay, Speech Therapy, Occupational Therapy and Physical Therapy. As noted above, the State must include all early intervention services in collecting and reporting data for this indicator.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it did not make any FFY 2006 findings of noncompliance.</p>	<p>In the FFY 2008 APR due February 1, 2010, the State must confirm that its FFY 2008 data for this indicator: (1) are based on actual numbers of infants and toddlers receiving timely services divided by the number of infants and toddlers with an initial IFSP or subsequent IFSP with new or revised services (rather than an “average” of any sort); and (2) include all early intervention services on IFSPs, rather than only a subset of four services.</p> <p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State’s data demonstrating that it is in compliance with the requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has initiated services for each child, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State</p>

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		must review its improvement activities and revise them, if necessary to ensure compliance.																				
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2007 reported data are 87%. However, the State’s FFY 2007 data under IDEA section 618 for this indicator are 97%. The State explained that, “The 618 data was found to be inaccurate. It has been modified and resubmitted. Reported data (87%) are accurate.”</p> <p>These data represent progress from the FFY 2006 data of 85%.</p> <p>Based on the data that the State reported in the APR, the State did not meet its FFY 2007 target of 92%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>																				
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="531 797 1428 1408"> <thead> <tr> <th data-bbox="531 797 1058 984">07-08 Infant and Toddler Outcome Progress Data</th> <th data-bbox="1058 797 1182 984">Social Emotional</th> <th data-bbox="1182 797 1306 984">Knowledge &amp; Skills</th> <th data-bbox="1306 797 1428 984">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="531 984 1058 1052">a. % of infants &amp; toddlers who did not improve functioning.</td> <td align="center" data-bbox="1058 984 1182 1052">31</td> <td align="center" data-bbox="1182 984 1306 1052">31</td> <td align="center" data-bbox="1306 984 1428 1052">18</td> </tr> <tr> <td data-bbox="531 1052 1058 1195">b. % of infants &amp; toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1058 1052 1182 1195">24</td> <td align="center" data-bbox="1182 1052 1306 1195">29</td> <td align="center" data-bbox="1306 1052 1428 1195">23</td> </tr> <tr> <td data-bbox="531 1195 1058 1300">c. % of infants &amp; toddlers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1058 1195 1182 1300">16</td> <td align="center" data-bbox="1182 1195 1306 1300">24</td> <td align="center" data-bbox="1306 1195 1428 1300">16</td> </tr> <tr> <td data-bbox="531 1300 1058 1408">d. % of infants &amp; toddlers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1058 1300 1182 1408">14</td> <td align="center" data-bbox="1182 1300 1306 1408">3</td> <td align="center" data-bbox="1306 1300 1428 1408">16</td> </tr> </tbody> </table>	07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of infants & toddlers who did not improve functioning.	31	31	18	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	24	29	23	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	16	24	16	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	14	3	16	<p>The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.</p>
07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior																			
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	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	16	14	27																						
	Total (approx. 100%)	101.00 %	101.00 %	100.00 %																						
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.</p> <p>[Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="531 532 1451 938"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. Know their rights. (%)</td> <td>76</td> <td>85</td> <td>87</td> <td>9.00%</td> </tr> <tr> <td>B. Effectively communicate their children's needs. (%)</td> <td>85</td> <td>79</td> <td>87</td> <td>-6.00%</td> </tr> <tr> <td>C. Help their children develop and learn. (%)</td> <td>88</td> <td>85</td> <td>87</td> <td>-3.00%</td> </tr> </tbody> </table> <p>These data represent progress for 4A and slippage for 4B and 4C from the FFY 2006 data.</p> <p>The State did not meet its FFY 2007 targets for this indicator.</p>						FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	76	85	87	9.00%	B. Effectively communicate their children's needs. (%)	85	79	87	-6.00%	C. Help their children develop and learn. (%)	88	85	87	-3.00%	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																						
A. Know their rights. (%)	76	85	87	9.00%																						
B. Effectively communicate their children's needs. (%)	85	79	87	-6.00%																						
C. Help their children develop and learn. (%)	88	85	87	-3.00%																						
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and B. National data.</p> <p>[Results Indicator]</p>	<p>The State revised the FFY 2008-2010 targets for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established targets.</p> <p>The State's FFY 2007 reported data for this indicator are .71%. These data represent progress from the FFY 2006 data of .64%.</p> <p>The State did not meet its FFY 2007 target of .85%.</p>					<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>																				
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p>	<p>The State revised the FFY 2007-2010 targets for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided</p>					<p>OSEP looks forward to the State's data demonstrating improvement in performance</p>																				

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>an opportunity to comment on the revised targets. The revised targets are less rigorous than the previously-established targets.</p> <p>The State's FFY 2007 reported data for this indicator are 2.38%. These data represent slippage from the FFY 2006 data of 2.51%.</p> <p>The State did not meet its revised FFY 2007 target of 2.43%.</p>	<p>in the FFY 2008 APR, due February 1, 2010.</p>
<p>7. 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>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 91.1%. These data represent progress from the FFY 2006 data of 91%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it made no FFY 2006 findings of noncompliance related to this indicator.</p>	<p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted the initial evaluation, assessment, and IFSP meeting, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community</p>	<p>The State's FFY 2007 reported data for this indicator are 83.5%. These data represent progress from the FFY 2006 data of 69%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for</p>	<p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h), including correction of the noncompliance the State</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>FFY 2006, the State reported that it made no FFY 2006 findings of noncompliance related to this indicator.</p>	<p>reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IFSP with transition steps and services, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>8. 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>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community</p>	<p>The State's FFY 2007 reported data for this indicator are 60%.</p> <p>Although the State's FFY 2006 reported data were 87%, OSEP was unable to determine whether there was progress or slippage. The State reported that its FFY 2006 data only measured whether the transition conferences were held, and not whether they were held in a timely manner. The State further reported</p>	<p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)), including</p>

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<p>services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>that its FFY 2007 data reflects the required measurement for this indicator.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2006, the State reported that it made no FFY 2006 findings of noncompliance related to this indicator.</p>	<p>correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted a transition conference, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>9. 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.</p> <p>[Compliance Indicator]</p>	<p>The State did not report FFY 2007 data for this indicator (correction of findings made in FFY 2006).</p> <p>As stated in OSEP’s February 19, 2008 verification visit letter, OSEP was unable to determine whether the State has a system that is reasonably designed to correct identified noncompliance because: (1) the one-year timeline had not passed for the correction of findings that the State identified under its new monitoring system in FFY 2007; and (2) as the State confirmed during the verification visit, the State did not yet have data regarding the status of correction of previously identified noncompliance that it followed up on in its September 2007 letters (noncompliance identified prior to FFY 2006).</p> <p>OSEP’s February 19, 2008 verification visit letter and June 6, 2008 FFY 2006 SPP/APR response table required the State to provide in the FFY 2007 APR, due February 2, 2009, data on the correction of findings identified prior to FFY 2006, and updated data on the correction of noncompliance identified in three FFY 2007 monitoring reports the State issued to CDS sites on July 9,</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007, in accordance with IDEA section 635(a)(10)(A) and 34 CFR §303.501(b) and OSEP Memo 09-02.</p> <p>The State must also report, in the FFY 2008 APR, due February 1, 2010, on the correction of the 13 remaining findings identified prior to FFY 2006.</p> <p>In reporting on correction of noncompliance, the State must report that it has: (1) corrected</p>

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	<p>2007, November 15, 2007 and December 7, 2007.</p> <p>With regard to the correction of findings identified prior to FFY 2006, the State reported that one of 14 findings of noncompliance was corrected. The State reported that the remaining findings of noncompliance would be reviewed as part of its second year of monitoring during FFY 2008.</p> <p>With regard to the updated data on the correction of noncompliance identified in the three FFY 2007 monitoring reports listed above, the State reported that: (1) 11 of 12 findings of noncompliance identified in the July 9, 2007 monitoring report (Site 10) have been corrected; (2) three of five findings of noncompliance identified in the November 15, 2007 monitoring report (Site 4) have been corrected; and (3) seven of ten findings of noncompliance in the December 7, 2007 monitoring report (Site 16) have been corrected.</p> <p>In its FFY 2007 APR, the State also provided updated data on the correction of noncompliance identified in other FFY 2007 monitoring reports the State issued to CDS sites on November 5, 2007 (Site 2, 11 of 13 findings have been corrected) and March 4, 2008 (Site 13, four of 17 have been corrected).</p>	<p>all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and by the Department); and (2) verified that each EIS program with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 1, 7, 8A, and 8C in the FFY 2008 APR due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 9 in the FFY 2008 APR, the State must use the Indicator 9 Worksheet.</p>
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data are based on two complaints. The State received one written complaint in FFY 2006, which was withdrawn or dismissed.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §§303.510 through 303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it received one request for a due process hearing during the FFY 2007 reporting period, but the dispute was resolved without a hearing.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements</p>	<p>The State's FFY 2007 reported data for this indicator are 0%. The State reported that it held one resolution meeting, but it did not result in a settlement agreement.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>

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(applicable if Part B due process procedures are adopted). [Results Indicator]	The State reported fewer than ten resolution sessions held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more resolution sessions were held.	
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that no mediations were held during the FFY 2007 reporting period.  The State reported fewer than ten mediations held in FFY 2007. The State is not required to provide targets or improvement activities until any FFY in which ten or more mediations were held.	OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.
14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State's FFY 2007 reported data for this indicator are 97.1%. These data represent progress from the FFY 2006 of 90.1%.  The State did not meet its FFY 2007 target of 100%.	OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the State's data demonstrating that it is in compliance with the timely and accurate data requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.  In reporting on Indicator 14 in the FFY 2008 APR, the State must use the Indicator 14 Data Rubric.