

Texas 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 revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 85%. These data represent progress from the FFY 2006 data of 82.9%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that all five of its findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was corrected in a timely manner.</p> <p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the timely service provision requirements, including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, 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 must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<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>The State's FFY 2007 reported data for this indicator are 99.4%. The State's data reflect a high level of performance for this indicator.</p> <p>The State met its FFY 2007 target of 98.1%.</p>	<p>The State's actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in that percentage is necessary. OSEP</p>

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[Results Indicator]		appreciates the State’s efforts to improve performance and assumes that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).																												
<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; New]</p>	<p>The State’s FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 548 1446 1375"> <thead> <tr> <th data-bbox="548 548 1077 732">07-08 Infant and Toddler Outcome Progress Data</th> <th data-bbox="1077 548 1199 732">Social Emotional</th> <th data-bbox="1199 548 1323 732">Knowledge & Skills</th> <th data-bbox="1323 548 1446 732">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 732 1077 805">a. % of infants & toddlers who did not improve functioning.</td> <td align="center" data-bbox="1077 732 1199 805">2</td> <td align="center" data-bbox="1199 732 1323 805">2</td> <td align="center" data-bbox="1323 732 1446 805">2</td> </tr> <tr> <td data-bbox="548 805 1077 946">b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1077 805 1199 946">18</td> <td align="center" data-bbox="1199 805 1323 946">18</td> <td align="center" data-bbox="1323 805 1446 946">17</td> </tr> <tr> <td data-bbox="548 946 1077 1052">c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1077 946 1199 1052">19</td> <td align="center" data-bbox="1199 946 1323 1052">21.5</td> <td align="center" data-bbox="1323 946 1446 1052">17</td> </tr> <tr> <td data-bbox="548 1052 1077 1157">d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1077 1052 1199 1157">33</td> <td align="center" data-bbox="1199 1052 1323 1157">40.5</td> <td align="center" data-bbox="1323 1052 1446 1157">40</td> </tr> <tr> <td data-bbox="548 1157 1077 1268">e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.</td> <td align="center" data-bbox="1077 1157 1199 1268">28</td> <td align="center" data-bbox="1199 1157 1323 1268">18</td> <td align="center" data-bbox="1323 1157 1446 1268">24</td> </tr> <tr> <td data-bbox="548 1268 1077 1375">Total (approx. 100%)</td> <td align="center" data-bbox="1077 1268 1199 1375">100.00 %</td> <td align="center" data-bbox="1199 1268 1323 1375">100.00 %</td> <td align="center" data-bbox="1323 1268 1446 1375">100.00 %</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.	2	2	2	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	18	18	17	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	19	21.5	17	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	33	40.5	40	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	28	18	24	Total (approx. 100%)	100.00 %	100.00 %	100.00 %	<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																											
a. % of infants & toddlers who did not improve functioning.	2	2	2																											
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<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="548 315 1480 708"> <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>84.2</td> <td>83</td> <td>75</td> <td>-1.70%</td> </tr> <tr> <td>B. Effectively communicate their children's needs. (%)</td> <td>91.1</td> <td>89</td> <td>80</td> <td>-2.20%</td> </tr> <tr> <td>C. Help their children develop and learn. (%)</td> <td>92.9</td> <td>91</td> <td>80</td> <td>-1.92%</td> </tr> </tbody> </table> <p>These data represent slippage for 4A, 4B and 4C from the FFY 2006 data. The State met all of its FFY 2007 targets for this indicator.</p>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	84.2	83	75	-1.70%	B. Effectively communicate their children's needs. (%)	91.1	89	80	-2.20%	C. Help their children develop and learn. (%)	92.9	91	80	-1.92%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																		
A. Know their rights. (%)	84.2	83	75	-1.70%																		
B. Effectively communicate their children's needs. (%)	91.1	89	80	-2.20%																		
C. Help their children develop and learn. (%)	92.9	91	80	-1.92%																		
<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's FFY 2007 reported data for this indicator are .92%. These data represent progress from the FFY 2006 data of .90%.</p> <p>The State met its FFY 2007 target of .81%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				
<p>6. Percent of infants and toddlers birth to 3 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's FFY 2007 reported data for this indicator are 2.06%. These data represent progress from the FFY 2006 data of 1.99%.</p> <p>The State met its FFY 2007 target of 1.92%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																				
<p>7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an</p>	<p>The State's FFY 2007 reported data for this indicator are 95.5%.</p> <p>The State's FFY 2006 data were 96%.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR</p>																				

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<p>initial IFSP meeting were conducted within Part C's 45-day timeline. [Compliance Indicator]</p>	<p>The State did not meet its FFY 2007 target of 100%. The State reported that all eight of its findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner.</p>	<p>§§303.321(e)(2), 303.322(e)(1), and 303.342(a) was corrected in a timely manner. 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 45-day timeline requirements, including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR. In reporting on correction of noncompliance, 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>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: A. IFSPs with transition steps and services; [Compliance Indicator]</p>	<p>The State revised improvement activities for this indicator and OSEP accepts those revisions. The State's FFY 2007 reported data for this indicator are 86.6%. These data represent slippage from the FFY 2006 data of 100%. The State did not meet its FFY 2007 target of 100%. The State reported that three of five findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner. For the uncorrected noncompliance the State reported that one program accounted for most of the noncompliance for this indicator and for all those programs with noncompliance the State required corrective action plans and technical assistance. The State also conducted follow-up visits within nine months of</p>	<p>The State reported that noncompliance identified in FFY 2006 with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the three remaining FFY 2006 findings were corrected. 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)</p>

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	<p>the findings to ensure that all corrective actions were implemented.</p>	<p>and 303.344(h), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, 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 and with outstanding FFY 2006 findings: (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 revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The States FFY 2007 reported data for this indicator are 72.03%. These data represent slippage from the FFY 2006 data of 96%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that two out of five findings of noncompliance identified in FFY 2006 related to this indicator were corrected in a timely manner. For the uncorrected noncompliance, the State reported that one of two remaining findings of noncompliance was subsequently corrected, one program accounted for most of the noncompliance for this indicator, and for all those programs with noncompliance the State required corrective action plans and technical assistance. The State also conducted follow-up visits within nine months of the findings to ensure that all corrective actions were implemented.</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)(1), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State reported that noncompliance identified in FFY 2006 with the LEA notification requirements in 34 CFR §303.148(b)(1) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining FFY 2006 finding was corrected.</p> <p>In reporting on correction, the State must</p>

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		<p>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 and with the outstanding FFY 2006 finding: (1) is correctly implementing the specific regulatory requirements; and (2) has provided notification to the LEA, 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>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 68.8%. These data represent slippage from the FFY 2006 data of 96%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that three of six findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that one of three remaining findings of noncompliance was subsequently corrected, that one program accounted for most of the noncompliance for this indicator, and for all those programs with noncompliance the State required corrective action plans and technical assistance. The State also conducted follow-up visits within nine months of the findings to ensure that all corrective actions were implemented.</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 correction of the noncompliance the State reported under this indicator in the FFY 2007 APR.</p> <p>The State reported that noncompliance identified in FFY 2006 with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) was partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining FFY 2006 finding was corrected.</p> <p>In reporting on correction, the State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS</p>

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		<p>program with noncompliance reported by the State under this indicator in the FFY 2007 APR and the EIS program with the outstanding FFY 2006 finding: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted a transition conference for each child potentially eligible for Part B, 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 revised improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 82%. These data represent slippage from the FFY 2006 data of 100%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 46 of 56 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the remaining ten findings of noncompliance, the State reported that two of ten findings of noncompliance subsequently were corrected and that the remaining eight findings of noncompliance that were identified were attributed to two local programs. These programs have developed improvement plans to address noncompliance. ECI Policy and Support staff have worked with the programs to develop training and technical assistance plans.</p>	<p>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining noncompliance the State reported under this indicator in the FFY 2006 APR.</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>In reporting on correction of noncompliance, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the State's data system and</p>

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		<p>by the Department); and (2) verified that each EIS program with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP's 09-02 Memo.</p> <p>In addition, in responding to Indicators 1, 7, 8A, 8B 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. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 100%. These data was based on one complaint that was resolved within the 60-day timeline. These data remain unchanged from FFY 2006.</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. [Compliance Indicator]</p>	<p>The State reported that it did not receive any due process hearing requests during the FFY 2007 reporting period.</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 (applicable if Part B due process procedures are adopted).</p>	<p>Not applicable.</p>	<p>This indicator does not apply to the State because the State has not adopted the Part B due process procedures to resolve Part C due process hearing requests.</p>

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[Results Indicator]		
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that no mediations were held during the FFY 2007 reporting period.</p> <p>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.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 data for this indicator are 100% for timeliness and 92.6% for accuracy. These data represent slippage from the FFY 2006 data of 100%.</p> <p>The State did not meet its FFY 2007 target.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with timeliness requirements IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</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 is in compliance with the accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p> <p>In reporting on Indicator14 in the FFY 2008 APR, the State must use the Indicator 14 Data Rubric.</p>