

Virginia 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 the improvement activities for this indicator and OSEP accepts those revisions. The State also indicated that it revised its timeliness standard for reporting data under this indicator from 21 days to 30 days from parent consent on the IFSP (unless the IFSP Team documents a different date that is identified in order to meet the needs of the child and family). The State confirmed that this standard will apply effective with the FFY 2008 APR. OSEP accepts this revised standard.</p> <p>The State's FFY 2007 reported data for this indicator are 89%. These data represent progress from the FFY 2006 data of 81%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 23 of 34 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that nine findings subsequently were corrected. For the two remaining findings, the State reported that the two programs had reached "substantial compliance," but that the findings remained open and the State has taken a number of additional steps including, but not limited to, increased State monitoring, increased frequency of data analysis, required technical assistance, and development of a Corrective Action Plan (CAP).</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to report, in the FFY 2007 APR, due February 2, 2009, on the correction of the remaining four FFY 2005 findings of noncompliance with the timely service provision requirements in 34 CFR §§300.340(c), 303.342(e) and 303.344(f)(1). The State reported that all four remaining FFY 2005 findings were corrected by November 5, 2007.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</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 partially corrected. The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the remaining two FFY 2006 findings were corrected.</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 §§303.340(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>In reporting on correction of the two remaining FFY 2006 findings and the noncompliance the State reported under this indicator in the FFY 2007 APR, 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>

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<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 revised the targets and improvement activities 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 are 99%. Although the State's FFY 2007 data under IDEA section 618 for this indicator are 83.36%, the State explained that the 618 data included children under age three who were receiving Part B services pursuant to the State's FAPE mandate for two year olds, and that the State did not include those children in its calculations for this indicator since these children have IEPs not IFSPs. The State's data reflect a high level of performance for this indicator.</p> <p>The State met its FFY 2007 target of 98.425%.</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 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>																				
<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 timelines for its 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="548 846 1446 1458"> <thead> <tr> <th data-bbox="548 846 1077 1032">07-08 Infant and Toddler Outcome Progress Data</th> <th data-bbox="1077 846 1199 1032">Social Emotional</th> <th data-bbox="1199 846 1323 1032">Knowledge & Skills</th> <th data-bbox="1323 846 1446 1032">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1032 1077 1105">a. % of infants & toddlers who did not improve functioning.</td> <td align="center" data-bbox="1077 1032 1199 1105">.83</td> <td align="center" data-bbox="1199 1032 1323 1105">.71</td> <td align="center" data-bbox="1323 1032 1446 1105">.83</td> </tr> <tr> <td data-bbox="548 1105 1077 1243">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 1105 1199 1243">9.02</td> <td align="center" data-bbox="1199 1105 1323 1243">9.73</td> <td align="center" data-bbox="1323 1105 1446 1243">9.85</td> </tr> <tr> <td data-bbox="548 1243 1077 1349">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 1243 1199 1349">13.4</td> <td align="center" data-bbox="1199 1243 1323 1349">16.73</td> <td align="center" data-bbox="1323 1243 1446 1349">19.22</td> </tr> <tr> <td data-bbox="548 1349 1077 1458">d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1077 1349 1199 1458">29.66</td> <td align="center" data-bbox="1199 1349 1323 1458">44.84</td> <td align="center" data-bbox="1323 1349 1446 1458">51.25</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.	.83	.71	.83	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	9.02	9.73	9.85	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	13.4	16.73	19.22	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	29.66	44.84	51.25	<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.	.83	.71	.83																			
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	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	47.09	28	18.86																						
	Total (approx. 100%)	100%	100%	100%																						
<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="548 532 1480 927"> <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>67.2</td> <td>66.1</td> <td>66.2</td> <td>-1.10%</td> </tr> <tr> <td>B. Effectively communicate their children's needs. (%)</td> <td>64.7</td> <td>62.3</td> <td>62.2</td> <td>-2.40%</td> </tr> <tr> <td>C. Help their children develop and learn. (%)</td> <td>77.5</td> <td>77.5</td> <td>78</td> <td>0.00%</td> </tr> </tbody> </table> <p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>These data represent slippage for 4A and 4B and remain unchanged for 4C from the FFY 2006 data.</p> <p>The State met its FFY 2007 target for 4B and did not meet its targets for 4A and 4C.</p>						FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	67.2	66.1	66.2	-1.10%	B. Effectively communicate their children's needs. (%)	64.7	62.3	62.2	-2.40%	C. Help their children develop and learn. (%)	77.5	77.5	78	0.00%	<p>OSEP appreciates the State's efforts to improve performance and 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. (%)	67.2	66.1	66.2	-1.10%																						
B. Effectively communicate their children's needs. (%)	64.7	62.3	62.2	-2.40%																						
C. Help their children develop and learn. (%)	77.5	77.5	78	0.00%																						
<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 improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are .70%. These data represent progress from the FFY 2006 data of .53%.</p> <p>The State met its FFY 2007 target of .70%.</p>					<p>OSEP appreciates the State's efforts to improve performance.</p>																				

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<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The State revised the targets and improvement activities for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The State's FFY 2007 reported data for this indicator are 1.92%. These data represent progress from the FFY 2006 data of 1.78%.</p> <p>The State did not meet its FFY 2007 target of 2.2%.</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>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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 98%. These data represent progress 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 six of nine findings of noncompliance identified in FFY 2006 were corrected in a timely manner, that one finding subsequently was corrected by March 31, 2008, and the other two findings subsequently were corrected by October 30, 2008.</p>	<p>The State reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a), was corrected.</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 §§303.321(e)(2), 303.322(e)(1), and 303.342(a), including reporting correction of the noncompliance identified 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 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>

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<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>A. IFSPs with transition steps and services;</p> <p>[Compliance 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 data for this indicator are 99%. These data represent progress 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 20 of 22 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that the two remaining findings subsequently were corrected. One subsequently was corrected by May 23, 2008, and the second subsequently was corrected by December 1, 2008.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State, in the FFY 2007 APR, due February 2, 2009, to report on the correction of the remaining four FFY 2005 findings. The State clarified that there were no FFY 2005 findings. Findings based on FFY 2005 data were identified in FFY 2006 on February 1, 2007.</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 corrected.</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 §§303.148(b)(4) and 303.344(h), including reporting correction of the noncompliance identified 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 remaining noncompliance: (1) is correctly implementing the specific regulatory requirement(s); 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>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 the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 93%.</p> <p>The State met its FFY 2007 target of 100%.</p> <p>The State reported that eight of 12 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that, of the remaining four findings, one subsequently was corrected by March 31, 2008, one by June 2, 2008, and the final two were corrected by June 30, 2008. (The four FFY 2006 findings that were not timely corrected are the same four “remaining” findings</p>	<p>The State reported that noncompliance identified in FFY 2006 with the LEA notification requirements in 34 CFR §303.148(b)(1) was corrected.</p> <p>OSEP appreciates the State’s efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>that OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to report in the FFY 2007 APR. The State clarified that it made all four findings on February 1, 2007, and, as noted above, they were corrected by June 30, 2008.)</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</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 the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 96%. These data represent progress from the FFY 2006 data of 95%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 18 of 21 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that the remaining three findings were all corrected by December 1, 2008. (The three FFY 2006 findings that were not timely corrected are the same three “remaining” findings that OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to report in the FFY 2007 APR. The State clarified that those three findings were all made on February 1, 2007, and as noted above were corrected by December 1, 2008.)</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State, in the FFY 2007 APR, due February 2, 2009, to report on the remaining four findings of noncompliance with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), and confirm whether the correction was timely by specifying when the finding was made and when the noncompliance was corrected. As noted above, the State clarified that all of the findings of noncompliance based on FFY 2005 data were made in FFY 2006, and have been corrected.</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 corrected.</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 §303.148(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>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</p>

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		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>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 the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2007 reported data for this indicator are 77%.</p> <p>The State’s FFY 2006 reported data were 95%. The State provided the following explanation as to why its FFY 2007 data are not comparable with its FFY 2006 data for this indicator: “Although the numbers appear to indicate slippage from FFY 2005 to FFY 2006 in Virginia’s ability to ensure timely correction of non-compliance, the increased rigor of the State Lead Agency’s procedures for verification of timely correction in FFY 2006 means the numbers really are not comparable between the two years. In FFY 2006, the State Lead Agency implemented a new tracking system for documenting and verifying correction of noncompliance and added a consistent method for documentation of the specific date on which correction was verified. More stringent and consistent procedures for verifying the data used to document correction of noncompliance were implemented with the FFY 2006 findings than with the FFY 2005 findings.”</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 75 of 98 findings of noncompliance identified in FFY 2006 were corrected in a timely manner and that the 23 remaining findings subsequently were corrected by December 1, 2008.</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 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>
10. Percent of signed written	The State revised the improvement activities for this indicator and OSEP	OSEP appreciates the State’s efforts in

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<p>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>accepts those revisions. The State’s FFY 2007 reported data for this indicator are 100%. These data are based on the timely resolution of one complaint. These data remain unchanged from the FFY 2006 data of 100%. The State met its FFY 2007 target of 100%.</p>	<p>achieving compliance with the timely complaint resolution requirements in 34 CFR §§303.510 through 303.512.</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). [Results Indicator]</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>
<p>13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>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.</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. [Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions. The State’s FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 of 95.5%. The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the data reporting 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.</p>