

**Maine Part C FFY 2008 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<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 2008 reported data for this indicator are 91%. These data represent slippage from the FFY 2007 data of 94.5%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that one of 12 findings of noncompliance identified in FFY 2007 was corrected in a timely manner. The State reported on the actions it took to address the remaining noncompliance.</p> <p>OSEP’s June 1, 2009 FFY 2007 SPP/APR response table required the State to include in the FFY 2008 APR, due February 1, 2010, confirmation that the State’s 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. The State provided the required confirmation.</p>	<p>The State must demonstrate, in the FFY 2009 APR, due February 1, 2011, that the State is in compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the remaining 11 uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2008 data the State reported for this indicator and the EIS programs with the remaining 11 uncorrected noncompliance findings identified in FFY 2007: (1) are correctly implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) have initiated services, although late, for any child whose</p>

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		services were not initiated in a timely manner, 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). In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.						
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 90%. These data represent progress from the FFY 2007 data of 87%. The State did not meet its FFY 2008 target of 93%.</p>	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.						
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationship);</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. [Results Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="550 1029 1444 1312"> <tr> <td data-bbox="550 1029 921 1214">08-09 Infant and Toddler Outcome Baseline Data</td> <td data-bbox="921 1029 1194 1214" style="text-align: center;"><u><b>Summary Statement 1</b></u><sup>1</sup></td> <td data-bbox="1194 1029 1444 1214" style="text-align: center;"><u><b>Summary Statement 2</b></u><sup>2</sup></td> </tr> <tr> <td data-bbox="550 1214 921 1312"><b>Outcome A:</b> Positive social-emotional</td> <td data-bbox="921 1214 1194 1312" style="text-align: center;">51.5</td> <td data-bbox="1194 1214 1444 1312" style="text-align: center;">39.7</td> </tr> </table>	08-09 Infant and Toddler Outcome Baseline Data	<u><b>Summary Statement 1</b></u> <sup>1</sup>	<u><b>Summary Statement 2</b></u> <sup>2</sup>	<b>Outcome A:</b> Positive social-emotional	51.5	39.7	The State must report progress data and actual target data for FFY 2009 in the FFY 2009 APR.
08-09 Infant and Toddler Outcome Baseline Data	<u><b>Summary Statement 1</b></u> <sup>1</sup>	<u><b>Summary Statement 2</b></u> <sup>2</sup>						
<b>Outcome A:</b> Positive social-emotional	51.5	39.7						

<sup>1</sup> Summary Statement 1: Of those infants and toddlers who entered or exited early intervention below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned three years of age or exited the program.

<sup>2</sup> Summary Statement 2: The percentage of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned three years of age or exited the program.

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps																	
	skills (including social relationships) (%)																					
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	59.1	25.6																			
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	51.5	37.2																			
4. Percent of families participating in Part C who report that early intervention services have helped the family:  A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn.  [Results Indicator]	The State revised the improvement activities for this indicator and OSEP accepts those revisions.  The State's reported data for this indicator are:				OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.																	
<table border="1"> <thead> <tr> <th></th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. Know their rights (%)</td> <td>85</td> <td>88</td> <td>89</td> <td>3.00%</td> </tr> <tr> <td>B. Effectively communicate their children's needs (%)</td> <td>79</td> <td>92</td> <td>89</td> <td>13.00%</td> </tr> <tr> <td>C. Help their children develop and learn (%)</td> <td>85</td> <td>92</td> <td>89</td> <td>7.00%</td> </tr> </tbody> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Progress	A. Know their rights (%)	85	88	89	3.00%	B. Effectively communicate their children's needs (%)	79	92	89	13.00%	C. Help their children develop and learn (%)	85	92	89	7.00%	
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress																		
A. Know their rights (%)	85	88	89	3.00%																		
B. Effectively communicate their children's needs (%)	79	92	89	13.00%																		
C. Help their children develop and learn (%)	85	92	89	7.00%																		
These data represent progress from the FFY 2007 data. The State met its FFY 2008 targets for 4B and 4C, but did not meet its FFY 2008 target for 4A.																						
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data.	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.				OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.																	

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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>
[Results Indicator]	The State's FFY 2008 reported data for this indicator are .52%. These data represent slippage from the FFY 2007 data of .71%. The State did not meet its FFY 2008 target of .75%.	
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data. [Results Indicator]	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 2.29%. The State's FFY 2007 data for this indicator were 2.38%. The State did not meet its FFY 2008 target of 2.55%.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.
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. [Compliance Indicator]	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 70%. These data represent slippage from the FFY 2007 data of 91.1%. The State did not meet its FFY 2008 target of 100%.  The State reported that one of 13 findings of noncompliance identified in FFY 2007 was corrected in a timely manner and that six findings were subsequently corrected. The State reported on the actions it took to address the uncorrected noncompliance.	The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.  If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.  The State must demonstrate, in the FFY 2009 APR, that the remaining six uncorrected noncompliance findings identified in FFY 2007 were corrected.  When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2008 data the State reported for this indicator and the EIS programs with the remaining six

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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>uncorrected noncompliance findings identified in FFY 2007: (1) are correctly implementing 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) have conducted the initial evaluation, assessment, and IFSP meeting, although late, for any child for whom the 45-day timeline was not met, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</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>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 2008 reported data for this indicator are 79%. These data represent slippage from the FFY 2007 data of 83.5%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all ten of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §§303.148(b)(4) and 303.344(h) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected</p>

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		<p>through on-site monitoring or a State data system; and (2) has developed an IFSP with transition steps and services for each child, unless the child is no longer within the jurisdiction of the EIS program (i.e., the child has exited the State's Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</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 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 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 services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 56%. These data represent slippage from the FFY 2007 data of 60%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that one of 14 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that four findings were subsequently corrected. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance 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)). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for</p>

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[Compliance Indicator]		<p>this indicator.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the remaining nine uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2008 data the State reported for this indicator and the EIS programs with the remaining nine uncorrected noncompliance findings identified in FFY 2007: (1) are correctly implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) have conducted a transition conference, although late, for any child potentially eligible for Part B whose transition conference was not timely, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p>
9. General Supervision system (including monitoring complaints,	The State revised the improvement activities for this indicator and OSEP	The State must review its improvement activities and revise them, if appropriate, to

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<p>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>accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 72.7%. In its FFY 2007 APR, the State did not report FFY 2007 data for this indicator (correction of findings identified in FFY 2006), but reported on the correction of other findings of noncompliance, as required by OSEP's February 19, 2008 verification visit letter. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 112 of 154 findings of noncompliance identified in FFY 2007 were corrected in a timely manner. The State reported on the actions it took to address the remaining noncompliance.</p> <p>The State reported that six of the remaining 13 findings of noncompliance identified prior to FFY 2006 were corrected. The State provided information on the actions it took to address the remaining noncompliance.</p>	<p>ensure they will enable the State to provide data in the FFY 2009 APR demonstrating that the State timely corrected noncompliance identified in FFY 2008 in accordance with IDEA section 635(a)(10)(A), 34 CFR §303.501, and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each EIS program with noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>The State must also demonstrate, in the FFY 2009 APR, that the 42 remaining findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected. Further, the State must demonstrate, in the FFY 2009 APR, that the seven remaining findings of noncompliance identified prior to FFY 2006 that were not reported as corrected in the FFY 2008 APR were corrected. The State's failure to correct longstanding noncompliance raises serious questions</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>about the effectiveness of the State’s general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2009 APR, that it has corrected this noncompliance.</p> <p>In addition, in reporting on Indicator 9 in the FFY 2009 APR, the State must use the Indicator 9 Worksheet.</p> <p>In responding to Indicators 1, 7, 8A, and 8C in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</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 2008 reported data for this indicator are 100%. These data are based on two complaints. 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 §303.512.</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 did not receive any due process hearing requests during the reporting period.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</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>[Results Indicator]</p>	<p>The State reported that no resolution sessions were held during the reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2008. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2009 APR.</p>

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<p>13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State reported that all three mediations resulted in mediation agreements. The State reported fewer than ten mediations held in FFY 2008. The State is not required to meet its targets or to provide improvement activities except in any fiscal year in which ten or more mediations are held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</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's FFY 2008 reported data for this indicator are 100%. These data represent progress from the FFY 2007 data of 97.1%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p> <p>In reporting on Indicator 14 in the FFY 2009 APR, the State must use the Indicator 14 Data Rubric.</p>