

**Mississippi 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 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 78%. These data represent progress from the FFY 2007 data of 76%. The State did not meet its FFY 2008 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2007, the State reported that it did not issue any findings of noncompliance for this indicator during FFY 2007. The State reported FFY 2007 actual target data of 76% for this indicator in the FFY 2007 APR, and that it made eight findings of noncompliance based on those data in FFY 2008. The State reported that three of the eight findings of noncompliance identified in FFY 2008 based on FFY 2007 data were corrected by November 18, 2009.</p> <p>The State reported that three of six findings of noncompliance identified in FFY 2006 were corrected. The State reported on the actions it took to address the outstanding three FFY 2006 findings of noncompliance under this indicator (for Health Districts III, V and VI).</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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><u>Special Conditions</u></p> <p>The timely service provision requirements under this indicator are the subject of Special Conditions on Mississippi's FFY 2009 Part C grant award. The State's February 1, 2010 Special Conditions progress report provided updated data for this indicator for the period of July 1, 2009 through December 31, 2009. The State's second progress report is due by May 15, 2010. OSEP will respond to the State's Special Conditions progress reports in a separate letter.</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>The State also must demonstrate, in the FFY 2009 APR, that the remaining five uncorrected noncompliance findings identified in FFY 2008 based on FFY 2007 data 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 data the State reported for this indicator and each EIS program with remaining noncompliance identified in FFY 2008 based on FFY 2007 data: (1) is 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) has initiated services, although late, for any child whose 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</p>

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		<p>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>The State must demonstrate, in the FFY 2009 APR that the remaining three uncorrected noncompliance findings identified in FFY 2006 were corrected. The State's failure to correct longstanding noncompliance raises serious questions 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>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 91%. These data represent slippage from the FFY 2007 data of 97%. The State did not meet its FFY 2008 target of 96%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationship); B. Acquisition and use of knowledge and skills (including</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 revised 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>	<p>The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p>

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early language/communication); and C. Use of appropriate behaviors to meet their needs.  [Results Indicator]	08-09 Infant and Toddler Outcome Baseline Data	<u><b>Summary Statement</b></u> <sup>1</sup>	<u><b>Summary Statement 2</b></u> <sup>2</sup>		
	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	76	66		
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	82	68		
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	84	73		
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 looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.  The State reported that the data for this indicator were based on a response group that was not representative of the population. In the FFY 2009 APR, the State must report whether its FFY 2009 data are based on a response group that is representative of its population, and if not, the actions the State is taking to address this issue.
		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress
	A. Know their rights (%)	84	81	89	-3.00%
	B. Effectively communicate their children's needs (%)	87	84	89	-3.00%
	C. Help their children develop and learn. (%)	88	85	90	-3.00%
	These data represent slippage from the FFY 2007 data. The State did not meet				

<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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	<p>its FFY 2008 targets for this indicator.</p> <p>The State reported that the data for this indicator were collected from a response group that was not representative of the population. OSEP notes that the State included strategies to address this issue in the future.</p>	
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data.</p> <p>[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 0.66%. These data represent progress from the OSEP recalculated FFY 2007 data of 0.50%. The State met its FFY 2008 target of 0.65%.</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 national data.</p> <p>[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 1.56%. These data represent progress from the FFY 2007 data of 1.34%. The State did not meet its FFY 2008 target of 1.78%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</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 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 87%. These data represent slippage from the FFY 2007 data of 93%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that the one finding of noncompliance identified in FFY 2007 was not corrected in a timely manner, but that the finding subsequently was corrected by November 18, 2009.</p> <p>The State reported that one finding of noncompliance identified in FFY 2006 under this indicator was corrected.</p>	<p>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.</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 §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (i.e.,</p>

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		<p>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 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>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>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The State revised their improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 98%. These data represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR the State's data demonstrating that it 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</p>

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		<p>data such as data subsequently collected 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 96%. These data represent slippage from the FFY 2007 data of 98%. The State did not meet its FFY 2008 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2007, the State reported that it did not identify any findings of noncompliance for this indicator during FFY 2007.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR the State's data demonstrating that it is in compliance with the LEA notification requirements in 34 CFR §303.148(b)(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>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)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site</p>

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		<p>monitoring or a State data system; and (2) has provided notification to the LEA 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>The State must also report, in the FFY 2009 APR, on why it did not make findings based on the FFY 2007 data that the State reported under this indicator, given that the FFY 2007 data reflected noncompliance.</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 2008 reported data for this indicator are 73%. These data represent progress from the FFY 2007 data of 68%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that two of four findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that the remaining two findings subsequently were corrected by April 2010.</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 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)(2)(i)</p>

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		<p>(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) has 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> <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>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's FFY 2008 reported data for this indicator are 50%. These data represent progress from the FFY2007 data of 33.3%. The State did not meet their target of 100%.</p> <p>The State reported that three of six findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that all three of the remaining findings subsequently were corrected by April 2010.</p> <p>The State reported that six of nine findings of noncompliance identified in FFY 2006 were corrected. The State reported on the actions it took to address the three outstanding FFY 2006 findings of noncompliance under Indicator 1 (for Health Districts III, V and VI).</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 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</p>

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		<p>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 demonstrate, in the FFY 2009 APR, that the remaining three findings of noncompliance identified in FFY 2006 that were not reported as corrected in the FFY 2008 APR were corrected.</p> <p>In addition, in responding to Indicators 1, 7, 8A, 8B, 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>In reporting on Indicator 9 in the FFY 2009 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 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 represent progress from the FFY 2007 data of 67%. The State met its FFY 2008 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 revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State reported that it did not receive any requests for due process hearings during the reporting period.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>

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<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>Not applicable.</p>	<p>Not applicable.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State reported that no mediations were held during the FFY 2008 reporting period.</p> <p>The State reported fewer than ten mediations held in FFY 2008. 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 2009 APR.</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 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 represent progress from the FFY 2007 data of 67%. 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>