

New Jersey Part C FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2008 reported data for this indicator are 97.06%. These data represent progress from the FFY 2007 data of 88.1%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all nine of its findings of noncompliance identified in FFY 2007 were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2009 APR, due February 1, 2011, the State’s data demonstrating that it 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>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 §§303.340(c), 303.342(e), and 303.344(f)(1) (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 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 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</p>

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		activities and revise them, if necessary.						
<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 the revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 98.7%. The State's data reflect a high level of performance for this indicator. The State did not meet its FFY 2008 target of 99%.</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: A. Positive social-emotional skills (including social relationship); B. Acquisition and use of knowledge and skills (including early language/communication); and 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="548 979 1444 1248"> <thead> <tr> <th data-bbox="548 979 919 1114">08-09 Infant and Toddler Outcome Baseline Data</th> <th data-bbox="919 979 1192 1114"><u>Summary Statement 1</u>¹</th> <th data-bbox="1192 979 1444 1114"><u>Summary Statement 2</u>²</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1114 919 1248">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="919 1114 1192 1248">55.31</td> <td data-bbox="1192 1114 1444 1248">86.64</td> </tr> </tbody> </table>	08-09 Infant and Toddler Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²	Outcome A: Positive social-emotional skills (including social relationships) (%)	55.31	86.64	<p>The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p>
08-09 Infant and Toddler Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²						
Outcome A: Positive social-emotional skills (including social relationships) (%)	55.31	86.64						

¹ 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.

² 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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	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	80.39	60.12																						
	Outcome C: Use of appropriate behaviors to meet their needs (%)	92.72	85.44																						
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’s reported data for this indicator are: <table border="1" data-bbox="548 537 1480 932"> <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>67.1</td> <td>71.6</td> <td>68</td> <td>4.50%</td> </tr> <tr> <td>B. Effectively communicate their children’s needs (%)</td> <td>63.2</td> <td>68.4</td> <td>64</td> <td>5.20%</td> </tr> <tr> <td>C. Help their children develop and learn (%)</td> <td>80.8</td> <td>83.8</td> <td>74.5</td> <td>3.00%</td> </tr> </tbody> </table> These data represent progress from the FFY 2007 data. The State met all of its FFY 2008 targets for this indicator.					FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress	A. Know their rights (%)	67.1	71.6	68	4.50%	B. Effectively communicate their children’s needs (%)	63.2	68.4	64	5.20%	C. Help their children develop and learn (%)	80.8	83.8	74.5	3.00%	OSEP appreciates the State’s efforts to improve performance.
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress																					
A. Know their rights (%)	67.1	71.6	68	4.50%																					
B. Effectively communicate their children’s needs (%)	63.2	68.4	64	5.20%																					
C. Help their children develop and learn (%)	80.8	83.8	74.5	3.00%																					
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]	The State revised the indicator and measurement language (consistent with the revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions. The State’s FFY 2008 reported data for this indicator are 0.57%. These data represent slippage from the FFY 2007 data of 0.72%. The State met its FFY 2008 target of 0.57%.				OSEP appreciates the State’s efforts to improve performance.																				
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 the revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions. The State’s FFY 2008 reported data for this indicator are 2.93%. These data represent progress from the FFY 2007 data of 2.31%. The State met its FFY				OSEP appreciates the State’s efforts to improve performance.																				

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	2008 target of 2.55%.	
<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 the revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 91.59%. These data represent slippage from the FFY 2007 data of 92.77%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that four of six findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that the remaining two findings were subsequently corrected by July 9, 2009 and August 5, 2009.</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., 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>

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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's FFY 2008 reported data for this indicator are 99.7%. These data demonstrate progress from the FFY 2007 data of 99.2%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all five of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</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 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</p>	<p>The State's FFY 2008 reported data for this indicator are 99.7%. However</p>	<p>OSEP appreciates the State's efforts and</p>

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<p>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>OSEP recalculated the data for this indicator to be 98.9%. These data demonstrate progress from the FFY 2007 data of 98.7%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that the two findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner.</p> <p>Under IDEA section 637(a)(9)(A)(ii)(I), 34 CFR §303.148(b)(1) and OSEP's 2004 <i>Letter to Elder</i>, the lead agency must disclose to the LEA where the child resides, limited child find information unless the lead agency has adopted an opt-out policy and the parent opts out; the lead agency may not require affirmative parental consent for this limited disclosure. It appears from the State's revised FFY 2008 APR, dated April 8, 2010, that the State may require parental consent prior to notifying the LEA under 34 CFR §303.148(b)(1). Unless the lead agency has adopted an opt-out policy that is on file with OSEP and the parent opts out, the lead agency must provide the notification required by 34 CFR §303.148(b)(1) and OSEP's 2004 <i>Letter to Elder</i> for all children served in Part C who will shortly reach the age of eligibility for preschool services under Part B, and report on the subset of those children who are potentially eligible for Part B under SPP/APR Indicator 8B.</p>	<p>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 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>8. Percent of all children exiting Part C who received timely transition planning to support the</p>	<p>The State's FFY 2008 reported data for this indicator are 92.7%. These data represent slippage from the FFY 2007 data of 95%. The State did not meet its FFY 2008 target of 100%.</p>	<p>The State must demonstrate, in the FFY 2009 APR that the State is in compliance with the timely transition conference</p>

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<p>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 reported that all seven of its findings of noncompliance identified in FFY 2007 were corrected in a timely manner.</p>	<p>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) (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</p>	<p>The State's FFY 2008 reported data for this indicator are 93.1%. These data represent progress from the FFY 2007 data of 91.3%. The State did not meet its FFY 2008 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide</p>

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<p>corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State reported that 27 of 29 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that the remaining two findings subsequently were corrected by July 9, 2009, and August 5, 2009.</p>	<p>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>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 addition, 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</p>	<p>The State's FFY 2008 data for this indicator are 100%. These data are based on three complaints. The State met its 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>

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<p>respect to a particular complaint. [Compliance Indicator]</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 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>
<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>Not applicable.</p>
<p>13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State reported that three of three mediations resulted in mediation agreements. 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. [Compliance Indicator]</p>	<p>The State's FFY 2008 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 timely and accurate 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 2009 APR, the State must use the Indicator 14 Data Rubric.</p>