

Delaware Part C FFY 2009 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 83.24%. These data represent slippage from the FFY 2008 data of 90.57%. The State did not meet its FFY 2009 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2008, the State did not make any findings of noncompliance for this indicator during FFY 2008. The State reported that it verified correction of the 23 instances of identified noncompliance, consistent with the requirements of OSEP Memo 09-02, prior to issuing findings of noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, 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 2009, 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 on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2009 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 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</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps												
		<p>09-02). In the FFY 2010 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 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>												
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 90.23%. The State's FFY 2008 data for this indicator were 89.9%. The State met its FFY 2009 target of 88%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>												
<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.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="562 980 1585 1479"> <thead> <tr> <th data-bbox="562 980 966 1084"><u>Summary Statement 1</u></th> <th data-bbox="966 980 1171 1084"><u>FFY 2008 Data</u></th> <th data-bbox="1171 980 1377 1084"><u>FFY 2009 Data</u></th> <th data-bbox="1377 980 1585 1084"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="562 1084 966 1268"> <p>Outcome A:</p> <p>Positive social-emotional skills (including social relationships) (%)</p> </td> <td align="center" data-bbox="966 1084 1171 1268">46.63</td> <td align="center" data-bbox="1171 1084 1377 1268">45.93</td> <td align="center" data-bbox="1377 1084 1585 1268">40.00</td> </tr> <tr> <td data-bbox="562 1268 966 1479"> <p>Outcome B:</p> <p>Acquisition and use of knowledge and skills (including early language/communication) (%)</p> </td> <td align="center" data-bbox="966 1268 1171 1479">48.39</td> <td align="center" data-bbox="1171 1268 1377 1479">51.29</td> <td align="center" data-bbox="1377 1268 1585 1479">40.00</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<p>Outcome A:</p> <p>Positive social-emotional skills (including social relationships) (%)</p>	46.63	45.93	40.00	<p>Outcome B:</p> <p>Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	48.39	51.29	40.00	<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 2010 APR, due February 1, 2012.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>											
<p>Outcome A:</p> <p>Positive social-emotional skills (including social relationships) (%)</p>	46.63	45.93	40.00											
<p>Outcome B:</p> <p>Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	48.39	51.29	40.00											

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
	Outcome C: Use of appropriate behaviors to meet their needs (%)	50.54	55.74	40.00	
	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	
	Outcome A: Positive social-emotional skills (including social relationships) (%)	48.73	47.18	40.00	
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	41.53	35.92	40.00	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	47.46	43.66	40.00	
These data represent progress and slippage from the FFY 2008 data. The State met part of its FFY 2009 targets for this indicator.					
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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State's FFY 2009 reported data for this indicator are:				OSEP appreciates the State's efforts to improve performance.
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	
A. Know their rights (%)	48.0	48.6	48.0	0.60%	
B. Effectively communicate	55.9	55.3	55.1	-0.60%	

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
	their children’s needs (%)					
	C. Help their children develop and learn (%)	55.8	59.5	59.4	3.70%	
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]	<p>These data represent progress and slippage from the FFY 2008 data. However, OSEP recalculated the FFY 2009 data for 4B to be 55.1%. The State met all of its FFY 2009 targets for this indicator.</p> <p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 0.86%. The State’s FFY 2008 data for this indicator were 0.93%. The State did not meet its FFY 2009 target of 1.03%.</p>					<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data. [Results Indicator]	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 2.33%. The State’s FFY 2008 data for this indicator were 2.35%. The State did not meet its FFY 2009 target of 2.67%.</p>					<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</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. [Compliance Indicator]	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 87%. These data represent slippage from the FFY 2008 data of 90%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that both findings of noncompliance identified in FFY 2008 for CDW NHS were corrected in a timely manner.</p> <p>The State also reported that it did not make any findings of noncompliance related to this Indicator for CDW SHS in FFY 2008, but that 12 instances of noncompliance were fully corrected. However, in describing how it verified that CDW SHS had corrected those instances of noncompliance; the State indicated that CDW SHS is “<u>working towards 100% compliance.</u>” It is not clear that the State verified that CDW SHS is correctly implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1) (i.e.,</p>					<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, 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 2009, 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 on the correction</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>achieved 100% compliance). Therefore, the State has not demonstrated that it verified correction of the identified noncompliance prior to issuing a finding.</p>	<p>of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2009 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 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, for the noncompliance the State attempted to verify as corrected prior to issuing findings for CDW SHS, the State must demonstrate, in the FFY 2010 APR, that the uncorrected noncompliance was verified as corrected consistent with OSEP Memo 09-02.</p> <p>If the State does not report 100% compliance in the FFY 2010</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 93%. These data represent slippage from the FFY 2008 data of 95%. The State did not meet its FFY 2009 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2008, the State did not make any findings of noncompliance for this indicator during FFY 2008. The State reported that it verified correction of the 14 instances of identified noncompliance, consistent with the requirements of OSEP Memo 09-02, prior to issuing findings of noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) and 20 U.S.C. 1436(a)(3). Because the State reported less than 100% compliance for FFY 2009, 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 on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§303.148(b)(4) and 303.344(h) and 20 U.S.C. 1436(a)(3) (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</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>State's Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2010 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 2010 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its 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>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 94%. These data remain unchanged from the FFY 2008 data of 94%. The State did not meet its FFY 2009 target of 100%.</p> <p>Although the State reported less than 100% compliance for this indicator for FFY 2008, the State did not make any findings of noncompliance for this indicator during FFY 2008. The State reported that it verified correction of the seven instances of identified noncompliance, consistent with the requirements of OSEP Memo 09-02, prior to issuing findings of noncompliance.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, 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 2009, the State must report on the status of correction of noncompliance reflected in the data the State</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2009 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 2010 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 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>9. General Supervision system (including monitoring complaints,</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p>	<p>OSEP appreciates the State's efforts in timely correcting</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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>The State's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p> <p>The State reported that both findings of noncompliance identified in FFY 2008 were corrected in a timely manner.</p> <p>As required by OSEP's verification letter, dated March 25, 2010, the State confirmed that it issued findings in June 2010.</p>	<p>findings of noncompliance identified in FFY 2008.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, due February 1, 2012, the State must report that it verified that each EIS program with findings of noncompliance identified in FFY 2009: (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 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 9 in the FFY 2010 APR, the State must use the Indicator 9 Worksheet.</p> <p>In addition, in responding to Indicators 1, 7, 8A, and 8C in the FFY 2010 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</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities</p>	<p>OSEP looks forward to reviewing the State's data in the</p>

Delaware Part C FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>through FFY 2012, and OSEP accepts those revisions.</p> <p>The State reported that it did not receive any signed written complaints during the reporting period.</p>	<p>FFY 2010 APR, due February 1, 2012.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, 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 2010 APR, due February 1, 2012.</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>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 reported that no mediations were held during the reporting period.</p> <p>The State reported fewer than ten mediations held in FFY 2009. The State is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 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 2010 APR, due February 1, 2012, the State must use the Indicator 14 Data Rubric.</p>