

Mississippi 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 76%. These data represent slippage from the FFY 2008 data of 78%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that three of eight findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining five findings subsequently were corrected by January 2011.</p> <p>The State reported that remaining three findings of noncompliance identified in FFY 2006 for this indicator were corrected.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2007 and 2008 APRs, was advised of available technical assistance, and was required to report, with the FFY 2009 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 2010 Part C grant award. OSEP has imposed special conditions on Mississippi's Part C grant award since FFY 2006 due to the State's failure to ensure the timely provision of services. The State's February 1, 2011 Special Conditions progress report provided updated data for this indicator for the period of July 1, 2010 through December 31, 2010 indicating 85% compliance with the timely service provision requirements for nine health districts. In its second progress report, dated May 2, 2011, the State submitted data for the period January 1, 2011 through April 15, 2011 indicating 79% compliance with the timely service provision requirements for nine health districts.</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</p>

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		<p>October 17, 2008 (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>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 97%. The State's data reflect a high level of performance for this indicator. The State met its FFY 2009 target of 97%.</p>	<p>The State's actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in that percentage is necessary. OSEP appreciates the State's efforts to improve performance and assumes that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).</p>								
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationship);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication); and</p> <p>C. Use of appropriate behaviors to</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:</p> <table border="1" data-bbox="550 1347 1579 1513"> <thead> <tr> <th data-bbox="550 1347 1012 1448"><u>Summary Statement 1</u></th> <th data-bbox="1012 1347 1192 1448"><u>FFY 2008 Data</u></th> <th data-bbox="1192 1347 1394 1448"><u>FFY 2009 Data</u></th> <th data-bbox="1394 1347 1579 1448"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="550 1448 1012 1513">Outcome A: Positive social-emotional skills</td> <td data-bbox="1012 1448 1192 1513">76</td> <td data-bbox="1192 1448 1394 1513">87</td> <td data-bbox="1394 1448 1579 1513">76</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills	76	87	76	<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 baseline data and targets 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>							
Outcome A: Positive social-emotional skills	76	87	76							

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<p>meet their needs. [Results Indicator]</p>	(including social relationships) (%)					
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	82	86	82		
	Outcome C: Use of appropriate behaviors to meet their needs (%)	84	88	84		
	<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) (%)	66	70	66		
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	68	69	68		
	Outcome C: Use of appropriate behaviors to meet their needs (%)	73	72	73		
	These data represent progress and slippage from the FFY 2008 data. The State met part of its FFY 2009 targets.					
<p>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]</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:</p>				<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p> <p>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 2010 APR, the State must report whether its FFY 2010 data are based on a response group that is representative of its population, and if not, the actions</p>	
		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>		<u>Progress</u>
	A. Know their rights (%)	81	83	92		2.00%
	B. Effectively communicate their children's needs (%)	84	86	92	2.00%	

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	<p>C. Help their children develop and learn (%)</p>	85	89	92	4.00%	<p>the State is taking to address this issue.</p>
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]</p>	<p>These data represent progress from the FFY 2008 data. The State did not meet its FFY 2009 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 or improvement activities to address this issue in the future.</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 0.74%. These data represent progress from the FFY 2008 data of 0.66%. The State met its FFY 2009 target of 0.70%.</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. [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 1.66%. These data represent progress from the FFY 2008 data of 1.56%. The State did not meet its FFY 2009 target of 1.88%.</p>					<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</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. [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 92%. These data represent progress from the FFY 2008 data of 87%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that five of seven findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that both remaining findings subsequently were corrected by December 2010.</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</p>

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		<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 §§303.321(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>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</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 represent</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the IFSP transition content</p>

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<p>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>progress from the FFY 2008 data of 98%. The State met its FFY 2009 target of 100%. 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 did not issue any findings of noncompliance for this indicator in FFY 2008 because when data was reviewed for the purpose of identification of noncompliance, their data reflected 100% compliance with this indicator.</p>	<p>requirements in 34 CFR §§303.148(b)(4) and 303.344(h).</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 reported data for this indicator are 98%. These data represent progress from the FFY 2008 data of 96%. 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 issued two findings for this indicator in December 2009.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, 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 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)(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</p>

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		<p>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 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>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 79%. These data represent progress from the FFY 2008 data of 73%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that seven of nine findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that both remaining findings subsequently were corrected by December 2010.</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 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</p>

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		<p>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, 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 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 62.5%. These data represent progress from the FFY 2008 data of 50%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 15 of 24 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the nine remaining findings subsequently were corrected by January 2011.</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 2010 APR, due February 1, 2012, demonstrating that the State timely corrected findings of noncompliance identified in FFY 2009 in accordance with IDEA</p>

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	<p>The State reported that three findings of noncompliance identified in FFY 2006 were corrected.</p> <p>In Indicator 9 of its FFY 2009 APR, the State explained that the four findings reported for Indicator 8C in its FFY 2008 APR should have been reported as three findings for Indicator 8A and two findings for Indicator 8C. The State reported that those findings were corrected.</p>	<p>section 635(a)(10)(A), 34 CFR §303.501, and OSEP Memo 09-02.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each EIS program with 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>Further, in responding to Indicators 1, 7, 8B, and 8C in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>
10. Percent of signed written	The State provided targets for FFY 2011 and FFY 2012, and improvement activities	OSEP appreciates the State's

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<p>complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data are 100%. These data are based on eight complaints. The State met its FFY 2009 target of 100%.</p> <p>The State’s data reported in this indicator are not the same as the State’s 618 data reported in Table 4. The State provided an explanation, indicating that the data reported in Table 4 were not complete.</p>	<p>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 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 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 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 meet its targets in any fiscal year in which fewer than ten 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 96.4%. These data represent slippage from the FFY 2008 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 2010 APR, due February 1, 2012, the State’s data demonstrating that it is in compliance with the timely and</p>

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		<p>accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540. 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>In reporting on Indicator 14 in the FFY 2009 APR, the State must use the Indicator 14 Data Rubric.</p>