

**South Carolina Part C FFY 2009 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><b>Status of Public Reporting on EIS Performance:</b> While the State has publicly reported on the FFY 2007 (July 1, 2007-June 30, 2008) performance of each early intervention services (EIS) program located in the State on the targets in the State’s performance plan (SPP) as required by section 616(b)(2)(C)(ii)(I) and 642 of IDEA, the report does not contain the required information. The State has not reported on the targets for Indicator 4. In addition, the State has not publicly reported on the FFY 2008 (July 1, 2008-June 30, 2009) performance of each early intervention services (EIS) program located in the State on the targets in the SPP as required by section 616(b)(2)(C)(ii)(I) and 642 of IDEA.</p>		
<p><b>Late Submission of SPP:</b> The State did not submit the SPP, due February 1, 2011, until February 17, 2011.</p>		
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. [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 85%. These data represent progress from the FFY 2008 data of 75%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 19 of 60 findings of noncompliance identified in FFY 2008 were corrected in a timely manner. The State reported on the actions it took to address the 41 remaining uncorrected findings of noncompliance identified in FFY 2008.</p> <p>The State also reported that nine of 48 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that nine findings were subsequently corrected by April 18, 2011. The State reported on the actions it took to address the 30 remaining uncorrected findings of noncompliance identified in FFY 2007.</p> <p>In addition, the State reported that it made 71 new findings of noncompliance under this indicator in FFY 2009.</p> <p>However, the State did not, as required by OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02) and the FFY 2008 response table, report under this indicator that it verified that each EIS program with noncompliance identified in FFY 2008 and FFY 2007: (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. Therefore, the State has not demonstrated that it corrected the 19 FFY 2008 and 18 FFY 2007 findings that it reported as corrected in the FFY 2009 APR.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFY 2007 and FFY 2008 APRs, was advised of available technical assistance, and was required to report, with the FFY 2009 APR, on: (1) the technical</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>The State must demonstrate in the FFY 2010 APR that the 60 uncorrected noncompliance findings identified in FFY 2008 and the 48 uncorrected noncompliance findings identified in FFY 2007 were verified as corrected.</p> <p>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</p>

**South Carolina Part C FFY 2009 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>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><i>Special Conditions</i></p> <p>The State's FFY 2010 Special Conditions required the State to confirm in the FFY 2009 APR that its FFY 2009 Indicator 1 data are valid and reliable, because its May 14, 2010 and June 30, 2010 progress reports under Special Conditions on the State's FFY 2009 Part C grant award indicated that its Indicator 1 data were incomplete. The State clarified on pages three and five of its FFY 2009 APR that its Indicator 1 data are based on the measurement and reflect the level of compliance, and that the State is working with service coordinators regarding documentation for the reasons for delay. There is no further action required regarding this issue.</p>	<p>report, in the FFY 2010 APR, that it has corrected this noncompliance.</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 and each EIS program with noncompliance findings identified in FFY 2008 and FFY 2007: (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 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</p>

**South Carolina Part C FFY 2009 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>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 data for this indicator are 99%. The State's data reflect a high level of performance for this indicator. The State met its FFY 2009 target of 96%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to submit, by February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided an SPP that reflects the correct indicator and measurement language.</p>	<p>them, if necessary.</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 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, and OSEP accepts those revisions. The State provided revised baseline data for this indicator, using FFY 2009 data, and revised FFY 2010 targets, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets for FFY 2010, and the targets for FFY 2011 and FFY 2012. The revised FFY 2010 targets are less rigorous than the previously-established targets, with the exception of the target for Outcome A, Summary Statement 1, which remains unchanged.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 1162 1579 1503"> <thead> <tr> <th data-bbox="550 1162 999 1263"><b><u>Summary Statement 1</u></b></th> <th data-bbox="999 1162 1203 1263"><b><u>FFY 2008 Data</u></b></th> <th data-bbox="1203 1162 1394 1263"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1394 1162 1579 1263"><b><u>FFY 2009 Target</u></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="550 1263 999 1414"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="999 1263 1203 1414">80</td> <td align="center" data-bbox="1203 1263 1394 1414">80</td> <td align="center" data-bbox="1394 1263 1579 1414">80</td> </tr> <tr> <td data-bbox="550 1414 999 1503"><b>Outcome B:</b> Acquisition and use of knowledge</td> <td align="center" data-bbox="999 1414 1203 1503">82</td> <td align="center" data-bbox="1203 1414 1394 1503">81</td> <td align="center" data-bbox="1394 1414 1579 1503">82</td> </tr> </tbody> </table>	<b><u>Summary Statement 1</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	80	80	80	<b>Outcome B:</b> Acquisition and use of knowledge	82	81	82	<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 its FFY 2010 APR.</p>
<b><u>Summary Statement 1</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>											
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	80	80	80											
<b>Outcome B:</b> Acquisition and use of knowledge	82	81	82											

**South Carolina Part C FFY 2009 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>
	and skills (including early language/ communication) (%)				
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	82	81	82	
	<b><u>Summary Statement 2</u></b>	<b><u>FFY 2008 Data</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2009 Target</u></b>	
	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	67	65	67	
	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	64	63	64	
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	69	66	69	
	The State provided revised baseline data, using FFY 2009 data. Therefore OSEP is not comparing FFY 2009 data to FFY 2008 data. The State met part of its FFY 2009 targets for this indicator.				
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights;</p> <p>B. Effectively communicate their children’s needs; and</p> <p>C. Help their children develop and learn.</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 provided revised baseline data for this indicator, using FFY 2009 data, and revised FFY 2010 targets, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for the revised targets for FFY 2010, and the targets for FFY 2011 and FFY 2012. The revised FFY 2010 targets are less rigorous than the previously-established targets.</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>

**South Carolina Part C FFY 2009 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>
[Results Indicator]		<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>	
	Know their rights (%)	69	76	91		
	Effectively communicate their children's needs (%)	64	71	86		
	Help their children develop and learn (%)	82	86	95		
	<p>The State provided revised baseline data, using FFY 2009 data. Therefore, OSEP is not comparing the FFY 2009 data to FFY 2008 data. The State did not meet its FFY 2009 targets for this indicator.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, whether its FFY 2008 and 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. The State provided the required information.</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 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 .80%. These data represent slippage from the FFY 2008 data of .97%. The State did not meet its FFY 2009 target of 1.03%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to submit, by February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided an SPP that reflects the correct indicator and measurement language.</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>6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data.</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 2.44%. These data represent</p>					<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>

**South Carolina Part C FFY 2009 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>progress from the FFY 2008 data of 2.38%. The State did not meet its FFY 2009 target of 2.67%.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to submit, by February 1, 2011, a revised SPP that reflects the revisions to the indicator and measurement language with its FFY 2009 APR. The State provided an SPP that reflects the correct indicator and measurement language.</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 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>The State reported that four of 14 findings of noncompliance identified in FFY 2008 were corrected. The State reported on the actions it took to address the ten remaining uncorrected findings of noncompliance identified in FFY 2008. The State reported that the one remaining finding of noncompliance identified in FFY 2007 was corrected.</p> <p>In addition, the State reported that it made 17 new findings of noncompliance in FFY 2009.</p> <p>However, the State did not, as required by OSEP Memo 09-02 and the FFY 2008 response table, report under this indicator that it verified that each EIS program with noncompliance identified in FFY 2008 and FFY 2007: (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. Therefore, the State has not demonstrated that it corrected the four FFY 2008 and one FFY 2007 findings that it reported as corrected in the FFY 2009 APR.</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>The State must demonstrate in the FFY 2010 APR that the remaining 14 FFY 2008 findings and one FFY 2007 finding were verified as corrected.</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 and each EIS program with noncompliance identified in FFY 2008 and FFY 2007: (1) is correctly implementing 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (i.e., achieved</p>

**South Carolina Part C FFY 2009 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>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 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 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 IFSP transition content 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</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</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR</p>

**South Carolina Part C FFY 2009 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>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>unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>§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 84%. These data represent progress from the FFY 2008 data of 83%. The State did not meet its FFY 2009 target of 100%</p> <p>The State reported that seven of 11 findings of noncompliance identified in FFY 2008 were verified as corrected. The State reported on the actions it took to address the four remaining uncorrected findings of noncompliance identified in FFY 2008.</p> <p>The State reported that 13 of 18 findings of noncompliance identified in FFY 2007 were verified as corrected within one year and two findings were subsequently corrected. The State reported on the actions it took to address the three remaining uncorrected findings of noncompliance identified in FFY 2007.</p> <p>In addition, the State reported that it made 14 new findings of noncompliance in FFY 2009.</p> <p>However, the State did not report, as required by OSEP Memo 09-02 and the FFY 2008 response table, that it verified that each EIS program with noncompliance identified in FFY 2008 and FFY 2007: (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. Therefore, the State has not demonstrated that it corrected the seven FFY 2008 and 15 FFY 2007 findings that it reported as corrected in the FFY 2009 APR that it reported as corrected in the FFY 2009 APR.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFY 2007 and FFY 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</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>The State must demonstrate in the FFY 2010 APR that the 11 uncorrected noncompliance findings identified in FFY 2008 and the 18 uncorrected noncompliance findings identified in FFY 2007 were verified as corrected.</p> <p>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</p>

**South Carolina Part C FFY 2009 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>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>report, in the FFY 2010 APR, that it has corrected this noncompliance.</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 and each EIS program with noncompliance findings identified FFY 2008 and FFY 2007: (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</p>

**South Carolina Part C FFY 2009 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>
		APR, the State must review its improvement activities and revise them, if necessary.
<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 data for this indicator are 35%. These data represent slippage from the State's FFY 2008 data of 49% for this indicator. (The State reported FFY 2008 data of 63% in its FFY 2008 APR. Based on updated data for FFY 2008 that the State provided in its clarified FFY 2009 APR, however, OSEP recalculated the FFY 2008 data to be 49%.) The State did not meet its FFY 2009 target of 100%.</p> <p><u>Special Conditions</u></p> <p>The timely correction requirements of this indicator were the basis of OSEP's 2003 Compliance Agreement and have been the subject of Special Conditions on South Carolina's IDEA Part C grant since FFY 2008 due to the State's failure to provide any data for this indicator in its FFY 2005 and FFY 2006 APRs. It was also the subject of Special Conditions on South Carolina's FFY 2010 Part C grant award, which required the State to submit with the FFY 2009 APR, due February 1, 2011: (1) confirmation that the State is verifying correction consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02); (2) the status of the FFY 2008 findings; and (3) updated correction data for FFY 2010 (for findings issued in FFY 2009).</p> <p>The State did not confirm that the State is verifying correction consistent with OSEP Memo 09-02 for its findings for FFYs 2007, 2008 and 2009. The State reported in its FFY 2009 APR that 33 (or 49%) of 67 findings of noncompliance identified in FFY 2007 were corrected. The State reported that 30 (or 35%) of 85 findings of noncompliance identified in FFY 2008 were corrected in a timely manner. The State reported that it identified 102 findings in FFY 2009, but the number of findings identified in FFY 2009 and FFY 2010 and the number actually timely corrected is still unclear.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the 55 findings of noncompliance identified in FFY 2008 and the 67 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2009 APR were verified as corrected.</p> <p>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 2010 APR, that it has corrected this noncompliance.</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, demonstrating that the State timely corrected findings of noncompliance identified in FFY 2009 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 findings of noncompliance in the FFY 2010 APR, the State must</p>

**South Carolina Part C FFY 2009 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>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, 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 were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</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 are based on nine complaints. The State met its FFY 2009 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>

**South Carolina Part C FFY 2009 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>
[Compliance Indicator]		
<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 hearing requests 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 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 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 93%. These data represent slippage from the FFY 2008 data of 100%. The State did not meet its FFY 2009 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 data in the FFY 2010 APR, due February 1, 2012, demonstrating that it is in 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</p>

**South Carolina Part C FFY 2009 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>
		reporting on Indicator 14 in the FFY 2010 APR, due February 1, 2012, the State must use the Indicator 14 Data Rubric.