

Texas 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. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 95.7%. 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 15 of 16 findings of noncompliance identified in FFY 2008 were corrected in a timely manner. Under Indicator 9 the State reported that it subsequently corrected the one remaining finding for Indicator 1 for FFY 2008.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to demonstrate in the FFY 2009 APR, due February 1, 2011, that the remaining five uncorrected noncompliance findings identified in FFY 2007 were corrected. The State reported that the five findings of noncompliance identified in FFY 2007 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 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 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>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 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 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</p>

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		<p>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. 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. [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 2012. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 99.6%. The State's data reflect a high level of performance for this indicator. The State met its FFY 2009 target of 98.3%.</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</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. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 1432 1579 1500"> <tr> <td align="center"><u>Summary Statement 1</u></td> <td align="center"><u>FFY 2008</u></td> <td align="center"><u>FFY 2009</u></td> <td align="center"><u>FFY 2009</u></td> </tr> </table>	<u>Summary Statement 1</u>	<u>FFY 2008</u>	<u>FFY 2009</u>	<u>FFY 2009</u>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<u>Summary Statement 1</u>	<u>FFY 2008</u>	<u>FFY 2009</u>	<u>FFY 2009</u>			

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<p>C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>		<u>Data</u>	<u>Data</u>	<u>Target</u>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	69.1	69.6	66	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	73.4	72.3	70	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	72.7	72	70	
	<p><u>Summary Statement 2</u></p>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	60.6	60.8	57	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</p>	55.7	54	53	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	61.9	60.3	59	
	<p>These data represent progress and slippage from the FFY 2008 data. The State met its FFY 2009 targets for this indicator.</p>				
<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</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. The State's FFY 2009 reported data for this indicator are:</p>				<p>OSEP appreciates the State's efforts to improve performance.</p>

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<p>children’s needs; and C. Help their children develop and learn. [Results Indicator]</p>		<p align="center"><u>FFY 2008</u> <u>Data</u></p>	<p align="center"><u>FFY 2009</u> <u>Data</u></p>	<p align="center"><u>FFY 2009</u> <u>Target</u></p>	<p align="center"><u>Progress</u></p>	
	<p>A. Know their rights (%)</p>	<p align="center">84.8</p>	<p align="center">86.5</p>	<p align="center">77.5</p>	<p align="center">1.70%</p>	
	<p>B. Effectively communicate their children’s needs (%)</p>	<p align="center">89.4</p>	<p align="center">89.6</p>	<p align="center">82.5</p>	<p align="center">0.20%</p>	
	<p>C. Help their children develop and learn (%)</p>	<p align="center">91.1</p>	<p align="center">84.7</p>	<p align="center">82.5</p>	<p align="center">-6.40%</p>	
	<p>These data represent progress for 4A and 4B and slippage for 4C from the FFY 2008 data. The State met all of its FFY 2009 targets for this indicator.</p>					
<p>5. Percent of infants and toddlers birth to 1 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. The State’s FFY 2009 reported data for this indicator are 1.07%. These data represent progress from the FFY 2008 data of .98%. The State met its FFY 2009 target of .84%.</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. The State’s FFY 2009 reported data for this indicator are 2.29%. These data represent progress from the FFY 2008 data of 2.18%. The State met its FFY 2009 target of 1.96%.</p>					<p>OSEP appreciates the State’s efforts to improve performance.</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. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State’s FFY 2009 reported data for this indicator are 97.7%. These data represent progress from the FFY 2008 data of 97.3%. The State did not meet its FFY 2009 target of 100%. The State reported that six of seven findings of noncompliance identified in FFY 2008</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 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). Because the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>were corrected in a timely manner. Under Indicator 9 the State reported that it subsequently corrected the one remaining finding for Indicator 7 for FFY 2008.</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, an explanation for not making findings based on the FFY 2007 data that the State reported under this indicator, given that the FFY 2007 data reflected noncompliance. The State provided all of the required information.</p>	<p>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 §§303.321(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</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 provided targets for FFY 2011 and FFY 2012 and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 99.3%. These data represent progress from the FFY 2008 data of 97.3%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that five of six findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining finding subsequently was corrected by February 1, 2011.</p>	<p>them, if necessary.</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 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</p>

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		<p>(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>B. Notification to LEA, if child potentially eligible for Part B; and [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. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 90.6%. 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 ten of 12 findings of noncompliance identified in FFY 2008 were corrected in a timely manner, and that both of the remaining findings subsequently were corrected by February 1, 2011.</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, that the remaining three uncorrected noncompliance findings identified in FFY 2007 were corrected. The State reported that the three findings of noncompliance identified in FFY 2007 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 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 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>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State 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</p>

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	Pages 24-25	<p>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 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 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>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. The State revised the improvement activities for FFY 2010, for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 84.7%. These data represent progress from the FFY 2008 data of 84.1%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all nine of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</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, that the remaining six uncorrected noncompliance findings identified in FFY 2007 were corrected. The State reported that the six findings of noncompliance identified in FFY 2007 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 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 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</p>

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	<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>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, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than</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 revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 88.9%. These data represent</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,</p>

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<p>one year from identification. [Compliance Indicator]</p>	<p>progress from the FFY 2008 data of 66.7%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 56 of 63 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the seven remaining findings subsequently were corrected by February 1, 2011.</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, that the remaining 35 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected, and that 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. The State provided all of the required information.</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 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>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 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>In addition, in reporting on Indicators 1, 7, 8A, 8B and 8C in the FFY 2010 APR, the State must report on correction of the</p>

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		noncompliance described in this table under those indicators.
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>The State 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 signed written complaints 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>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. The State revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 100% for timeliness and 100% for accuracy. These data remain unchanged from the FFY 2008 data of 100% for timeliness and accuracy. The State met its FFY 2009 target of 100% for timeliness and</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,</p>

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	accuracy.	2012, the State must use the Indicator 14 Data Rubric.