

Utah 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 97.2%. The State's FFY 2008 data for this indicator were 98%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all six of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 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 program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps												
		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>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 84.3%. These data represent progress from the FFY 2008 data of 71%. The State met its FFY 2009 target of 77.5%.</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, and OSEP accepts those revisions. The State revised the FFY 2009 baseline 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 baseline data for this indicator are:</p> <table border="1" data-bbox="623 979 1583 1464"> <thead> <tr> <th data-bbox="623 979 1026 1162"><u>Summary Statement 1</u></th> <th data-bbox="1033 979 1230 1162"><u>FFY 2008 Data</u></th> <th data-bbox="1236 979 1434 1162"><u>Revised FFY 2009 Baseline Data</u></th> <th data-bbox="1440 979 1583 1162"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="623 1167 1026 1300">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="1033 1167 1230 1300">81.10</td> <td data-bbox="1236 1167 1434 1300">80.62</td> <td data-bbox="1440 1167 1583 1300">81</td> </tr> <tr> <td data-bbox="623 1305 1026 1464">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="1033 1305 1230 1464">84.71</td> <td data-bbox="1236 1305 1434 1464">84.69</td> <td data-bbox="1440 1305 1583 1464">85</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>Revised FFY 2009 Baseline Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	81.10	80.62	81	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	84.71	84.69	85	<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>Revised FFY 2009 Baseline Data</u>	<u>FFY 2009 Target</u>											
Outcome A: Positive social-emotional skills (including social relationships) (%)	81.10	80.62	81											
Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	84.71	84.69	85											

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	Outcome C: Use of appropriate behaviors to meet their needs (%)	84.10	84.09	84																
	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>Revised FFY 2009 Baseline Data</u>	<u>FFY 2009 Target</u>																
	Outcome A: Positive social-emotional skills (including social relationships) (%)	84.78	65.21	65																
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	59.95	58.02	60																
	Outcome C: Use of appropriate behaviors to meet their needs (%)	57.49	67.54	68																
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.																				
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: <table border="1" data-bbox="625 1209 1570 1510"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. Know their rights (%)</td> <td>84</td> <td>86</td> <td>78</td> <td>2.00%</td> </tr> <tr> <td>B. Effectively communicate their children's needs (%)</td> <td>81</td> <td>84</td> <td>75</td> <td>3.00%</td> </tr> </tbody> </table>					<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. Know their rights (%)	84	86	78	2.00%	B. Effectively communicate their children's needs (%)	81	84	75	3.00%	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 (%)	84	86	78	2.00%																
B. Effectively communicate their children's needs (%)	81	84	75	3.00%																

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	C. Help their children develop and learn (%)	91	92	81	1.00%	
	These data represent progress from the FFY 2008 data. The State met all of its FFY 2009 targets for this indicator.					
<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.</p> <p>The State's FFY 2009 reported data for this indicator are 0.59%. These data represent progress from the FFY 2008 data of 0.57%. The State did not meet its FFY 2009 target of 0.86%.</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. [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 1.96%. These data represent progress from the FFY 2008 data of 1.88%. The State met its FFY 2009 target of 1.92%.</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.</p> <p>The State's FFY 2009 reported data for this indicator are 98.8%. These data represent progress from the FFY 2008 data of 97%. 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 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 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>

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		<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>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>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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 95.6%. These data represent slippage from the FFY 2008 data of 97%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all ten of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, the State’s data demonstrating that it is in compliance with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) 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, due February 1, 2012, 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 State’s Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY</p>

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		<p>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 reported data for this indicator are 99.3%. These data represent progress from the FFY 2008 data of 94%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 19 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 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 for each child, unless the child is</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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 all five of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</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 indicator: (1) is correctly implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section</p>

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		<p>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 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 all 49 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p> <p>In response to OSEP's February 8, 2011 verification visit letter, the State provided: (1) an assurance that it has revised its policies and procedures to ensure that written findings are issued when noncompliance is identified from any source, including the BTOTS database and follow-up monitoring visits; and (2) information regarding when, and how many, written findings were issued based on the State's review of the FFY 2009 data. As further required by OSEP's February 8, 2011 verification visit letter BWEIP: (1) provided documentation that it has revised its enforcement action procedures and</p>	<p>OSEP appreciates the State's efforts in timely correcting 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</p>

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	<p>practices to be consistent with IDEA section 616(e) to include all of the applicable enforcement actions in IDEA sections 616(e)(1)(A) and (C) (for NA-2), 616(e)(2)(B)(i) and (v) (for NI-3), and (e)(3)(B) (for NSI); and (2) confirmed that the State takes into consideration any audit findings specific to an EIS program when the State makes local determinations for its EIS programs.</p>	<p>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 reporting on Indicator 9 in the FFY 2010 APR, the State must use the Indicator 9 Worksheet.</p> <p>As required by OSEP’s February 8, 2011 verification letter, in the FFY 2010 APR, the State must report on the correction of the 379 findings the State reported were issued on March 10, 2011, based on a review of the State’s FFY 2009 BTOTS data.</p> <p>In addition, in responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2010 APR, the State must report on correction of 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. [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</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 looks forward to reviewing the State’s data in the FFY 2010</p>

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adjudicated within the applicable timeline. [Compliance Indicator]	The State reported that it did not receive any requests for due process hearings during the reporting period.	APR, due February 1, 2012.
12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted). [Results Indicator]	Not applicable.	Not applicable.
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	The State reported that no mediations were held during the reporting period. 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.	OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.
14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. 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%.	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.