

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps								
	<p>The IDEA Part C regulations cited in this APR Response Table as 34 CFR §303.xxx are those regulations which were in effect during FFY 2010. If the State has chosen to implement any of the new regulations published in 76 Federal Register 60140 (September 28, 2011) prior to the required implementation date of July 1, 2012 for a regulation that impacts the measurements for an SPP/ APR indicator, the State must so indicate in its FFY 2011 APR, due February 1, 2013.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 99.97%. The State met its FFY 2010 target of 100%.</p> <p>The State indicated it did not identify findings of noncompliance in FFY 2009 for this indicator.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1).</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 99.5%. The State's data reflect a high level of performance for this indicator. The State met its FFY 2010 target of at or above 95%.</p>	<p>The State's FFY 2010 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</p>	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 1382 1583 1513"> <thead> <tr> <th data-bbox="548 1382 953 1479"><u>Summary Statement 1</u></th> <th data-bbox="953 1382 1163 1479"><u>FFY 2009 Data</u></th> <th data-bbox="1163 1382 1373 1479"><u>FFY 2010 Data</u></th> <th data-bbox="1373 1382 1583 1479"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1479 953 1513">Outcome A:</td> <td data-bbox="953 1479 1163 1513">57.43</td> <td data-bbox="1163 1479 1373 1513">58.77</td> <td data-bbox="1373 1479 1583 1513">57.53</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	Outcome A:	57.43	58.77	57.53	<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 2011 APR.</p> <p>The State must report progress</p>
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>							
Outcome A:	57.43	58.77	57.53							

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
early language/communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	Positive social-emotional skills (including social relationships) (%)				data and actual target data for FFY 2011 in the FFY 2011 APR.
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	61.04	64.12	61.14	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	66.89	66.36	66.99	
	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	
	Outcome A: Positive social-emotional skills (including social relationships) (%)	56.23	53.92	56.33	
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	47.34	48.18	47.44	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	63.34	61.64	63.44	
	The State reported that its FFY 2009 data reported in this indicator in the FFY 2009 APR are not consistent with the reporting requirements. Therefore, OSEP could not determine whether there was progress or slippage. The State met part of its FFY 2010 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	The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The State's reported data for this indicator are:				OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.
		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
<p>C. Help their children develop and learn. [Results Indicator]</p>	<p>A. Know their rights (%)</p>	<p>96.8</p>	<p>99.5</p>	<p>95.0</p>	<p>2.70%</p>	
	<p>B. Effectively communicate their children's needs (%)</p>	<p>92.9</p>	<p>97.0</p>	<p>98.0</p>	<p>4.10%</p>	
	<p>C. Help their children develop and learn (%)</p>	<p>96.2</p>	<p>97.3</p>	<p>98.0</p>	<p>1.10%</p>	
	<p>These data represent progress from the FFY 2009 data. The State met its FFY 2010 target for 4A and did not meet its targets for 4B and 4C.</p>					
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 1.47%. These data represent progress from the FFY 2009 data of 1.35%. The State met its FFY 2010 target of 1.35%.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 3.20%. These data represent progress from the FFY 2009 data of 2.84%. The State met its FFY 2010 target of 2.90%.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 99.6%. These data represent progress from the FFY 2009 data of 98.8%. The State did not meet its FFY 2010 target of 100%. The State indicated it did not identify findings of noncompliance in FFY 2009 for this indicator.</p>					<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 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 Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 100%. These data remain</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the IFSP transition content requirements in 34 CFR</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p>	<p>§§303.148(b)(4) and 303.344(h) and 20 U.S.C. 1436(a)(3) and(d)(8).</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 98.6%. As noted in OSEP's January 24, 2012 Continuous Improvement Visit letter, the State's FFY 2009 reported data for Indicator 8B were not valid and reliable and therefore OSEP cannot determine progress or slippage for this indicator. The State did not meet its FFY 2010 target of 100%.</p> <p>OSEP's January 24, 2011 Verification Letter required the State to confirm during the clarification period for the State's FFY 2010 APR that its FFY 2010 data for Indicator 8B in its FFY 2010 APR are valid and reliable and not based solely on implementation of procedures. The State's April 16, 2012 revised APR submission provided all of the required information and confirmed that its FFY 2010 data for Indicator 8B are valid and reliable and not based solely on implementation of procedures.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 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 no longer within the jurisdiction of the EIS program (i.e., the child</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>has exited the State's Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 42.3%. As noted in OSEP's January 24, 2012 Continuous Improvement Visit letter, the State's FFY 2009 reported data for Indicator 8C were not valid and reliable and therefore OSEP cannot determine progress or slippage for this indicator. The State did not meet its FFY 2010 target of 100%.</p> <p>OSEP's January 24, 2011 Verification Letter required the State to confirm during the clarification period for the State's FFY 2010 APR that its FFY 2010 data for Indicator 8C in its FFY 2010 APR are valid and reliable and not based solely on implementation of procedures. The State's April 16, 2012 revised APR submission provided all of the required information and confirmed that its FFY 2010 data for Indicator 8C are valid and reliable and not based solely on implementation of procedures.</p>	<p>The State must demonstrate, in the FFY 2011 APR, 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State provided no FFY 2010 data for this indicator, which requires the reporting of timely correction in FFY 2010 of findings identified by the State in FFY 2009. The State reported in the FFY 2010 APR, and OSEP noted in its January 24, 2012 Verification Letter, that the State did not identify any findings of noncompliance in FFY 2009, despite having data indicating noncompliance. The State noted it issued a finding in FFY 2010 and additional findings in FFY 2011.</p> <p>OSEP’s January 24, 2011 Verification Letter required the State to provide OSEP with a list of findings issued from September through December 2011 and an assurance and a copy of the State’s revised monitoring procedures to reflect: (i) the timely issuance of findings based on all appropriate sources of information; and (ii) the State verifies</p>	<p>The State must provide the required FFY 2011 data (data on the timely correction in FFY 2011 of the one finding identified in FFY 2010) in the FFY 2011 APR.</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 2011 APR, demonstrating that the State</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>correction by obtaining updated data reflecting 100% compliance in addition to verifying child-specific correction. OSEP’s January 24, 2011 Verification Letter also required the State to provide OSEP with an assurance and information regarding documentation of time and effort. The State timely submitted on April 20, 2012 its response to the Verification Letter and OSEP will respond to this submission under separate cover.</p> <p>OSEP’s January 24, 2011 Verification Letter also required the State to submit with its FFY 2012 IDEA Part C grant application additional assurance regarding the State’s FFY 2010 local determinations. OSEP will respond to the State’s required submission in the State’s FFY 2012 grant letter.</p>	<p>timely corrected findings of noncompliance identified in FFY 2010 in accordance with IDEA section 635(a)(10)(A), 34 CFR §303.501, and OSEP Memo 09-02.</p> <p>The State must demonstrate, in the FFY 2011 APR, that its FFY 2010 finding was corrected.</p> <p>When reporting on correction of findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each EIS program with noncompliance identified in FFY 2010: (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 2011 APR, the State must describe the specific actions that were taken to verify the correction. If the State does not report 100% compliance for this indicator in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary. In addition, in reporting on Indicator 9 in the</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>FFY 2011 APR, the State must use the Indicator 9 Worksheet.</p> <p>In responding to Indicators 7, 8B, and 8C in the FFY 2011 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>[Compliance Indicator]</p>	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State reported, as of January 31, 2012, that it did not receive any signed written complaints during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p> <p>OSEP’s January 24, 2011 Verification Letter required the State to provide OSEP with an assurance that KDHE will issue written decisions with findings of fact, as required by the State complaint procedures in 34 CFR §303.512. The State timely submitted on April 20, 2012 its response to the Verification Letter and OSEP will respond to this submission under separate cover.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.</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 revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State reported, as of January 31, 2012, that it did not receive any requests for due process hearings during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p> <p>OSEP’s January 24, 2011 Verification Letter required the State to provide OSEP with a signed copy of its MOA with KDAH to make clear that hearing officers are available, and trained, to conduct due process hearings under Part C of the IDEA, as required by 34 CFR §303.420. The State timely submitted on April 20, 2012 its response to the Verification Letter and OSEP will respond to this submission under separate cover.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.</p>
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

Kansas Part C FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
(applicable if Part B due process procedures are adopted). [Results Indicator]		
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State reported, as of January 31, 2012, that no mediations were held during the reporting period.</p> <p>The State reported fewer than ten mediations held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p> <p>OSEP’s January 24, 2011 Verification Letter required the State to provide OSEP with an assurance that KDHE is following its current dispute resolution policies and procedures, notwithstanding KAR 28-4-569, such that a party may request mediation at any time by submitting the request to KDHE, consistent with 34 CFR §303.419 (as modified by IDEA sections 615(e) and 639(a)(8)). The State timely submitted on April 20, 2012 its response to the Verification Letter and OSEP will respond to this submission under separate cover.</p>	OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.
14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 100% for timeliness and 100% for accuracy. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</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 2011 APR, the State must use the Indicator 14 Data Rubric.