

Kentucky 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 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 91%. These data represent progress from the FFY 2009 data of 86.7%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all eight of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>The State must demonstrate, in the FFY 2011 APR, 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 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 §§303.340(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</p>

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					<p>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>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 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 98.7%.</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 early language/communication);</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 1263 1581 1500"> <thead> <tr> <th data-bbox="548 1263 957 1365"><u>Summary Statement 1</u></th> <th data-bbox="957 1263 1163 1365"><u>FFY 2009 Data</u></th> <th data-bbox="1163 1263 1369 1365"><u>FFY 2010 Data</u></th> <th data-bbox="1369 1263 1581 1365"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1365 957 1500">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 1365 1163 1500">66.8</td> <td data-bbox="1163 1365 1369 1500">92</td> <td data-bbox="1369 1365 1581 1500">72</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: Positive social-emotional skills (including social relationships) (%)	66.8	92	72	<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 data and actual target data for</p>
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>										
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and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	67.7	95	63	FFY 2011 in the FFY 2011 APR.																				
	Outcome C: Use of appropriate behaviors to meet their needs (%)	67.2	90	62																					
	<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) (%)	62.4	55	60																					
	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	57.4	48	55																					
	Outcome C: Use of appropriate behaviors to meet their needs (%)	56.7	30	52																					
	These data represent progress and slippage from the FFY 2009 data. 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 C. Help their children develop and learn. [Results Indicator]	The State’s reported data for this indicator are: <table border="1" data-bbox="548 1138 1583 1511"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. Know their rights (%)</td> <td>94.1</td> <td>97.81</td> <td>86.2</td> <td>3.71%</td> </tr> <tr> <td>B. Effectively communicate their children’s needs (%)</td> <td>93.1</td> <td>98.22</td> <td>77.3</td> <td>5.12%</td> </tr> <tr> <td>C. Help their children develop and learn (%)</td> <td>92.1</td> <td>96.53</td> <td>91.6</td> <td>4.43%</td> </tr> </tbody> </table>					<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. Know their rights (%)	94.1	97.81	86.2	3.71%	B. Effectively communicate their children’s needs (%)	93.1	98.22	77.3	5.12%	C. Help their children develop and learn (%)	92.1	96.53	91.6	4.43%	OSEP appreciates the State’s efforts to improve performance.
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																					
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	These data represent progress from the FFY 2009 data. The State met all of its FFY 2010 targets for this indicator.	
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]	The State revised the targets for FFY 2010 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 0.65%. These data represent slippage from the FFY 2009 data of 0.68%. The State did not meet its revised FFY 2010 target of 0.71%.	OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data. [Results Indicator]	The State's FFY 2010 reported data for this indicator are 2.76%. These data represent slippage from the FFY 2009 data of 3.05%. The State met its FFY 2010 target of 2.60%.	OSEP appreciates the State's efforts to improve performance.
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]	The State's FFY 2010 reported data for this indicator are 99.42%. These data represent progress from the FFY 2009 data of 98.46%. The State did not meet its FFY 2010 target of 100%. The State reported that all six of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.	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. 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),

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>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 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>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 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) and 20 U.S.C. 1436(a)(3) and (d)(8).</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>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR §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's FFY 2010 reported data for this indicator are 99.4%. These data represent progress from the FFY 2009 data of 93.5%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that the four findings of noncompliance identified in FFY 2009 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 2011 APR the State's data demonstrating that it 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>

Kentucky Part C FFY 2010 SPP/APR Response Table

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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 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's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 93.17%. The State met its FFY 2010 target of 100%. The State reported that all 18 of its findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts in timely correcting findings of noncompliance identified in FFY 2009.</p> <p>When reporting in the FFY 2011 APR on the correction of findings of noncompliance identified in FFY 2010, the State must report that it verified that each EIS program with findings of noncompliance identified in FFY 2010: (1) is correctly</p>

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		<p>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. In addition, in reporting on Indicator 9 in the FFY 2011 APR, the State must use the Indicator 9 Worksheet.</p> <p>Further, in responding to Indicators 1, 7, 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. [Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on four complaints. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the</p>	<p>The State reported, as of January 31, 2012, that it did not have any fully adjudicated due process hearings during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>

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applicable timeline. [Compliance Indicator]	Resolution data until July 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, as of January 31, 2012, that no mediations were held during the reporting period. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held. Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.	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]	The State's FFY 2010 data for this indicator are 100%. However, OSEP recalculated the data for this indicator to be 96.4%. These data represent slippage from the FFY 2009 data of 100%.	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 timely and accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540. If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance. In reporting on Indicator 14 in the FFY 2011 APR, the State must use the Indicator 14 Data Rubric.