

Puerto Rico 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 Commonwealth 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 Commonwealth 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 Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 Commonwealth reported data for this indicator are 97.1%. These data represent slippage from the FFY 2009 data of 98.2%. The Commonwealth did not meet its FFY 2010 target of 100%.</p> <p>The Commonwealth reported that both findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p>	<p>OSEP appreciates the Commonwealth's efforts and looks forward to reviewing in the FFY 2011 APR, the Commonwealth'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 Commonwealth reported less than 100% compliance for FFY 2010, the Commonwealth 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 Commonwealth must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2010 data the Commonwealth 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</p>

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		<p>State data system; and (2) has initiated services, although late, for any child whose services were not initiated in a timely manner, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, the Commonwealth must describe the specific actions that were taken to verify the correction.</p> <p>If the Commonwealth does not report 100% compliance in the FFY 2011 APR, the Commonwealth 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 Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 reported data for this indicator are 99.9%. The Commonwealth's data reflect a high level of performance for this indicator. The Commonwealth met its FFY 2010 target of 99.5%.</p>	<p>The Commonwealth'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 Commonwealth's efforts to improve performance and assumes that the Commonwealth 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</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012</p>	<p>OSEP looks forward to the</p>

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<p>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>for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's reported data for this indicator are:</p> <table border="1" data-bbox="548 264 1583 1279"> <thead> <tr> <th data-bbox="548 264 957 363"><u>Summary Statement 1</u></th> <th data-bbox="957 264 1163 363"><u>FFY 2009 Data</u></th> <th data-bbox="1163 264 1371 363"><u>FFY 2010 Data</u></th> <th data-bbox="1371 264 1583 363"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 363 957 500">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 363 1163 500">45.2</td> <td data-bbox="1163 363 1371 500">33.3</td> <td data-bbox="1371 363 1583 500">54.5</td> </tr> <tr> <td data-bbox="548 500 957 669">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="957 500 1163 669">53.5</td> <td data-bbox="1163 500 1371 669">43.8</td> <td data-bbox="1371 500 1583 669">68.4</td> </tr> <tr> <td data-bbox="548 669 957 773">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="957 669 1163 773">35.9</td> <td data-bbox="1163 669 1371 773">32.4</td> <td data-bbox="1371 669 1583 773">40.3</td> </tr> <tr> <th data-bbox="548 773 957 872"><u>Summary Statement 2</u></th> <th data-bbox="957 773 1163 872"><u>FFY 2009 Data</u></th> <th data-bbox="1163 773 1371 872"><u>FFY 2010 Data</u></th> <th data-bbox="1371 773 1583 872"><u>FFY 2010 Target</u></th> </tr> <tr> <td data-bbox="548 872 957 1008">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="957 872 1163 1008">53.5</td> <td data-bbox="1163 872 1371 1008">43.8</td> <td data-bbox="1371 872 1583 1008">68.4</td> </tr> <tr> <td data-bbox="548 1008 957 1177">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="957 1008 1163 1177">21.3</td> <td data-bbox="1163 1008 1371 1177">16.6</td> <td data-bbox="1371 1008 1583 1177">33.6</td> </tr> <tr> <td data-bbox="548 1177 957 1279">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="957 1177 1163 1279">41.3</td> <td data-bbox="1163 1177 1371 1279">41.7</td> <td data-bbox="1371 1177 1583 1279">60.0</td> </tr> </tbody> </table> <p>These data represent slippage from the FFY 2009 data. The Commonwealth did not meet its FFY 2010 targets for this indicator.</p> <p>OSEP's February 8, 2011 Continuous Improvement Visit (CIV) letter required that, with its response, during the SPP/APR clarification period, to OSEP's FFY 2010 Puerto Rico Part C SPP/APR Status Table, the Commonwealth must provide to OSEP a description of the extent to which the data that the Commonwealth reported in its FFY</p>	<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) (%)	45.2	33.3	54.5	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	53.5	43.8	68.4	Outcome C: Use of appropriate behaviors to meet their needs (%)	35.9	32.4	40.3	<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) (%)	53.5	43.8	68.4	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	21.3	16.6	33.6	Outcome C: Use of appropriate behaviors to meet their needs (%)	41.3	41.7	60.0	<p>Commonwealth's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The Commonwealth must report progress data and actual target data for FFY 2011 in the FFY 2011 APR.</p>
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	2010 APR, due February 1, 2012, for SPP/APR Indicator 3 are valid and reliable. The Commonwealth provided the required information.																					
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights; B. Effectively communicate their children’s needs; and C. Help their children develop and learn.</p> <p>[Results Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth’s reported data for this indicator are:</p> <table border="1" data-bbox="548 397 1583 773"> <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 align="center">94.0</td> <td align="center">96.0</td> <td align="center">87.9</td> <td align="center">2.00%</td> </tr> <tr> <td>B. Effectively communicate their children’s needs (%)</td> <td align="center">93.4</td> <td align="center">95.0</td> <td align="center">85.2</td> <td align="center">1.60%</td> </tr> <tr> <td>C. Help their children develop and learn (%)</td> <td align="center">95.8</td> <td align="center">97.0</td> <td align="center">91.2</td> <td align="center">1.20%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2009 data. The Commonwealth met its FFY 2010 targets for this indicator.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. Know their rights (%)	94.0	96.0	87.9	2.00%	B. Effectively communicate their children’s needs (%)	93.4	95.0	85.2	1.60%	C. Help their children develop and learn (%)	95.8	97.0	91.2	1.20%	<p>OSEP appreciates the Commonwealth’s efforts to improve performance.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. Know their rights (%)	94.0	96.0	87.9	2.00%																		
B. Effectively communicate their children’s needs (%)	93.4	95.0	85.2	1.60%																		
C. Help their children develop and learn (%)	95.8	97.0	91.2	1.20%																		
<p>5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data.</p> <p>[Results Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth’s FFY 2010 reported data for this indicator are 0.59%. These data represent progress from the FFY 2009 data of 0.57%. The Commonwealth did not meet its FFY 2010 target of 0.60%.</p>	<p>OSEP looks forward to the Commonwealth’s data demonstrating improvement in performance in the FFY 2011 APR.</p>																				
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data.</p> <p>[Results Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth’s FFY 2010 reported data are 3.86%. These data represent progress from the FFY 2009 data of 3.61%. The Commonwealth met its FFY 2010 target of 2.25%.</p>	<p>OSEP appreciates the Commonwealth’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</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth’s FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The Commonwealth met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the Commonwealth’s efforts in achieving compliance with the 45-day timeline requirements in 34 CFR §§303.321(e)(2),</p>																				

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<p>timeline. [Compliance Indicator]</p>	<p>The Commonwealth reported that both of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>303.322(e)(1), and 303.342(a).</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: A. IFSPs with transition steps and services; [Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions. The Commonwealth's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 98.6%. The Commonwealth met its FFY 2010 target of 100%. The Commonwealth reported that the one finding of noncompliance identified in FFY 2009 for this indicator was corrected in a timely manner.</p>	<p>OSEP appreciates the Commonwealth'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>
<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: B. Notification to LEA, if child potentially eligible for Part B; and [Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions. The Commonwealth's FFY 2010 reported data for this indicator are 98.4%. These data represent slippage from the FFY 2009 data of 100%. The Commonwealth did not meet its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the Commonwealth's efforts and looks forward to reviewing in the FFY 2011 APR the Commonwealth's data demonstrating that it is in compliance with the LEA notification requirements in 34 CFR §303.148(b)(1). Because the Commonwealth reported less than 100% compliance for FFY 2010, the Commonwealth must report on the status of correction of noncompliance identified in FFY 2010 for this indicator. When reporting on the correction of noncompliance, the Commonwealth must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance reflected in the FFY 2010 data the Commonwealth reported for this indicator: (1) is correctly</p>

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		<p>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 has exited the Commonwealth's Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2011 APR, the Commonwealth must describe the specific actions that were taken to verify the correction.</p> <p>If the Commonwealth does not report 100% compliance in the FFY 2011 APR, the Commonwealth 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 Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The Commonwealth met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the Commonwealth's efforts in achieving 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)).</p>
<p>9. General Supervision system</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012</p>	<p>OSEP appreciates the</p>

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<p>(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>for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 75%. The Commonwealth met its FFY 2010 target of 100%.</p> <p>The Commonwealth reported that all five of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The Commonwealth was identified as being in need of assistance for two consecutive years based on the Commonwealth's FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the Commonwealth received assistance; and (2) the actions the Commonwealth took as a result of that technical assistance. The Commonwealth reported on the technical assistance sources from which the Commonwealth received assistance for this indicator and reported on the actions the Commonwealth took as a result of that technical assistance.</p>	<p>Commonwealth'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 Commonwealth must report that it verified that each EIS program with findings of 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 Commonwealth 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 Commonwealth must use the Indicator 9 Worksheet.</p> <p>Further, in responding to Indicators 1, 7, and 8B in the FFY 2011 APR, the Commonwealth must report on correction of the noncompliance described in this table under those</p>

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		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 Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on three complaints. The Commonwealth 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 Commonwealth'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 applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth 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 looks forward to reviewing the Commonwealth'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 (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 Commonwealth reported, as of January 31, 2012, that no mediations were held during the reporting period.</p> <p>The Commonwealth reported fewer than ten mediations held in FFY 2010. The Commonwealth 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 looks forward to reviewing the Commonwealth's data in the FFY 2011 APR.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and</p>	<p>The Commonwealth revised the improvement activities for FFY 2011 and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2010 reported data for this indicator are 100%. These data</p>	<p>OSEP appreciates the Commonwealth's efforts in achieving compliance with the timely and accurate data</p>

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<p>accurate. [Compliance Indicator]</p>	<p>remain unchanged from the FFY 2009 data of 100%. The Commonwealth met its FFY 2010 target of 100%.</p>	<p>reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p> <p>If the Commonwealth does not report 100% compliance in the FFY 2011 APR, the Commonwealth must review its improvement activities and revise them, if necessary to ensure compliance. In reporting on Indicator 14 in the FFY 2011 APR, the Commonwealth must use the Indicator 14 Data Rubric.</p>