

California Part C FFY 2011 SPP/APR Response Table

Part C SPP/APR Indicators

1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. [Compliance Indicator]
2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings. [Results Indicator]
3. Percent of infants and toddlers with IFSPs who demonstrate improved: <ul style="list-style-type: none"> A. Positive social-emotional skills (including social relationship); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]
4. Percent of families participating in Part C who report that early intervention services have helped the family: <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. [Results Indicator]
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data. [Results Indicator]
7. Percent of eligible infants and toddlers with IFSPs for whom an initial evaluation and initial assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline. [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday; [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's birthday for toddlers potentially eligible for Part B preschool services. [Compliance Indicator]
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. [Compliance Indicator]
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]
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]
14. State-reported data (IDEA Section 618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]

Timeliness of State Complaint and Due Process Hearing Decisions
(Collected as Part of IDEA Section 618 Data rather than through an SPP/APR Indicator)

Timely Resolution of State Complaints: 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, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

Timely Adjudication of Due Process Hearing Requests: Percent of adjudicated due process hearing requests that were adjudicated within the timeline or a timeline that is properly extended by the hearing officer at the request of either party.

California Part C FFY 2011 SPP/APR Results Data Summary

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET
2. Infants and Toddlers Served in Natural Environments	85%	87.3%	≥ 77% ¹
3. Early Childhood Outcomes Data	See Attached Table	See Attached Table	See Attached Table
4. Percent of families participating in Part C who report that early intervention services have helped the family:	83%	82%	≥ 50.5%
A. Know their rights;			
B. Effectively communicate their children's needs; and	87.5%	89%	≥ 44.5%
C. Help their children develop and learn.	91.2%	92%	≥ 73.7%
5. Infants and Toddlers Served Birth to One	0.65%	0.72%	≥ 0.96%
6. Infants and Toddlers Served Birth to Three	2.04%	2.2%	≥ 2.00%
12. Hearing Requests Resolved through Resolution Session Agreements	Not Applicable	Not Applicable	Not Applicable
13. Mediations Held that Resulted in Mediation Agreements	82.14%	90.9%	≥ 55%

¹ As used in this table, the symbol “≥” means that, to meet the target, the State’s data must be greater than or equal to the established target.

3. Percent of Infants and Toddlers with IFSPs Who Demonstrate Improved Outcomes

Summary Statement 1 ²	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	Not valid and reliable	45.4%	≥ 39.8%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication)	Not valid and reliable	49%	≥ 43.4%
Outcome C: Use of appropriate behaviors to meet their needs	Not valid and reliable	39.4%	≥ 34%
Summary Statement 2 ³	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	Not valid and reliable	66%	≥ 77%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication)	Not valid and reliable	51.8%	≥ 69%
Outcome C: Use of appropriate behaviors to meet their needs	Not valid and reliable	61.3%	≥ 72%

² **Summary Statement 1:** Of those infants and toddlers who entered or exited early intervention below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program.

³ **Summary Statement 2:** The percent of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned 3 years of age or exited the program.

California Part C FFY 2011 Results Data Summary Notes

INDICATOR 3:

REQUIRED ACTIONS

The State must report progress data and actual target data for FFY 2012 in the FFY 2012 APR.

California Part C FFY 2011 SPP/APR Compliance Data Summary

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2010
1. Timely provision of early intervention services	Not valid and reliable	90.3%	100%	The State reported that all eight of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
7. 45-day timeline for evaluation and assessment and initial IFSP meeting	Not Valid and Reliable	84%	100%	The State reported that all 28 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
8.A. IFSPs with transition steps and services	Not Valid and Reliable	Not Valid and Reliable	100%	The State reported that both of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
8.B. Notification to LEA and SEA, if child potentially eligible for Part B	Not Valid and Reliable	Not Valid and Reliable	100%	The State reported that the one finding of noncompliance identified in FFY 2010 was corrected in a timely manner.
8.C. Transition conference, if child potentially eligible for Part B	Not Valid and Reliable	Not Valid and Reliable	100%	The State reported that the one finding of noncompliance identified in FFY 2010 was corrected in a timely manner.
9. Timely correction	Not Valid and Reliable	100%	100%	The State reported that all 140 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
14. Timely and accurate data	85.2%	88%	100%	

California Part C FFY 2011 State Complaint and Hearing Data from IDEA Section 618 Data Reports

REQUIREMENT	FFY 2010 DATA	FFY 2011 DATA
Timely resolution of complaints	91.67%	100%
Timely adjudication of due process hearing requests	26.7%	90.9%

California Part C FFY 2011 Compliance Data Summary Notes

INDICATOR 1: California provides early intervention services to infants and toddlers with disabilities and their families under IDEA Part C through: (1) the State lead agency, the California Department of Developmental Services (DDS), through early intervention service (EIS) programs/providers known in California as Regional Centers; and (2) the California Department of Education (CDE) through local educational agencies (LEAs). For this indicator, in addition to reporting combined statewide data for infants and toddlers with disabilities served through both DDS and CDE, the State reported disaggregated percentages of 86.8% for infants and toddlers with disabilities served through DDS, and 96.6% for infants and toddlers with disabilities served through CDE.

OSEP's FFY 2010 Response Table required the State to report, in its FFY 2011 APR, on why it did not make findings based on the FFY 2009 data that the State reported under this indicator, given that the FFY 2009 data reflected noncompliance. The State reported that it identified (through State complaints and a due process hearing) and corrected five findings of noncompliance in FFY 2009. The State also reported that due to data inadequacies, it did not issue findings from electronic data in FFY 2010. The State reported that it changed its methodologies for collecting these data in FFY 2010 and issued findings in FFY 2010 as required.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as 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 or provider, consistent with OSEP Memo 09-02.⁴ In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

⁴ OSEP Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008, requires that the State report that it verified that each EIS program or provider with noncompliance: (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 or provider.

INDICATOR 7: For this indicator, in addition to reporting combined statewide data for children served through both DDS and CDE, the State reported disaggregated percentages of 78.2% for infants and toddlers with disabilities served through DDS and 84% for infants and toddlers with disabilities served through CDE.

The State reported that the remaining two findings of noncompliance identified in FFY 2009 were corrected.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as 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 or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8A: The State's reported data for FFY 2011 are 94.8% for children served through DDS. However, the State's FFY 2011 reported data for this indicator are not valid and reliable because the data do not include children with solely low incidence disabilities served in California under the IDEA Part C program through CDE. The State's FFY 2010 reported data for this indicator were also not valid and reliable.

REQUIRED ACTIONS

The State did not provide FFY 2011 valid and reliable data and the State must provide the required data for FFY 2012 in the FFY 2012 APR.

Because the data the State reported for children served through DDS are less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (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 or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8B: The State's reported data for FFY 2011 are 93.3% for children served through DDS. However, the State's FFY 2011 reported data for this indicator are not valid and reliable because the data do not include children with solely low incidence disabilities served under the IDEA Part C program through CDE. The State's FFY 2010 reported data for this indicator were also not valid and reliable.

REQUIRED ACTIONS

The State did not provide FFY 2011 valid and reliable data and the State must provide the required data for FFY 2012 in the FFY 2012 APR.

Because the data the State reported for children served through DDS are less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (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 or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8C: The State's reported data for FFY 2011 are 85.9% for children served through DDS. However, the State's FFY 2011 reported data for this indicator are not valid and reliable because the data do not include children with solely low incidence disabilities served under the IDEA Part C program through CDE. The State's FFY 2010 reported data for this indicator were also not valid and reliable.

REQUIRED ACTIONS

The State did not provide FFY 2011 valid and reliable data and the State must provide the required data for FFY 2012 in the FFY 2012 APR.

Because the data the State reported for children served through DDS are less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (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 or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 9: The State reported that all 140 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner. The State reported in its FFY 2011 APR timely correction data for both FFY 2011 and FFY 2010 that included findings by both DDS and CDE as required by the 2012 APR Response Table. The State's FFY 2010 data for this indicator were not valid and reliable because the State did not report on the correction of findings for children served by CDE. In the State's FFY 2011 APR, the State provided revised FFY 2010 data indicating the timely correction of 82 of 82 findings identified in FFY 2009 by DDS and CDE.

REQUIRED ACTIONS

When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each EIS program or provider with findings of noncompliance identified in FFY 2011: (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 or provider, consistent with OSEP Memo 09-02. In the FFY 2012 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 2012 APR, the State must use and submit the Indicator 9 Worksheet.

In addition, in responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.

Verification Letter Issue – 45 Day Timeline: OSEP's January 30, 2013 FFY 2012 IDEA Part C grant letter was based, in part, on the State's October 5, 2012 specific assurance that the State will revise, by June 30, 2013, Title 17, California Code of Regulations (CCR) to clarify that there are no "extensions" to the 45-day timeline requirement in 34 CFR §303.310. This assurance was provided as a follow-up to the specific assurance in the State's FFY 2011 grant award letter and in further response to a finding identified in OSEP's February 15, 2011 California Part C Verification Visit Letter. OSEP will respond to the FFY 2012 specific assurance in California's FFY 2013 IDEA Part C grant award letter.