

South Carolina 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.

South Carolina 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	99%	99%	≥ 99% 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:	79%	81%	≥ 79%
A. Know their rights;	77%	81%	≥ 77%
B. Effectively communicate their children's needs; and	89%	82%	≥ 89%
C. Help their children develop and learn.	89%	82%	≥ 89%
5. Infants and Toddlers Served Birth to One	0.57%	0.43%	≥ 1.03%
6. Infants and Toddlers Served Birth to Three	2.57%	2.46%	≥ 2.79%
12. Hearing Requests Resolved through Resolution Session Agreements	Not Applicable	Not Applicable	Not Applicable
13. Mediations Held that Resulted in Mediation Agreements	None	None	Not Applicable

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 1²	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	85%	81%	≥ 85%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication)	85%	82%	≥ 85%
Outcome C: Use of appropriate behaviors to meet their needs	86%	82%	≥ 86%
Summary Statement 2³	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	66%	63%	≥ 66%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication)	63%	60%	≥ 63%
Outcome C: Use of appropriate behaviors to meet their needs	66%	65%	≥ 66%

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.

South Carolina Part C FFY 2011 Results Data Summary Notes

INDICATOR 3: The State revised the targets for FFY 2012 for this indicator and OSEP accepts those revisions.

REQUIRED ACTIONS

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

INDICATOR 5: The State revised the improvement activities for FFY 2012, for this indicator and OSEP accepts those revisions.

INDICATOR 6: The State revised the improvement activities for FFY 2012, for this indicator and OSEP accepts those revisions.

INDICATOR 13: The State reported that no mediations were held during the reporting period.

The State reported fewer than ten mediations held in FFY 2011. The State is not required to meet its targets or provide improvement activities until any fiscal year in which ten or more mediations were held.

South Carolina 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	73%	83%	100%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
7. 45-day timeline for evaluation and assessment and initial IFSP meeting	13%	22%	100%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
8.A. IFSPs with transition steps and services	60%	60%	100%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
8.B. Notification to LEA and SEA, if child potentially eligible for Part B	100%	100%	100%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
8.C. Transition conference, if child potentially eligible for Part B	87%	75%	100%	The State reported that it did not identify any findings of noncompliance in FFY 2010.
9. Timely correction	No data	No data	100%	
14. Timely and accurate data	95%	96.8%	100%	

South Carolina 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	100% (based on three complaints)	100% (based on three complaints)
Timely adjudication of due process hearing requests	The State reported that it did not receive any requests for due process hearings during the reporting period.	The State reported that it did not receive any requests for due process hearings during the reporting period.

South Carolina Part C FFY 2011 Compliance Data Summary Notes

INDICATOR 1: The State reported that it did not identify any findings of noncompliance in FFY 2010, but the State reported that 21 of 66 findings of noncompliance identified in FFY 2011 based on FFY 2010 data were already 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 based on FFY 2010 data for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR that the remaining 45 uncorrected noncompliance findings identified in FFY 2011 based on FFY 2010 data were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each early intervention service (EIS) program with findings of noncompliance identified in FFY 2011 based on FFY 2010 and each EIS program or provider with remaining findings of 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, 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.

INDICATOR 7: The State reported that it did not identify any findings of noncompliance in FFY 2010, but the State reported that 42 of 50 findings of noncompliance identified in FFY 2011 based on FFY 2010 data were already 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 based on FFY 2010 data for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR that the remaining eight uncorrected noncompliance findings identified in FFY 2011 based on FFY 2010 data were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program with findings of noncompliance identified in FFY 2011 based on FFY 2010 and each EIS program or provider with remaining findings of 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, 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.

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 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.

INDICATOR 8A: The State indicated that in its FFY 2011 APR that it revised the improvement activities for FFY 2012 for this indicator, but did not submit a revised SPP or direct OSEP to a revised SPP that reflected those revisions.

OSEP's FFY 2010 SPP/APR Response Table required the State to revise its FFY 2010 APR on the Lead Agency's Web site in order to ensure accurate public reporting of its FFY 2010 APR. Specifically, the State was required to revise its Indicator 8A data on page 33 of its FFY 2010 APR to reflect 60%, and to revise the data in the chart on page 34 to reflect that 176 out of 295 children had transition planning. The State has not revised its FFY 2010 APR to reflect those data, and has not posted the revised FFY 2010 APR on its Web site.

As required by OSEP's January 10, 2013 Continuous Improvement Visit (CIV) Response Letter, the State reported how it collected its FFY 2011 Indicator 8A data, which were collected from supervisor file reviews.

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 based on FFY 2010 data for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR that the remaining eight uncorrected noncompliance findings identified in FFY 2011 based on FFY 2010 data were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program with findings of noncompliance identified in FFY 2011 based on FFY 2010 and each EIS program or provider with remaining findings of 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, 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.

The State must post on the Lead Agency's Web site its revised FFY 2010 APR to include its revised Indicator 8A data on page 33 to reflect 60%, and the data in the chart on page 34 to reflect that 176 out of 295 children had transition planning.

INDICATOR 8B: The State indicated that in its FFY 2011 APR that it revised the improvement activities for FFY 2012 for this indicator, but did not submit a revised SPP or direct OSEP to a revised SPP that reflected those revisions.

INDICATOR 8C: The State indicated that in its FFY 2011 APR that it revised the improvement activities for FFY 2012 for this indicator, but did not submit a revised SPP or direct OSEP to a revised SPP that reflected those revisions.

OSEP's FFY 2010 SPP/APR Response Table required the State to revise its FFY 2010 APR on the Lead Agency's Web site to ensure accurate public reporting of its FFY 2010 APR. Specifically, the State was required to revise its Indicator 8C data on page 33 of its FFY 2010 APR to reflect 87%. The State has not revised its FFY 2010 APR to reflect those data, and has not posted the revised FFY 2010 APR on its Web site.

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 based on FFY 2010 data for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR that the remaining 28 uncorrected noncompliance findings identified in FFY 2011 based on FFY 2010 data were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program with findings of noncompliance identified in FFY 2011 based on FFY 2010 and each EIS program or provider with remaining findings of 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, 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.

The State must post on the Lead Agency's Web site its revised FFY 2010 APR to include its revised Indicator 8C data on page 33 to reflect 87%.

INDICATOR 9: The State provided no FFY 2011 data for this indicator, which requires the reporting of timely correction of findings identified in FFY 2010. Although the State reported (on page 32 of its FFY 2011 APR) that its FFY 2011 actual target data for Indicator 9 are 53%, the State reported on pages 3, 25, and 29 of its FFY 2011 APR that its data were based on findings issued in October 2011 (which occurred in FFY 2011, instead of this indicator's required measurement year of findings identified in FFY 2010). In addition, the State did not submit the Indicator 9 Worksheet, which, it appears, would indicate that no findings of noncompliance were identified in FFY 2010.

OSEP's FFY 2010 SPP/APR Response Table required the State to include in the FFY 2011 APR the status of correction of the findings of noncompliance that the State identified in FFY 2011, based on FFY 2010 data. The State reported that 88 of 169 findings of noncompliance identified in FFY 2011 were timely corrected.

OSEP's FFY 2010 SPP/APR Response Table required the State to revise the Indicator 9 Worksheet that is part of its FFY 2010 APR to reflect that no findings of noncompliance were identified in FFY 2009, and post the revised FFY 2010 APR on the Lead Agency's Web site. The State has not revised the Indicator 9 worksheet that is part of its FFY 2010 APR, and has not posted the revised FFY 2010 APR on its Web site.

As stated in OSEP's March 9, 2012 CIV Letter and January 10, 2013 CIV Response Letter, the State was required to submit its procedures for: (1) identifying findings related to whether: (a) timely, comprehensive, multidisciplinary initial evaluations and assessments that meet the requirements of 34 CFR §303.321 are conducted prior to the development of the initial IFSPs (initial evaluations); and (b) IFSPs include the required content, including transition steps and services (IFSP transition content); and (2) verifying, consistent with OSEP Memo 09-02, the correction of noncompliance with the requirements for timely, comprehensive, multidisciplinary initial evaluations and assessments and the requirements for the content of IFSPs, including transition steps and services (correction of findings regarding initial evaluations and IFSP transition content). The State was also required to report the number of findings the State identified regarding those requirements and the date the State issued those findings. The State provided none of that required information.

Special Conditions: The State's failure to timely correct findings of noncompliance is the subject of Special Conditions on South Carolina's IDEA Part C FFY 2012 grant award. OSEP has imposed Special Conditions on South Carolina's IDEA Part C grant award since FFY 2008 due to the State's failure to timely correct findings of noncompliance. Under the FFY 2012 Special Conditions, South Carolina was required to submit progress reports on September 1, 2012, and February 1, 2013 (with the State's FFY 2011 Annual Performance Report), to provide updated correction data for all of the findings identified by the State in FFY 2011 (October, 2011). South Carolina did not submit a progress report on September 1, 2012, but, as noted above, the State provided some information in its FFY 2011 APR regarding the correction of findings identified in FFY 2011.

INDICATOR 9

REQUIRED ACTIONS

The State must demonstrate, in the FFY 2012 APR that the remaining 88 findings of noncompliance identified in FFY 2011 based on FFY 2010 data that were not reported as corrected in the FFY 2011 APR were corrected. The State must also complete the required actions specified in the requirements for a corrective action plan (CAP) set forth in South Carolina's 2013 determination letter.

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 based on FFY 2010 data: (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 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 and 8C in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.