

## California Part C FFY 2012 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"> <li>A. Positive social-emotional skills (including social relationship);</li> <li>B. Acquisition and use of knowledge and skills (including early language/communication); and</li> <li>C. Use of appropriate behaviors to meet their needs. [Results Indicator]</li> </ul>
4. Percent of families participating in Part C who report that early intervention services have helped the family: <ul style="list-style-type: none"> <li>A. Know their rights;</li> <li>B. Effectively communicate their children's needs; and</li> <li>C. Help their children develop and learn. [Results Indicator]</li> </ul>
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"> <li>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]</li> </ul>
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"> <li>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]</li> </ul>
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"> <li>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]</li> </ul>
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 2012 SPP/APR Results Data Summary**

<b>INDICATOR</b>	<b>FFY 2011 DATA</b>	<b>FFY 2012 DATA</b>	<b>FFY 2012 TARGET</b>
2. Infants and Toddlers Served in Natural Environments	87.3%	75.3%	≥ 83% <sup>1</sup>
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:	82%	77.2%	≥ 51.5%
A. Know their rights;			
B. Effectively communicate their children's needs; and	89%	81.8%	≥ 45.5%
C. Help their children develop and learn.	92%	79.2%	≥ 75.7%
5. Infants and Toddlers Served Birth to One	0.72%	0.77%	≥ 0.98%
6. Infants and Toddlers Served Birth to Three	2.2%	2.2%	≥ 2.0%
12. Hearing Requests Resolved through Resolution Session Agreements	Not Applicable	Not Applicable	Not Applicable
13. Mediations Held that Resulted in Mediation Agreements	90.9%	95.8%	≥ 55%

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<sup>1</sup> 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

<b>Summary Statement 1<sup>2</sup></b>	<b>FFY 2011 Data</b>	<b>FFY 2012 Data</b>	<b>FFY 2012 Target</b>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	45.4%	43.3%	≥ 39.8%
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	49%	49.5%	≥ 43%
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	39.4%	37.8%	≥ 34%
<b>Summary Statement 2<sup>3</sup></b>	<b>FFY 2011 Data</b>	<b>FFY 2012 Data</b>	<b>FFY 2012 Target</b>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	66%	64.3%	≥ 77%
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	51.8%	50.7%	≥ 69%
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	61.3%	60.6%	≥ 72%

<sup>2</sup> **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.

<sup>3</sup> **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 2012 Results Data Summary Notes**

INDICATOR 3:

**REQUIRED ACTIONS**

The State must report progress data and actual target data for FFY 2013 in the FFY 2013 APR.

**California Part C FFY 2012 SPP/APR Compliance Data Summary**

<b>INDICATOR</b>	<b>FFY 2011 DATA</b>	<b>FFY 2012 DATA</b>	<b>FFY 2012 TARGET</b>	<b>CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2011</b>
1. Timely provision of early intervention services	90.3%	87.7%	100%	The State reported that all 22 of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
7. 45-day timeline for evaluation and assessment and initial IFSP meeting	84%	91.3%	100%	The State reported that all 14 of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
8. A. IFSPs with transition steps and services	Not valid and reliable	82%	100%	The State reported that all three of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
8. B. Notification to LEA and SEA, if child potentially eligible for Part B	Not valid and reliable	0%	100%	The State reported that all four of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
8. C. Transition conference, if child potentially eligible for Part B	Not valid and reliable	74.3%	100%	The State reported that all four of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
9. Timely correction	100%	100%	100%	The State reported that all 85 of its findings of noncompliance identified in FFY 2011 were corrected in a timely manner.
14. Timely and accurate data	88%	96.4%	100%	

**California Part C FFY 2012 State Complaint and Hearing Data from IDEA Section 618 Data Reports**

<b>REQUIREMENT</b>	<b>FFY 2011 DATA</b>	<b>FFY 2012 DATA</b>
Timely resolution of complaints	100%	84.6%
Timely adjudication of due process hearing requests	90.9%	100%

## California FFY 2012 Compliance Data Summary Notes

### INDICATOR 1:

#### **REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2012 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.<sup>4</sup> In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

### INDICATOR 7:

#### **REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2012 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 2013 APR, the State must describe the specific actions that were taken to verify the correction.

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<sup>4</sup> 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 8: The Department's 2011, 2012, and 2013 determinations for California under sections 616 and 642 of the IDEA were that California "Needs Intervention" in implementing the requirements of IDEA Part C. When a State is in "needs intervention" for three or more consecutive years, the Department must take enforcement action and in its July 1, 2013 determination letter, OSEP took enforcement action by requiring the State to submit a corrective action plan (CAP) by August 15, 2013. OSEP's letter specified that California's CAP must include the specific actions that the State lead agency would take to ensure that it would submit, with the State's FFY 2012 APR, due February 3, 2014, valid and reliable data for Indicators 8A, 8B, and 8C showing compliance with the respective timely transition planning requirements under those indicators, and the timelines for those actions. OSEP's letter further specified that the State must provide in its CAP for the submission to OSEP of two reports, by October 31, 2013 and February 1, 2014, on the State's progress in implementing the CAP.

The State submitted the required CAP on August 14, 2013, and provided the required reports on October 25, 2013 and January 31, 2014 regarding the State's progress in implementing the steps and timelines in the CAP. The State provided valid and reliable FFY 2012 data for Indicators 8A, 8B, and 8C in its FFY 2012 APR. However, as further described below, the State's FFY 2012 data for two of these three sub-indicators reflect low levels of compliance: (1) 8B - Transition notification at 0% and (2) 8C - Transition conference at 74.3%. As part of the State's 2014 determination, the State must submit a new CAP by September 2, 2014 to ensure that it provides valid and reliable data in its FFY 2013 SPP/APR (due February 2, 2015) for Indicators 8B and 8C reflecting compliance with the respective timely transition planning requirements of those indicators.

INDICATOR 8A: See note above regarding Indicator 8. The State provided valid and reliable data for this indicator. This indicator is no longer the subject of the CAP that is required as a result of the State's 2014 determination of "Needs Intervention."

#### **REQUIRED ACTIONS**

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2012 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 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8B: See note above regarding Indicator 8. Although the State provided valid and reliable data for this indicator, the State's FFY 2012 data were at 0%, which represents a very low level of compliance. The data reporting requirements of this indicator are the subject of the CAP that is required as a result of the State's 2014 determination of "Needs Intervention."

**REQUIRED ACTIONS**

As part of California's 2014 "needs intervention" determination, the State must submit a CAP by September 2, 2014 to ensure that it provides valid and reliable data in its FFY 2013 SPP/APR (due February 2, 2015) for Indicator 8B reflecting compliance with the timely transition notification requirements of this indicator.

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2012 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 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8C: See note above regarding Indicator 8. Although the State provided valid and reliable data for this indicator, the State's FFY 2012 data were at 74.3%, which represents a low level of compliance. The data reporting requirements of this indicator are the subject of the CAP that is required as a result of the State's 2014 determination of "Needs Intervention."

**REQUIRED ACTIONS**

As part of California's 2014 "needs intervention" determination, the State must submit a corrective action plan by September 2, 2014 to ensure that it provides valid and reliable data in its FFY 2013 SPP/APR (due February 2, 2015) for Indicator 8C reflecting compliance with the timely transition conference requirements of this indicator.

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2013 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2012 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 2013 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 9:

**REQUIRED ACTIONS**

In responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2013 SPP/APR, the State must report on correction of the noncompliance described in this table under those indicators.