



Individuals with Disabilities Education Act (IDEA)

Part C, Data Collection History

December 2012 (revised)

Prepared by:

**Data Accountability Center (DAC)
Rockville, Maryland**

The Data Accountability Center (DAC) produced this document under U.S. Department of Education, Office of Special Education Programs Grant No. H373Y070002. Meredith Miceli and Kelly Worthington served as the project officers. The views expressed herein do not necessarily represent the positions or policies of the Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service or enterprise mentioned in this publication is intended or should be inferred. This product is public domain. Authorization to reproduce it in whole or in part is granted. While permission to reprint this publication is not necessary, the citation should be:

Data Accountability Center (December 2012). *IDEA, Part C Data Collection History* (Revised), Westat, Rockville, MD.



TABLE OF CONTENTS

	<u>Page</u>
Introductory Notes.....	1
Child Count.....	2
Program Settings	10
Exiting.....	19
Dispute Resolution	26
Early Intervention Services	34
Personnel.....	39

INTRODUCTORY NOTES

The Early Intervention Program for Infants and Toddlers with Disabilities was created by P.L. 99-457, the *Education of the Handicapped Act Amendments* of 1986. This program authorized assistance to states to address the needs of infants and toddlers (children from birth through age 2) with disabilities and their families. In addition, this legislation provided for the collection of data on the numbers of infants and toddlers with disabilities served and in need of services, the types of services provided to this population, the types of personnel providing these services, and the additional personnel required to provide a comprehensive statewide system for service provision. Since 1986, numerous changes to the data collections emerged as a result of statutory reauthorization and new regulations, including changes described in this data collection history.

In 1990, the name of the law was changed to the *Individuals with Disabilities Education Act (IDEA)*. The name *IDEA* was maintained in subsequent reauthorizations and is used throughout the remainder of this document. Prior to 1990, expenditures for early intervention services and early intervention services in need of improvement were collected. The 1990 reauthorization ended both of these data collections. However, in accordance with this reauthorization, states began to report the program settings for children ages birth through 2 years with disabilities.

In 1997, the section of the law referring to infants and toddlers changed from Part H to Part C. Throughout the remainder of this document, references to the section of the law primarily about infants and toddlers under the age of 3 will be to “Part C.” The 1997 reauthorization mandated the annual collection of the number of infants and toddlers participating in early intervention services by race/ethnicity and the number of infants and toddlers exiting the program and the reason for the child leaving the program.

When *IDEA* was reauthorized in 2004 (P.L. 108-466), Congress mandated the collection of the gender of infants and toddlers receiving early intervention services and exiting the program and the collection of dispute resolution data.

The purpose of this document is to outline changes in the data collection throughout the life of the Early Intervention Program. It is important to note that data collected under Part C of *IDEA* are not reported by disability category.

CHILD COUNT

The child count data are unduplicated counts of all infants and toddlers receiving early intervention services according to an individualized family service plan (IFSP). The count must be actual counts of infants and toddlers served on December 1 of each year. From 1987 through 1997, states were also required to report the total number of infants and toddlers ages 0 through 2 who had been evaluated and determined to be in need of early intervention services but who were not receiving services on December 1. This requirement was eliminated for the 1998 collection.

Years 1987 through 1988

- Receiving Services:
- Birth through 2 total; and
 - By individual age year.

Actual counts were required for age group and individual age years.

- Awaiting Services:
- Birth through 2 total.

Count could be based on a sample of data from agencies, including state and local service agencies.

Notes:

- 1) Submission of these data was voluntary.
- 2) These data did not include infants and toddlers who received early intervention services under public supervision and who were counted under Chapter 1 of the Elementary and Secondary Education Act (ESEA) State-Operated Programs (SOP).
- 3) States that served infants and toddlers at risk of having substantial delays if early intervention services were not provided were required to include them in their count.
- 4) Infants and toddlers who did not currently have an IFSP, but would have had one if Part C was fully implemented, were included in the count.
- 5) When sampling was used to collect these data, the sampling methodology had to be approved by OSEP prior to its use.
- 6) Data for these years are not maintained in OSEP's Data Analysis System (DANS).

CHILD COUNT

Years 1989 through 1991

- Receiving Services:
- Birth through 2 total; and
 - By individual age year.
- Actual counts were required for age group and individual age years.
- Awaiting Services:
- Birth through 2 total.
- Count could be based on a sample of data from agencies, including state and local service agencies.
- Changes:**
- 1) States were required to submit these data.
 - 2) The count of infants and toddlers awaiting early intervention services did not include infants and toddlers whose families chose not to accept the services offered.

Year 1992

- Receiving Services:
- Birth through 2 total; and
 - By individual age year.
- Actual counts were required for age group and individual age years.
- Awaiting Services:
- Birth through 2 total.
- Count could be based on a sample of data from agencies, including state and local service agencies.
- Change:**
- 1) The description of the sampling methodology provided to OSEP had to outline how the design would yield valid and reliable estimates. The level of precision of the estimates to be obtained also had to be specified in this description. OSEP approval of the sampling methodology was required prior to use.

Year 1993

- Receiving Services:
- Birth through 2 total;
 - By individual age year; and
 - By funding source (Chapter 1, other).
- Actual counts were required for age group and individual age years.
- Awaiting Services:
- Birth through 2 total.
- Count could be based on a sample of data from agencies, including state and local service agencies.

CHILD COUNT

Receiving Services During Calendar Year:

- Birth through 2 total.

This was an optional reporting element. It is a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

- Changes:**
- 1) Reporting by funding source added. States were required to report the following separate counts: a) the total number of infants and toddlers who received early intervention services, b) the total number of infants and toddlers who received early intervention services under Part C who were served by a state agency under the ESEA (SOP) for Children with Handicaps, and c) the number of infants and toddlers who received early intervention services but were not counted under Chapter 1 of ESEA (SOP).
 - 2) Optional cumulative count added. States were requested to report the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

Year 1994

Receiving Services:

- Birth through 2 total; and
- By individual age year.

Actual counts were required for age group and individual age years.

Awaiting Services:

- Birth through 2 total.

Count could be based on a sample of data from agencies, including state and local service agencies.

Receiving Services During Calendar Year:

- Birth through 2 total.

This was an optional reporting element. It is a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

- Change:**
- 1) The separate count of infants and toddlers by funding source was eliminated. This change was a result of the Improving America's Schools Act of 1994 (IASA) which amended the Elementary and Secondary Education Act of 1965 (ESEA) by eliminating Chapter 1 of ESEA (SOP) program.

Year 1995

- Change:**
- 1) References to Chapter 1 of ESEA (SOP) were deleted in accordance with IASA, which amended ESEA by eliminating Chapter 1 of ESEA (SOP).

Years 1996 through 1997

The data collection was unchanged.

CHILD COUNT

Year 1998

Receiving Services:

- Birth through 2 total;
- By individual age year; and
- By race/ethnicity.

Actual counts were required for age group and individual age years.

At-Risk Receiving Services:

- Birth through 2 years old total;
- By race/ethnicity.

Count could be based on a sample of data from agencies, including state and local service agencies.

Receiving Services During Calendar Year:

- Birth through 2 years old total.

This was an optional reporting element. It is a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

Race/Ethnicity:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black or African American (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Changes:

- 1) States were required to report race/ethnicity data for birth through 2 age group total. The counts were to be unduplicated. States could use sampling, subject to OSEP guidelines, to collect data on race/ethnicity. Note that children could be reported in only one race/ethnicity category. The race/ethnicity categories were defined as follows:

American Indian or Alaska Native

A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian or Pacific Islander

A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. The Pacific Islands include Hawaii, Guam, and Samoa.

CHILD COUNT

Black or African American (not Hispanic)	A person having origins in any of the black racial groups of Africa.
Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
White (not Hispanic)	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
Total	The unduplicated total across the race/ethnicity designations.

- 2) States were required to report the number of infants and toddlers who received early intervention services according to an IFSP on December 1 by age and race/ethnicity. Actual counts were required for the birth through 2 age group. Individual age year and race/ethnicity data could be based on weighted sample data. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.
- 3) States that serve at-risk infants and toddlers were requested to report the number of infants and toddlers who were determined to be at risk of experiencing substantial developmental delays if early intervention services were not provided by age and race/ethnicity. Actual counts were required for the birth through 2 age group. Individual age year and race/ethnicity data could be based on weighted sample data. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.
- 4) Several changes were made in the sampling guidelines. The deadline for submitting sampling plans was changed from November 25 to September 30. States were required to provide OSEP with weighted rather than unweighted data. States were required to submit a description of the final sample sizes and the weights used along with the data.
- 5) The requirement that states report the number of infants and toddlers who were awaiting services was eliminated.

Years 1999 through 2005

The data collection was unchanged.

CHILD COUNT

Year 2006

Receiving Services:

- Birth through 2;
- Ages 3 or older;
- By individual age year;
- By race/ethnicity; and
- By gender.

Birth through 2 count could be based on a sample of data from agencies, including state and local service agencies.

Actual counts were required for the age 3 or older age group and individual age years.

At-Risk Receiving Services:

- Birth through 2 years old total; and
- By race/ethnicity.

Count could be based on a sample of data from agencies, including state and local service agencies.

Receiving Services During Calendar Year:

- Birth through 2 years old total.

This was an optional reporting element. It is a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

Race/Ethnicity:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black or African American (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Changes:

- 1) States were required to report a count date between October 1, 2006, and December 1, 2006. States were to use the same count date each year.
- 2) States were permitted to submit data on children ages 3 or older if they offered parents the choice of continuing in Part C until the child was eligible to enter kindergarten.
- 3) States were required to report children with an active IFSP according to gender.
- 4) States were to report the start and end dates of the 12-month optional cumulative reporting period. This count could not contain children 3 or older.

CHILD COUNT

Year 2007

The data collection was unchanged.

Year 2008

Receiving Services:

- Birth through 2;
- Ages 3 or older;
- By individual age year;
- By race/ethnicity; and
- By gender.

Birth through 2 count could be based on a sample of data from agencies, including state and local service agencies.

Actual counts were required for the age 3 or older age group and individual age years.

At-Risk Receiving Services:

- Birth through 2 years old total; and
- By race/ethnicity.

Count could be based on a sample of data from agencies, including state and local service agencies.

Receiving Services During Calendar Year:

- Birth through 2 years old total.

This was an optional reporting element. It was a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

Race/Ethnicity:

- American Indian or Alaska Native;
 - Asian or Pacific Islander;
 - Black (not Hispanic);
 - Hispanic or Latino; and
 - White (not Hispanic).
- OR
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

Race/ethnicity could be based on a weighted sample of data from districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

CHILD COUNT

- Change:** 1) Although not required to do so prior to the 2010 report, state education agencies were permitted, as early as for reports referencing 2008-09, to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.

Year 2009

- Receiving Services:
- Birth through 2;
 - Ages 3 or older;
 - By individual age year;
 - By race/ethnicity; and
 - By gender.

- At-Risk Receiving Services:
- Birth through 2 years old total; and
 - By race/ethnicity.

- Receiving Services During Calendar Year:
- Birth through 2 years old total.
- This was an optional reporting element. It was a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.

- Race/Ethnicity:
- American Indian or Alaska Native;
 - Asian or Pacific Islander;
 - Black (not Hispanic);
 - Hispanic or Latino; and
 - White (not Hispanic).
- OR
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

- Change:** 1) Although not required to do so prior to the 2010 report, SEAs were permitted, as early as for reports referencing 2008-09, to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.
- 2) States were no longer permitted to use sample data.
- 3) Further guidance was given about what children to report in the data collection.

CHILD COUNT

Year 2010

- Receiving Services:
- Birth through 2;
 - Ages 3 or older;
 - By individual age year;
 - By race/ethnicity; and
 - By gender.
- At-Risk Receiving Services:
- Birth through 2 years old total; and
 - By race/ethnicity.
- Receiving Services During Calendar Year:
- Birth through 2 years old total.
- This was an optional reporting element. It was a report of the total number of infants and toddlers who received early intervention services during the most recent 12-month period for which data were available.
- Race/Ethnicity:
- American Indian or Alaska Native;
 - Asian or Pacific Islander;
 - Black (not Hispanic);
 - Hispanic or Latino; and
 - White (not Hispanic).
- OR
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.
- Change:** 1) States were required to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.

Year 2011 and 2012

The data collection was unchanged.

PROGRAM SETTINGS

The program settings data are counts of infants and toddlers and their families receiving early intervention services identified on an individualized family service plan (IFSP) according to the primary setting in which services were received. These data represent an unduplicated count, that is, each child is reported only once on the table. December 1, 1990, was the first year for which states reported program settings data.

Years 1990 through 1991

- Age Group: • Birth through 2.
- Individual Age Years: • Birth through 2.
- Program Settings: • Home;
• Family day care;
• Regular nursery school/day care center;
• Outpatient service facility;
• Early intervention classroom/center;
• Hospital (inpatient);
• Residential facility; and
• Other setting.

Note: Data on program settings could be based on a sample of data from agencies, including state and local service agencies. A description of the sampling methodology had to be approved by OSEP prior to its use.

Year 1992

- Age Group: • Birth through 2.
- Individual Age Years: • Birth through 2.
- Program Settings: • Early intervention classroom/center;
• Family day care;
• Home;
• Hospital (inpatient);
• Outpatient service facility;
• Regular nursery school/day care center;
• Residential facility; and
• Other setting.

Note: Data on the program settings where families of infants and toddlers with disabilities received early intervention services were duplicative. Data on program settings could be based on a sample of data from agencies, including state and local service agencies. A description of the sampling methodology had to be approved by OSEP prior to its use.

PROGRAM SETTINGS

- Change:** 1) Separate data were collected on the settings in which services were provided to infants and toddlers and on the settings in which only family services were provided. Submission of family services data was optional.

Year 1993

- Age Group: • Birth through 2.
- Individual Age Years: • Birth through 2.
- Program Settings: • Home;
• Family day care;
• Regular nursery school/day care center;
• Outpatient service facility;
• Early intervention classroom/center;
• Hospital (inpatient);
• Residential facility; and
• Other setting.

- Change:** 1) The optional data collection on program settings where early intervention services were provided to families of infants and toddlers with disabilities was discontinued.

Year 1994

- Age Group: • Birth through 2.
- Individual Age Years: • Birth through 2.
- Program Settings: • Home;
• Family day care;
• Regular nursery school/day care center;
• Outpatient service facility;
• Early intervention classroom/center;
• Hospital (inpatient);
• Residential facility; and
• Other setting.

Year 1995

- Age Group: • Birth through 2.
- Individual Age Years: • Birth through 2.
- Program Settings: • Home;
• Family day care;
• Regular nursery school/day care center;
• Outpatient service facility;

PROGRAM SETTINGS

- Early intervention classroom/center;
- Hospital (inpatient);
- Residential facility; and
- Other setting.

Change: 1) References to Chapter 1 of ESEA (SOP) were deleted in accordance with the Improving America's Schools Act of 1994 (IASA) which amended the Elementary and Secondary Education Act of 1965 (ESEA) by eliminating Chapter 1 of ESEA (SOP).

Years 1996 through 1997

The data collection was unchanged.

Year 1998

Age Group: • Birth through 2.

Individual Age Years: • Birth through 2.

Program Settings: • Home;
• Program designed for typically developing children;
• Service provider location;
• Program designed for children with developmental delay or disabilities;
• Hospital (inpatient);
• Residential facility; and
• Other setting.

Program setting data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Race/Ethnicity Categories: • American Indian or Alaska Native;
• Asian or Pacific Islander;
• Black or African American (not Hispanic);
• Hispanic or Latino; and
• White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

PROGRAM SETTINGS

- Changes:**
- 1) States were required to report race/ethnicity data for the birth through 2 age group. The counts had to be unduplicated. States could use sampling, subject to OSEP guidelines, to collect data on race/ethnicity. Note that children could be reported in only one race/ethnicity category. The race/ethnicity categories are defined as follows:

American Indian or Alaska Native A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian or Pacific Islander A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. The Pacific Islands include Hawaii, Guam, and Samoa.

Black or African American (not Hispanic) A person having origins in any of the black racial groups of Africa.

Hispanic or Latino A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

White (not Hispanic) A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Total The unduplicated total across the race/ethnicity designations.

- 2) Several changes were made in the sampling guidelines. The deadline for submitting sampling plans was changed from November 25 to September 30. States were now required to provide OSEP with weighted rather than unweighted data. A description of the final sample sizes and the weights used was required to be provided along with the data.

- 3) The labels, but not the definitions, for several categories were changed. The changes were as follows:

“Early Intervention Classroom/Center” was changed to “Program Designed for Children with Developmental Delay or Disabilities.” “Regular Nursery School/Child Care Center” was changed to “Program Designed for Typically Developing Children,” and “Outpatient Service Facility” was changed to “Service Provider Location.”

- 4) The date for submitting the data was changed from November 1 following the count to February 1 following the count.

PROGRAM SETTINGS

- 5) The settings category Family Child Care was eliminated.

Year 1999

The data collection was unchanged.

Year 2000

- Change:**
- 1) The date for submitting the data was changed from February 1 following the count to November 1 following the count.

Years 2001 through 2005

The data collection was unchanged.

Year 2006

Age Group:

- Birth through 2; and
- Age 3 or older.

Individual Age Years:

- Birth through 2; and
- Age 3 or older.

Program Settings:

- Home;
- Community-based;
- Other setting.

Program setting data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

Race/Ethnicity Categories:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black or African American (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology

PROGRAM SETTINGS

outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

- Changes:**
- 1) States were required to report a count date between October 1, 2006, and December 1, 2006. States must use the same count date each year.
 - 2) States were permitted to submit data on children ages 3 or older if they offered parents the choice of continuing in Part C until the child was eligible to enter kindergarten.
 - 3) Service settings changed from seven categories to three.
 - 4) The three new categories were defined as follows:
 - Home Children whose early intervention services are provided primarily in the principal residence of the child's family or caregivers.
 - Community-based setting Early intervention services that are provided primarily in a setting where children without disabilities typically are found. These settings include but are not limited to child care centers (including family day care), preschools, regular nursery schools, early childhood center, libraries, grocery stores, parks, restaurants, and community centers (e.g., YMCA, Boys and Girls Clubs).
 - Other setting Early intervention (EI) services are provided primarily in a setting that is not home or community-based. These settings include, but are not limited to, services provided in a hospital, residential facility, clinic, and EI center/class for children with disabilities.

Year 2007

The data collection was unchanged.

Year 2008

- Age Group:
- Birth through 2; and
 - Age 3 or older.
- Individual Age Years:
- Birth through 2; and
 - Age 3 or older.

PROGRAM SETTINGS

Program Settings:

- Home;
- Community-based; and
- Other setting.

Program setting data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

Race/Ethnicity Categories:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

OR

- Hispanic or Latino;
- American Indian or Alaska Native;
- Asian;
- Black or African American;
- Native Hawaiian or Other Pacific Islander;
- White; and
- Two or more races.

Race/ethnicity could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

Change:

- 1) Although not required to do so prior to the 2010 report, SEAs were permitted, as early as for reports referencing 2008-09, to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.
- 2) Clarification was provided on reporting children receiving on service coordination. Here is the new terminology: If, according to the IFSP, the only early intervention service that is delivered is service coordination, report the child in the setting where most of the service coordination is provided. If this information is not specified in the IFSP, report the child in the *other setting* category.

PROGRAM SETTINGS

Year 2009

The data collection was unchanged.

Year 2010

- Age Group:
- Birth through 2; and
 - Age 3 or older.
- Individual Age Years:
- Birth through 2; and
 - Age 3 or older.
- Program Settings:
- Home;
 - Community-based; and
 - Other setting.

Program setting data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

- Race/Ethnicity Categories:
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

Race/ethnicity could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Actual counts were required for age 3 or older age setting data.

- Change:**
- 1) SEAs are required to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.

Year 2011 and 2012

The data collection was unchanged.

EXITING

The exiting data are counts of infants and toddlers with disabilities, by race and ethnicity, who, from birth through age 2, stopped receiving early intervention services because of program completion or for other reasons. The data were first collected in 1998-99, as a result of the *1997 Amendments to IDEA*.

Year 1998-99

- Age Group:
- Birth through 2.
- Program Completion:
- Completion of IFSP prior to reaching maximum age for Part C;
 - Part B eligible;
 - Not eligible for Part B, exit to other programs;
 - Not eligible for Part B, exit with no referrals;
 - Part B eligibility not determined;
 - Deceased;
 - Moved out of state;
 - Withdrawal by parent (or guardian); and
 - Attempts to contact unsuccessful.

Program completion data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

- Race/Ethnicity Categories:
- American Indian or Alaska Native;
 - Asian or Pacific Islander;
 - Black or African American (not Hispanic);
 - Hispanic or Latino; and
 - White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from service districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

- Notes:**
- 1) States were required to report race/ethnicity data for the birth through 2 age group. The counts had to be unduplicated. States could use sampling, subject to OSEP guidelines, to collect data on race/ethnicity. Note that children would be reported in only one race/ethnicity category. The race/ethnicity categories are defined as follows:

EXITING

American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.
Asian or Pacific Islander	A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. The Pacific Islands include Hawaii, Guam, and Samoa.
Black or African American (not Hispanic)	A person having origins in any of the Black racial groups of Africa.
Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
White (not Hispanic)	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
Total	The unduplicated total across the race/ethnicity designations.

- 2) The deadline for submitting sampling plans was September 30 of the reporting year. States were required to provide OSEP with weighted rather than unweighted data. A description of the final sample sizes and the weights used was required to be provided along with the data. No states have used the sampling option.
- 3) The program completion categories were defined as follows:

Completion of IFSP prior to reaching maximum age for Part C. Include all children who have not reached maximum age for Part C, have completed their IFSP, and no longer require services under IDEA, Part C.

Eligible for IDEA, Part B. Include all children served in Part C who exited Part C and were determined to be eligible for Part B during the reporting period.

Not eligible for Part B, exit with referrals to other programs. Include all children who reached maximum age for Part C, were determined not eligible for Part B, and were referred to other programs, which may include preschool learning centers and child care centers, and/or were referred for other services, which may include health and nutrition services, such as WIC.

Not eligible for Part B, exit with no referrals. Include all children who reached maximum age for Part C and were determined not eligible for Part B services.

EXITING

Part B eligibility not determined. Include all children for whom Part B eligibility has not been made. This category includes children who were referred for Part B evaluation, but for whom the eligibility determination has not yet been made or reported and children for whom parents did not consent to transition planning. Include in this category any child who reached maximum age for Part C, and who has not been counted in categories 2-4 above.

Deceased. Include all children who died during the reporting period, even if their death occurred at the age of exit.

Moved out of state. Include all children who moved out of state during the reporting period. Do not report a child who moved within state (i.e., from one program to another) if services are known to be continuing.

Withdrawal by parent (or guardian). Include all children whose parents declined all services after an IFSP was in place, as well as children whose parents declined to consent to IFSP services and provided written or verbal indication of withdrawal from services.

Attempts to contact the parent and/or child were unsuccessful. Include all children who have not reached the maximum age of service under Part C, who had an active IFSP, and for whom Part C personnel have been unable to contact or locate the family or child after repeated, documented attempts. Include in this category any child who did not complete his/her IFSP and exited Part C before reaching maximum age and who has not been counted in the categories deceased, moved out of state, and withdrawal by parent.

Years 1999-00 through 2005-06

The data collection was unchanged.

Year 2006-07

- Age Group:
- Birth through 2.
- Gender:
- Female; and
 - Male
- Program Completion:
- Completion of IFSP prior to reaching maximum age for Part C;
 - Part B eligible, exiting Part C;
 - Part B eligible, continuing in Part C;
 - Not eligible for Part B, exit to other programs;
 - Not eligible for Part B, exit with no referrals;
 - Part B eligibility not determined;
 - Deceased;
 - Moved out of state;
 - Withdrawal by parent (or guardian); and

EXITING

- Attempts to contact unsuccessful.

Program completion data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Race/Ethnicity
Categories:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black or African American (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from service districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Changes:

- 1) States were required to report exiting data by gender.
- 2) The Part B-eligible category was split into two categories.
- 3) The two new Part B-eligible categories are defined as follows:

Part B eligible,
exiting Part C

All children who were determined to be eligible for Part B during the reporting period and who exited (or would soon exit) Part C. This included children who received Part B services in conjunction with Head Start.

Part B eligible,
continuing in Part C

All children who were determined to be eligible for Part B, whose parents chose to remain in Part C until the child was eligible for kindergarten.

Year 2007-08

The data collection was unchanged.

Year 2008-09

Age Group:

- Birth through 2.

Gender:

- Female; and
- Male.

EXITING

- Program Completion:
- Completion of IFSP prior to reaching maximum age for Part C;
 - Part B eligible, exiting Part C;
 - Part B eligible, continuing in Part C;
 - Not eligible for Part B, exit to other programs;
 - Not eligible for Part B, exit with no referrals;
 - Part B eligibility not determined;
 - Deceased;
 - Moved out of state;
 - Withdrawal by parent (or guardian); and
 - Attempts to contact unsuccessful.

Program completion data could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Race/Ethnicity
Categories:

- American Indian or Alaska Native;
 - Asian or Pacific Islander;
 - Black (not Hispanic);
 - Hispanic or Latino; and
 - White (not Hispanic).
- OR
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

Race/ethnicity could be based on a weighted sample of data from service districts. Sampling guidelines were provided by OSEP. States that chose to sample had to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

- Change:**
- 1) Although not required to do so prior to the 2010-11 report, SEAs were permitted, as early as for reports referencing 2008-09, to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.

EXITING

Year 2009-10

- Age Group: • Birth through 2.
- Gender: • Female; and
• Male.
- Program Completion: • No longer eligible for Part C prior to reaching maximum age three;
- Exit at Age Three: • Part B eligible, exiting Part C;
• Part B eligible, continuing in Part C;
• Not eligible for Part B, exit to other programs;
• Not eligible for Part B, exit with no referrals;
• Part B eligibility not determined;
- Not Receiving Services: • Deceased;
• Moved out of state;
• Withdrawal by parent (or guardian); and
• Attempts to contact unsuccessful.
- Race/Ethnicity Categories: • American Indian or Alaska Native;
• Asian or Pacific Islander;
• Black (not Hispanic);
• Hispanic or Latino; and
• White (not Hispanic).
- OR
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

- Change:**
- 1) The reporting categories were broken into three sections. The three sections are Program Completion (category 1), Exit at Age Three (categories 2 through 6), and Not Receiving Services (categories 7 through 10).
 - 2) Completion of IFSP prior to reaching maximum age for Part C changed to No longer eligible for Part C prior to reaching age three.

Year 2010-11

- Age Group: • Birth through 2.
- Gender: • Female; and
• Male.
- Program Completion: • No longer eligible for Part C prior to reaching maximum age three;

EXITING

- Exit at Age Three:
- Part B eligible, exiting Part C;
 - Part B eligible, continuing in Part C;
 - Not eligible for Part B, exit to other programs;
 - Not eligible for Part B, exit with no referrals;
 - Part B eligibility not determined;

- Not Receiving Services:
- Deceased;
 - Moved out of state;
 - Withdrawal by parent (or guardian); and
 - Attempts to contact unsuccessful.

- Race/Ethnicity Categories:
- Hispanic or Latino;
 - American Indian or Alaska Native;
 - Asian;
 - Black or African American;
 - Native Hawaiian or Other Pacific Islander;
 - White; and
 - Two or more races.

- Change:**
- 1) SEAs are required to collect and aggregate their data as specified in the new race/ethnicity guidance for reporting aggregate race/ethnicity data in the seven categories.

Year 2011-12

The data collection was unchanged.

DISPUTE RESOLUTION

The dispute resolution data are counts of the written, signed complaints; mediation requests; and hearing requests for the Part C program in each state and outlying territory. The dispute resolution data collection began in the 2006-07 reporting year.

Year 2006-07

- Age Group:
- Birth through 2.
- Resolutions:
- Written, signed complaints;
 - Mediation requests; and
 - Hearing requests.
- Written, Signed Complaint Categories:
- Complaints with reports issued;
 - Reports with findings;
 - Reports with timeline;
 - Reports within extended timelines;
 - Complaints withdrawn or dismissed;
 - Complaints pending; and
 - Complaints pending a due process hearing.
- Mediation Request Categories:
- Mediation requests total;
 - Mediations;
 - Mediation related to due process;
 - Mediation agreements;
 - Mediations not related to due process;
 - Mediation agreements; and
 - Mediations not held (including pending).
- Hearing Request Categories:
- Hearing requests total;
 - Resolution sessions;
 - Settlement agreements;
 - Hearings (fully adjudicated);
 - Decisions within timeline;
 - Decisions within extended timeline; and
 - Resolved without a hearing.

- Notes:**
- 1) Sampling was not permitted for this data collection.
 - 2) The reporting period for this data collection was defined as July 1, to June 30.

Year 2007-08

The data collection was unchanged.

Year 2008-09

- Age Group:
 - Birth through 2.
- Resolutions:
 - Written, signed complaints;
 - Mediation requests; and
 - Hearing Requests.
- Written, Signed Complaint Categories:
 - Complaints with reports issued;
 - Reports with findings;
 - Reports with timeline;
 - Reports within extended timelines;
 - Complaints pending; and
 - Complaints pending a due process hearing.
 - Complaints withdrawn or dismissed.
- Mediation Request Categories:
 - Mediation requests total;
 - Mediations held;
 - Mediation held related to hearing requests;
 - Mediation agreements related to hearing requests;
 - Mediations held not related to hearing requests;
 - Mediation agreements not related to hearing requests;
 - Mediations not held (including pending).
- Hearing Request Categories:
 - Hearing Request total;
 - Resolution meetings;
 - Written settlement agreements;
 - Hearings (fully adjudicated);
 - Decisions within timeline Part C procedures;
 - Decisions within timeline Part B procedures;
 - Decisions within extended timeline; and
 - Resolved without a hearing.

- Notes:**
- 1) Sampling was not permitted for this data collection.
 - 2) The reporting period for this data collection was defined as July 1 to June 30.

- Change:**
- 1) The term Hearing Request was changed to Due Process complaints.
 - 2) The following terms were revised.

Complaint withdrawn or dismissed – A written, signed complaint that was withdrawn by the complainant for any reason or that was determined by the lead agency to be resolved by the complainant and the local service provider or lead agency through mediation or other dispute resolution means and no further action by the lead agency was required to resolve the complaint.

Decision within timeline – The written decision from a hearing fully adjudicated was provided to the parties in the due process hearing not later than 30 days after the receipt of the hearing request. For States using the Part B due process hearing procedures, a decision within timeline is the written decision (from a fully adjudicated hearing) provided to the parties in the hearing not later than 30 days

or 45 days (whichever hearing timeline the State has adopted) after the expiration of the resolution period.

Hearing fully adjudicated – A hearing officer conducted a due process hearing, reached a final decision regarding matters of law and fact and issued a written decision to the parties.

Hearing request – A filing by a parent or local service provider or lead agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or early intervention setting of a child with a disability, or to the provision of appropriate early intervention services to such child.

Mediation held not related to hearing request – A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and local service provider or lead agency that was not initiated by the filing of a hearing request (or due process complaint for States that have adopted Part B due process procedures) or did not include issues that were the subject of a hearing request.

Mediation held related to hearing request – A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and local service provider or lead agency that was initiated by the filing of a hearing request or included issues that were the subject of a hearing request.

Mediation request – A request by a party to a dispute involving any matter under Part C of IDEA for the parties to meet with a qualified and impartial mediator to resolve the dispute(s).

Report with findings of noncompliance - The written decision provided by the lead agency to the complainant and local provider in response to a written, signed complaint, which finds the local provider or lead agency to be out of compliance with one or more requirements of Part C of IDEA or 34 CFR Part 303.

Resolved without a hearing – A hearing request that has not resulted in a fully adjudicated due process hearing and is also not under consideration by a hearing officer. This includes hearing requests resolved through a mediation agreement or through a written settlement agreement, those settled by some other agreement between the parties (parent and local service provider or lead agency) prior to completion of the due process hearing, those withdrawn by the filing party, those determined by the hearing officer to be insufficient or without cause, and those not fully adjudicated for other reasons.

Written settlement agreement – A legally binding written document, signed by the parent and a representative of the local service provider or lead agency, specifying the resolution of the dispute that formed the basis for a due process complaint arrived at in a resolution meeting. For the purposes of reporting on Table 4, a written settlement agreement is one that fully resolves all issues of the due process complaint and negates the need for a due process hearing.

Written, signed complaint – A signed, written document submitted to a lead agency by an individual or organization (complainant) that alleges a violation of a requirement of Part C of IDEA or 34 CFR 303.

- 3) The terms decision within an extended timeline, due process complaint, mediation agreement, mediation held, mediation not held (including pending), and resolution period – For States that have adopted Part B due process hearing procedures were added. The definitions are as follows:

Decision within extended timeline - The written decision from a hearing fully adjudicated was provided to the parties in the hearing more than 30 days or 45 days (whichever hearing timeline the State has adopted) after the expiration of the resolution period, but within a specific time extension granted by the hearing officer at the request of either party. This term applies only to States that have adopted the Part B due process hearing procedures.

Due process complaint – For States that have adopted Part B due process hearing procedures, a filing by a parent or local service provider or lead agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or early intervention setting of a child with a disability, or to the provision of appropriate early intervention services to such child. (For the purposes of reporting data on Table 4 of this document, States that have adopted Part B due process procedures should report equivalent data for “due process complaints” whenever the term “hearing request” is used.)

Mediation agreement – A written legally binding agreement signed by a parent and a representative of a local service provider or lead agency who has authority to bind the provider or agency, that specifies the resolution of any issues in the dispute that were reached through the mediation process. A mediation agreement that fully or partially resolves issues in dispute is included in “mediation agreements.”

Mediation held – A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency involving any matter under Part C of IDEA and that concluded with or without a written mediation agreement between the parties.

Resolution period – For States that have adopted Part B due process hearing procedures, 30 days from the receipt of a due process complaint unless the period is adjusted because: (1) both parties agree in writing to waive the resolution meeting; or (2) after either the mediation or resolution meeting starts, but before the end of the 30-day period, the parties agree in writing that no agreement is possible; or (3) if both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or local provider or lead agency withdraws from the mediation process.

Year 2009-10

- Age Group:
- Birth through 2.
- Resolutions:
- Written, signed complaints;
 - Mediation requests; and
 - Due process complaints.
- Written, Signed Complaint Categories:
- Complaints with reports issued;
 - Reports with findings;
 - Reports with timeline;
 - Reports within extended timelines;
 - Complaints pending; and
 - Complaints pending a due process hearing
 - Complaints withdrawn or dismissed.
- Mediation Request Categories:
- Mediation requests total;
 - Mediations held;
 - Mediation held related to due process requests;
 - Mediation agreements related to due process requests;
 - Mediations held not related to due process requests;
 - Mediation agreements not related to due process requests;
 - Mediations pending; and
 - Mediations not held.
- Hearing Request Categories:
- Due process complaints total;
 - Resolution meetings;
 - Written settlement agreements;
 - Hearings (fully adjudicated);
 - Decisions within timeline Part C procedures;
 - Decisions within timeline Part B procedures;
 - Decisions within extended timeline; and
 - Hearings pending;
 - Due process complaint withdrawn or dismissed (including resolved without a hearing).

- Notes:**
- 1) Sampling was not permitted for this data collection.
 - 2) The reporting period for this data collection was defined as July 1 to June 30.

- Change:**
- 1) The term Hearing Request was changed to Due Process complaints.
 - 2) The terms mediations pending, hearings pending, and due process complaint withdrawn or dismissed (including resolved without a hearing) were added. The definitions are as follows:
Due process complaints withdrawn or dismissed—A due process complaint that has not resulted in a fully adjudicated due process hearing and is also not under consideration by a hearing officer. This includes due process complaints resolved through a mediation agreement or through a written settlement agreement, those settled by some other agreement between the parties (parent

DISPUTE RESOLUTION

and early intervention service provider or lead agency) prior to completion of the due process hearing, those withdrawn by the filing party, those determined by the hearing officer to be insufficient or without cause, and those not fully adjudicated for other reasons.

Hearing pending—A request for a due process hearing that has not yet been scheduled, is scheduled but has not yet been conducted, or has been conducted but is not yet fully adjudicated. (See definition for hearing fully adjudicated.)

Mediation pending—A request for mediation that has not yet been scheduled or is scheduled but has not yet been held.

- 3) The following terms were revised.

Complaint pending a due process hearing—A written, signed complaint in which one or more of the allegations in the complaint are the subject of a *due process complaint* that has not been resolved.

Complaint withdrawn or dismissed—A written, signed complaint that was withdrawn by the complainant for any reason or that was determined by the lead agency to be resolved by the complainant and the EI service provider or lead agency through mediation or other dispute resolution means and no further action by the lead agency was required to resolve the complaint; or a complaint dismissed by the lead agency for any reason, including that the complaint does not include all of the required content.

Decision within extended timeline—For states using the Part B due process hearing procedures, a *decision within extended timeline* is the written decision (from a *hearing fully adjudicated*) provided to the parties in the hearing more than 30 or 45 days (whichever hearing timeline the state has adopted under 34 CFR §303.420(a)) after the expiration of the *resolution period*, but within a specific time extension granted by the hearing or reviewing officer at the request of either party.

Decision within timeline—For states using the Part C due process hearing procedures, the written decision from a *hearing fully adjudicated* was provided to the parties in the due process hearing not later than 30 days after the receipt of the *due process complaint*. For states using the Part B due process hearing procedures, a *decision within timeline* is the written decision (from a fully adjudicated hearing) provided to the parties in the hearing not later than 30 days or 45 days (whichever hearing timeline the state has adopted under 34 CFR §303.420(a)) after the expiration of the *resolution period*.

Due process complaint—A filing by a parent, early intervention service provider, or lead agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or placement of an infant or toddler with a disability, or to the provision of appropriate early intervention services to such child.

Hearing fully adjudicated—A hearing officer conducted a due process hearing, reached a final decision regarding matters of law and fact, and issued a written decision to the parties.

DISPUTE RESOLUTION

Mediation agreement—A written, legally binding agreement signed by a parent and a representative of the lead agency who has authority to bind the lead agency that specifies the resolution of any issues in the dispute that were reached through the mediation process. A mediation agreement that fully or partially resolves issues in dispute is included in “*mediation agreements*.”

Mediation held—A process conducted by a qualified and impartial mediator to resolve a disagreement between parties to a dispute involving any matter under Part C of IDEA and that concluded with or without a written *mediation agreement* between the parties.

Mediation held not related to due process complaint—A process conducted by a qualified and impartial mediator to resolve a disagreement between parties to a dispute involving any matter under Part C of IDEA that was not initiated by the filing of a *due process complaint* or did not include issues that were the subject of a *due process complaint*.

Mediation held related to due process complaint—A process conducted by a qualified and impartial mediator to resolve a disagreement between parties that was initiated by the filing of a *due process complaint* or included issues that were the subject of a *due process complaint*.

Mediation not held—A request for mediation that did not result in a mediation being conducted by a qualified and impartial mediator. This includes requests that were withdrawn, requests that were dismissed, requests where one party refused to mediate, and requests that were settled by some agreement other than a *mediation agreement* between the parties.

Report with findings of noncompliance—The written decision provided by the lead agency to the complainant in response to a *written, signed complaint*, which finds the early intervention service provider or lead agency to be out of compliance with one or more requirements of Part C of IDEA or 34 CFR Part 303.

Report within extended timeline—The written decision from the lead agency was provided to the complainant more than 60 days after the *written, signed complaint* was filed, but within an appropriately extended timeline. An appropriately extended timeline is an extension beyond 60 days that was granted due to exceptional circumstances that exist with respect to a particular complaint or if the parent and the lead agency, public agency, or early intervention service provider involved agreed to extend the time to engage in mediation, or to engage in other alternative means of dispute resolution, if available in the state or under state procedures.

Resolution meeting—For states that have adopted Part B due process hearing procedures, a meeting, convened by the local provider or lead agency, between the parent and the relevant member(s) of the IFSP team to discuss the parent’s *due process complaint* and the facts that form the basis of the *due process complaint* so that the lead agency has the opportunity to resolve the dispute that is the basis for the *due process complaint*.

Written settlement agreement—A legally binding written document, signed by the parent and a representative of the lead agency who has authority to bind the

DISPUTE RESOLUTION

lead agency, specifying the resolution of the dispute that formed the basis for a *due process complaint* arrived at in a *resolution meeting*. For the purposes of reporting on Table 4, a *written settlement agreement* is one that fully resolves all issues of the *due process complaint* and negates the need for a due process hearing.

Written, signed complaint—A signed, written document submitted to a lead agency by an individual or organization (complainant) that alleges a violation of a requirement of Part C of IDEA or 34 CFR 303, including cases in which some required content is absent from the document.

Year 2010-11 and 2011-12

The data collection was unchanged.

EARLY INTERVENTION SERVICES

The data were counts of the number of early intervention services on individualized family service plans (IFSPs) provided to infants, toddlers, and their families in accordance with Part C. These data were a duplicated count of the number of infants and toddlers receiving early intervention services on December 1 of the reporting year—infants, toddlers, and their families. Infants, toddlers, and families could be counted under each type of service. This data collection was discontinued in 2005.

Year 1988

- Age Group:
- Birth through 2.
- Early Intervention Services:
- Psychological services;
 - Family training, counseling, and home visits;
 - Occupational therapy;
 - Speech language pathology;
 - Audiological services;
 - Special instruction;
 - Physical therapy;
 - Medical services;
 - Health services; and
 - Other early intervention services.

- Notes:**
- 1) Submission of these data was voluntary.
 - 2) Data for this year are not maintained in OSEP's Data Analysis System (DANS).

Years 1989 through 1991

- Age Group:
- Birth through 2.
- Early Intervention Services:
- Audiology;
 - Family training, counseling, and home visits;
 - Health services;
 - Medical services (for diagnostic or evaluation purposes);
 - Nursing services;
 - Nutrition services;
 - Occupational therapy;
 - Physical therapy;
 - Psychological services;
 - Respite care;
 - Transportation;
 - Social work services;
 - Special instruction;
 - Speech language pathology; and

EARLY INTERVENTION SERVICES

- Other early intervention services.
- Changes:**
- 1) Submission of these data was mandatory.
 - 2) Data were collected for five new services: nursing services, nutrition services, respite care, social work services, and transportation. The audiological services category was replaced with audiology.
 - 3) Early intervention services data could be collected through a sampling of agencies, including state and local service agencies. A description of the sampling methodology had to be approved by OSEP prior to its use.

Year 1992

- Age Group:
- Birth through 2.
- Early Intervention Services:
- Assistive technology services/devices;
 - Audiology;
 - Family training, counseling, and home visits;
 - Health services;
 - Medical services (for diagnostic or evaluation purposes);
 - Nursing services;
 - Nutrition services;
 - Occupational therapy;
 - Physical therapy;
 - Psychological services;
 - Respite care;
 - Social work services;
 - Special instruction;
 - Speech language pathology;
 - Transportation;
 - Vision services; and
 - Other early intervention services.

- Changes:**
- 1) Data were collected for two new services: assistive technology services/devices and vision services.
 - 2) The description of the sampling methodology provided to OSEP had to outline how the design would yield valid and reliable estimates.

Years 1993 through 1994

The data collection was unchanged.

EARLY INTERVENTION SERVICES

Year 1995

Age Group:

- Birth through 2.

Counts could be based upon a representative sample of data from agencies, including state and local service agencies. When sampling was used, a description of the sampling methodology that outlined how the design would yield valid and reliable estimates had to be provided to OSEP.

Early Intervention Services:

- Assistive technology services/devices;
- Audiology;
- Family training, counseling, and home visits;
- Health services;
- Medical services (for diagnostic or evaluation purposes);
- Nursing services;
- Nutrition services;
- Occupational therapy;
- Physical therapy;
- Psychological services;
- Respite care;
- Social work services;
- Special instruction;
- Speech language pathology;
- Transportation;
- Vision services; and
- Other early intervention services.

Change:

- 1) References to Chapter 1 of *ESEA* (SOP) were deleted in accordance with the Improving America's Schools Act of 1994 (IASA) which amended the Elementary and Secondary Education Act of 1965 (ESEA) by eliminating the Chapter 1 of ESEA (SOP).

Years 1996 through 1997

The data collection was unchanged.

Year 1998

Age Group:

- Birth through 2.

Age group data could be based upon a weighted sample of data from agencies, including state and local service agencies. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

EARLY INTERVENTION SERVICES

Early Intervention Services:

- Assistive technology services/devices;
- Audiology;
- Family training, counseling, home visits, and other support;
- Health services;
- Medical services (for diagnostic or evaluation purposes);
- Nursing services;
- Nutrition services;
- Occupational therapy;
- Physical therapy;
- Psychological services;
- Respite care;
- Social work services;
- Special instruction;
- Speech language pathology;
- Transportation and related costs;
- Vision services; and
- Other early intervention services.

States were required to report the total number of infants and toddlers that received services in each service category by race/ethnicity.

Race/ethnicity Categories:

- American Indian or Alaska Native;
- Asian or Pacific Islander;
- Black or African American (not Hispanic);
- Hispanic or Latino; and
- White (not Hispanic).

Race/ethnicity could be based on a weighted sample of data from school districts. Sampling guidelines were provided by OSEP. States that chose to sample were required to submit a description of the sampling methodology outlining how the design would yield valid and reliable estimates for OSEP approval by September 30 of the reporting year. No states have used the sampling option.

Changes:

- 1) States were required to report race/ethnicity data for the birth through age 2 age group. The counts had to be unduplicated. States could use sampling, subject to OSEP guidelines, to collect data on race/ethnicity. Note that children could be reported in only one race/ethnicity category. The race/ethnicity categories were defined as follows:

American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.
----------------------------------	---

Asian or Pacific Islander	A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including, for example, Cambodia, China, India, Japan, Korea,
---------------------------	--

EARLY INTERVENTION SERVICES

- | | |
|--|--|
| | Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. The Pacific Islands include Hawaii, Guam, and Samoa. |
| Black or African American (not Hispanic) | A person having origins in any of the Black racial groups of Africa. |
| Hispanic or Latino | A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. |
| White (not Hispanic) | A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. |
| Total | The unduplicated total across the race/ethnicity designations. |
- - 2) Several changes were made in the sampling guidelines. The deadline for sample guidelines was changed from November 25 to September 30. States were now required to provide OSEP with weighted rather than unweighted data. A description of the final sample sizes and the weights used was required to be provided along with the data. No states have used the sampling option.
 - 3) The date for submitting the data was changed from November 1 to the following February 1.

Years 1999 through 2004

The data collection was unchanged.

Year 2005

Data collection discontinued.

PERSONNEL

The personnel employed data were reported as the full-time equivalent (FTE) of early intervention teachers and personnel employed and contracted to provide early intervention services on or about December 1 of the reporting year. Personnel needed data reflected unduplicated counts of unfilled vacancies and positions occupied for persons who were not appropriately or adequately trained for the position held between July 1 and June 30. The table included data from the lead agency and all other agencies providing early intervention services. The collection of data on personnel needed was eliminated for the 1998-99 reporting year. The collection of data on personnel employed was eliminated for the 2004-05 reporting year.

Year 1988

Age Group of Children Served: • Birth through 2.

Personnel Categories: • Special educators;
• Speech and language pathologists;
• Audiologists;
• Occupational therapists;
• Physical therapists;
• Psychologists;
• Social workers;
• Nurses;
• Nutritionists; and
• Other professional staff.

- Notes:**
- 1) The number of needed personnel included the number of unfilled vacancies that occurred during the year and the number of additional personnel that were needed during the year to fill positions occupied by persons who were not appropriately nor adequately prepared or trained for the position held.
 - 2) Submission of these data was voluntary.
 - 3) Data for this year are not maintained in OSEP's Data Analysis System (DANS).

Years 1989 through 1991

Age Group of Children Served: • Birth through 2.

Personnel Categories: • Audiologists;
• Nurses;
• Nutritionists;
• Occupational therapists;
• Physical therapists;

PERSONNEL

- Physicians;
- Psychologists;
- Social workers;
- Special educators;
- Speech and language pathologists;
- Other professional staff; and
- Paraprofessionals.

- Changes:**
- 1) Data were collected for two new personnel categories: paraprofessionals and physicians.
 - 2) The period within which personnel needed was computed was specified as the 12-month span from July 1 to June 30.
 - 3) Submission of these data was required.

Year 1992

Age Group of Children Served:

- Birth through 2.

Personnel Categories:

- Audiologists;
- Family therapists;
- Nurses;
- Nutritionists;
- Occupational therapists;
- Orientation and mobility specialists;
- Paraprofessionals;
- Pediatricians;
- Physical therapists;
- Physicians, other than pediatricians;
- Psychologists;
- Social workers;
- Special educators;
- Speech and language pathologists; and
- Other professional staff.

- Change:**
- 1) Data were collected for three new personnel categories: family therapists, orientation and mobility specialists, and pediatricians. The physicians category was divided into pediatricians and other physicians.

Years 1993 through 1994

The data collection was unchanged.

PERSONNEL

Year 1995

Age Group of Children Served: • Birth through 2.

Personnel Categories: • Audiologists;
• Family therapists;
• Nurses;
• Nutritionists;
• Occupational therapists;
• Orientation and mobility specialists;
• Paraprofessionals;
• Pediatricians;
• Physical therapists;
• Physicians, other than pediatricians;
• Psychologists;
• Social workers;
• Special educators;
• Speech and language pathologists; and
• Other professional staff.

Change: 1) References to Chapter 1 of ESEA (SOP) were deleted in accordance with the Improving America's Schools Act of 1994 (IASA) which amended the Elementary and Secondary Education Act of 1965 (ESEA) by eliminating Chapter 1 of ESEA (SOP).

Years 1996 through 1997

The data collection was unchanged.

Year 1998

Age Group of Children Served: • Birth through 2.

Personnel Categories: • Audiologists;
• Family therapists;
• Nurses;
• Nutritionists;
• Occupational therapists;
• Orientation and mobility specialists;
• Paraprofessionals;
• Pediatricians;
• Physical therapists;
• Physicians, other than pediatricians;
• Psychologists;

PERSONNEL

- Social workers;
- Special educators;
- Speech and language pathologists; and
- Other professional staff.

- Changes:**
- 1) The requirement that states report the full-time equivalency of teachers and personnel needed to provide early intervention services on or about December 1 was eliminated.
 - 2) Several changes were made in the sampling guidelines. The deadline for sample guidelines was changed from November 25 to September 30. States were required to provide OSEP with weighted rather than unweighted data. A description of the final sample sizes and the weights used was required to be provided along with the data. No states have used the sampling option.
 - 3) The date for submitting the data was changed from November 1 to the following February 1.

Years 1999 through 2003

The data collection was unchanged.

Year 2004

Data collection discontinued.