

TABLE A
ISSUES IDENTIFIED IN THE STATE PERFORMANCE PLAN
VIRGINIA PART C

SPP Indicator	Issue	Required Action
<p>Indicator 1:</p> <p>Percent of infants and toddlers with individualized family service plans (IFSPs) who receive the early intervention services on their IFSPs in a timely manner.</p> <p>(20 U.S.C. 1416(a)(3)(A) and 1442)</p>	<p>Noncompliance: The State reported a 72% level of compliance for Indicator 1 in the SPP, specifically the requirements at 34 CFR §§303.322(e)(1), 303.322(e)(2) and 303.342(a).</p> <p>Other: The State's timely standard begins with the IFSP meeting date. The Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) require that the lead agency provide the early intervention services that are consented to by the parent as soon as possible after the IFSP meeting. OSEP assumes that the IFSP meeting date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p>	<p>Noncompliance: The State must ensure that noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>Other: The State must confirm in the FFY 2005 APR, due February 1, 2007, that the IFSP meeting date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p>
<p>Indicator 2:</p> <p>Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.</p> <p>(20 U.S.C. 1416(a)(3)(A) and 1442)</p>	<p>On page 6 of the SPP, the State reported that, "The 2004 data reported as baseline data is the most accurate data available at this time." The State explained that the settings data collected during the December 1st child count through its Part C data system reflect only the service settings for each child based on the child's initial IFSP, rather than the settings from the child's then-current IFSP. The State further indicated that its section 618 settings data for children enrolled in Part C as of December 1, 2005 will reflect the primary service setting listed on the IFSP in effect on December 1, 2005 for every eligible child, and that once those data are available, the State will report updated baseline data.</p>	<p>The State must, for Indicator 2, include, in the FFY 2005 APR, due February 1, 2007, both accurate baseline data from FFY 2004 (July 1, 2004 through June 30, 2005) and accurate progress data from FFY 2005 (July 1, 2005 through June 30, 2006). Failure to include these data may affect OSEP's determination in 2007 of the State's status under section 616(d) of the IDEA.</p>

SPP Indicator	Issue	Required Action
<p>Indicator 8:</p> <p>Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: In the SPP, the State reported an 84% level of compliance for Indicator 8A (specifically, 34 CFR §§303.148(b)(4) and 303.344(h)), an 81% level of compliance for Indicator 8B (specifically 34 CFR §303.148(b)(1)) and a 51% level of compliance for Indicator 8C (specifically, 34 CFR §303.148(b)(2)(i)).</p> <p>Other: 8C: It is unclear whether, in calculating its compliance percentages, the State included in its calculation children for whom family approval for the conference was not provided or delays attributable to documented exceptional family or child circumstances.</p>	<p>Noncompliance: The State must ensure that noncompliance for Indicators 8A, 8B, and 8C is corrected within one year of its identification, and include data in the APR, due February 1, 2007, that demonstrate compliance with the requirements for Indicators 8A, 8B, and 8C. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate full compliance with the requirements of 8A, 8B, and 8C. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>Other: 8C: In reporting data under Indicator 8C in the APR due February 1, 2007, the State should exclude from its calculation of compliance for Indicator 8C children for whom family approval for the conference was not provided or delays attributable to documented exceptional family or child circumstances and report the numbers of children in these categories separately in Indicator 8C.</p>
<p>Indicator 13:</p> <p>Percent of mediations held that resulted in mediation agreements.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>The State included targets and improvement activities regarding mediation; however, baseline data indicated that the number of mediations requested was fewer than ten. OSEP guidance on developing the SPP indicated that targets and improvement activities were not needed until the number of mediations requested totaled ten or greater.</p>	<p>The State may remove the improvement activities related to mediation in the APR, due February 1, 2007, if the number of mediations for 2004-2005 is less than 10. In a reporting period when the number of mediation reaches ten or greater, the State must develop targets and improvement activities, and report them in the corresponding APR.</p>
<p>Indicator 14:</p> <p>State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>(20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>The State reported that: (1) 83% of required data reports (5 out of 6) were submitted to OSEP in a timely manner in FFY 2004; (2) "methods are in place to confirm the accuracy of baseline data for 13 of the 14 [SPP] (93%)" and "baseline data for the remaining indicator (settings) will be corrected and an amended State Performance Plan will be submitted to OSEP as soon as possible;" and (3) "for Section 618 data, procedures were in place in FFY 2004 to confirm the accuracy for only the child count data (1 out of 6 reports, 17%)."</p>	<p>The State must include documentation in the APR, due February 1, 2007, that demonstrates 100% accuracy and timeliness of all data submitted under section 618, and as part of SPPs and APRs. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate 100% accuracy and timeliness. Failure to demonstrate 100% accuracy and timeliness at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p>