PART C SPP/APR 2008 INDICATOR ANALYSES (FFY 2006-2007)

TABLE OF CONTENTS:

INDICATOR 1: EARLY INTERVENTION SERVICES
Prepared by NECTAC

Indicator #1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.

INTRODUCTION

Indicator #1, Timely Receipt of Services, is a compliance indicator with a target of 100%. In responding to this indicator, States could use data from monitoring or the State data system. In either case, the data needed to be based on actual number of days, not an average number, between parental consent, or the date specified on the IFSP for the initiation of services, and the provision of services. This analysis of Part C Indicator #1 is based on a review of FFY 2006 Annual Performance Reports (APRs) for 54 States and jurisdictions. (In this report, the term "State" is used for both States and jurisdictions.)

In responding to Indicator #1, States were asked to provide the criteria used to determine which infants and toddlers received IFSP services in a timely manner and which did not. States were also asked to account for the untimely receipt of services for infants and toddlers, (e.g., when the States' criteria were not met, what were the causes for delay and which delays were due to exceptional family circumstances documented in the child's record).

Table 1 illustrates that of the 54 States and jurisdictions in the analysis, most (31) defined timeliness of services as "within 30 days from parent consent"; six States reported a time span that was less than 30 days from parent consent to initiation of services (range 14 to 28 days); and two States reported a time span that was more than 30 days (45 days). For eight States, services are considered timely if initiated by the start date specified on the IFSP. Seven States provide the option of either the date specified on the IFSP or a specified number of days from the initiation date documented within the IFSP (see Table 1).

Table 1: Number of States and Definition of Timeliness

Definition	Number of States
30 days	31
Less than 30 days	6
More than 30 days	2
Date specified on IFSP	8
Option of either IFSP specified or a number of days from the IFSP initiation date	7

Of the six States who define timeliness as less than 30 days from parent consent for service, three mentioned that this definition is more stringent than a majority of States. They calculated the impact of the stricter definition on performance in this indicator and may consider changing to a definition to align with that of other States.

Comparison of Baseline, Target and Actual Performance

Targets and Baseline Performance

The target for all compliance indicators must be 100%; however, two States reported targets of less than 100% for timeliness of services. Five States met the 100% target, as reported in their FFY 06 APR; which is the same for FFY 05, however only three States reported 100% at baseline.

At baseline, 18 (33%) States provided timely services to at least 90% of children with IFSPs. In the FFY 05-06 APR, that number increased by nine, to 27 (50%) States who provided services in a timely manner to at least 90% of the children with IFSPs. For FFY 06 the number was 29 (53.7%) States. When comparing States who served 80% of children in a timely manner the number of States were 31 at baseline and 36 in FY 2005 with 43 (79.6%) in FFY 06.

Table 2 shows the distribution of baseline and actual performance for States reporting baseline and FFY 06 data for Indicator #1. Baseline data was not provided by six States and actual data was not provided by three States for the APR.

Table 2: Baseline and Actual Performance

Baseline Performance		Actual Performance FFY 05-06		Actual Performance FY 2006	
Percentage who received services in a timely manner	Number of States in each percentile distribution	Percentage who received services in a timely manner	Number of States in each percentile distribution	Percentage who received services in a timely manner	Number of States in each percentile distribution
100%	3	100%	5	100%	5
95% to 99%	7	95% to 99%	15	95% to 99%	17
90% to 94%	8	90% to 94%	7	90% to 94%	7
80% to 89%	13	80% to 89%	9	80% to 89%	14
60% to 79%	14	60% to 79%	10	60% to 79%	9
45% to 59%	4	45% to 59%	5	45% to 59%	2
		Less than 45%	1	Less than 45%	0
Not provided	6	Not provided	3		

A total of 38 States (71.7%) made progress. Of the 15 States (28.3%) that did not make progress, three States remained the same and 12 State's performances were lower than in FFY 05-06. Progress for one State could not be determined because they did not report baseline data or data for FFY 05-06. See Figure 1 for a summary of progress/slippage for 53 States.

Figure 1: Progress/Slippage from FFY 05-06 to FFY 06-07
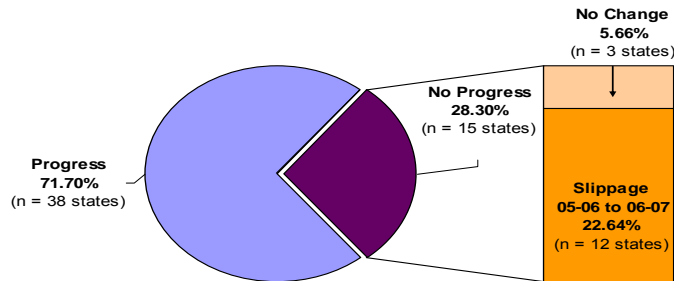
Explanation of Progress

States have been making steady progress in this indicator, from 33% of States at baseline to 53.7% of States in FFY 06 when examining timely services for at least 90% of children with IFSPs. For a different comparison, by considering States who served 80% of children in a timely manner, the percentages increase from 55.3% of States to 79.6% for FFY 06.

States continued to provide clarification on criteria for timeliness of services; they revised procedure and/or policy documents and provided guidance to eliminate inconsistent practices, and modified data collection systems to ensure collection of appropriate data. States continued to monitor, provide training and technical assistance and focus their efforts on recruitment of additional providers and/or staff. For long term strategies refer to improvement activities.

Explanation of Slippage

When States did not meet the 100% target for timely services, they were asked to account for the untimely receipt of services to infants and toddlers, (e.g., what were the causes for delay and which delays were due to exceptional family circumstances that were documented in the child's record). Most States provided information about why services to children were not provided in a timely manner. As reported in the previous year, the most frequently cited reason for delay in services continued to be personnel shortages. Twenty-six States indicated that they were not able to provide services to children and families in a timely manner because of personnel shortages, staff turnover and a lack of therapists in specific areas of the State. Some States shifted staff into other positions in order to meet the 45-day timeline; which resulted in shortages in numbers of personnel to provide the services.

In FFY 06-07 fewer States (9 versus 19) reported issues with <u>inadequate data</u> than in FFY 05-06. These included instances where there was either no documentation in child's record regarding the cause of delay or their data system was unable to capture the causes for delay.

Other barriers, identified to a lesser extent, included: weather related delays, time delay in getting a physician's prescription, change in lead agency, more children enrolled, and lack of understanding about accessing Medicaid or changes in the way the indicator is measured.

Although many States did not reach the required 100% compliance target, the percentages for 39 of these States were higher than their previously reported baseline. Figure 2 provides a trajectory from baseline through FFY 06-07.

Figure 2: Trajectory from Baseline, FFY 05-06 and FFY 06-07
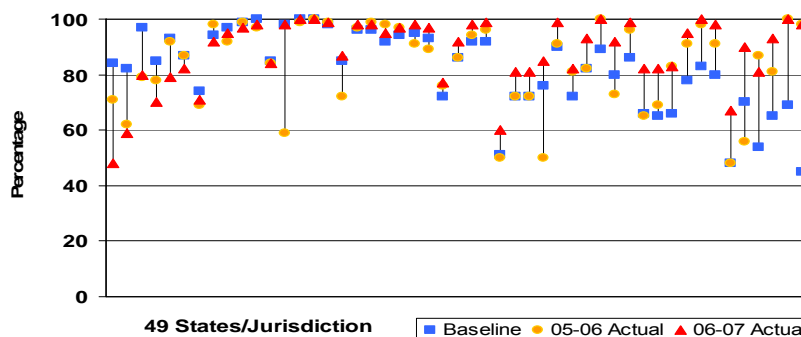
IMPROVEMENT ACTIVITIES

Improvement activities, timelines, and resources for Indicator #1 were reviewed in order to determine the types of improvement activities being used by States.

The most frequently cited improvement activities by States were **technical assistance, training, or professional development** related to the importance of timely provision of service, communicating new or existing definitions of timely services and changes in the State data system. Ongoing technical assistance was provided in response to specific needs identified through local monitoring with some States reporting monthly instructional meetings, training for service coordinators and training in consultation and in transdisciplinary models of service delivery.

States increased effort in improving **systems administration and monitoring these efforts** included modifying monitoring tools and procedures to better capture local compliance and non-compliance with Indicator #1. States also looked to more accurately identify the causes for delays in initiating services and addressed them by developing extensive action plans for providers and suspending referrals to providers who were not able to provide services in a timely manner. In addition, States continued to report a need to capture appropriate data to address this indicator. In FFY 05-06 reporting there was

increased emphasis placed on accurate **data collection and reporting** for many States, especially related to appropriate documentation of reasons in child records.

Because personnel shortages were cited frequently as a reason for delay in providing services in a timely manner, there were a number of noteworthy efforts to recruit additional providers, to provide incentives and to reduce cumbersome procedures. States began to explore models that involve coaching, consultation or teaming and encouraged providers to provide services in natural environments.

Six States explored and implemented strategies related to billing and payment. Strategies included group billing strategies or centralized billing to provide additional support to independent providers who did not have the infrastructure to bill for fees, rate increases, and additional funds through State legislation. One State provided authorization to use developmental therapists and therapy assistants under appropriate supervision to increase the availability of personnel.

Table 3 shows the types of improvement activities States used to address Indicator #1 and the number of States employing each activity.

Table 3: Types of Improvement Activities Used by States
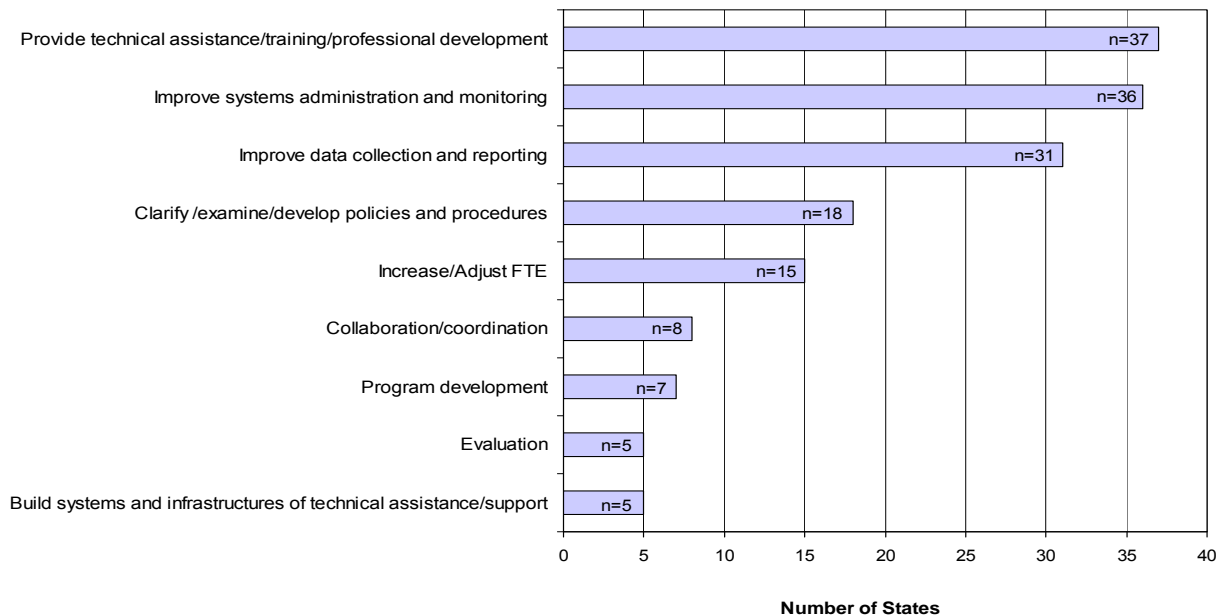
In conclusion, States that made the most progress in providing services in a timely manner employed multiple strategies to improve compliance. Many increased monitoring efforts or chose this indicator as an area for Focused Monitoring. When issues were identified, they were systematically addressed through corrective action plans. Local programs received regular visits and were offered technical assistance and support. In addition, States shifted priorities and

identified additional financial resources. States that consistently identified barriers and addressed them systematically were able to make progress.

INDICATOR 2: SETTINGS
Prepared by NECTAC

Part C Indicator #2: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.

INTRODUCTION

This summary of Part C Indicator #2 is based on a review of Annual Performance Reports (APR) for 54 States. (In this report, the term "State" is used for both States and territories.) Two States are not included, as they had not submitted their APR at the time this summary was completed. OSEP indicated that three other States' data was not reliable or valid for this indicator; however those figures are included in this report.

Indicator #2 documents State performance regarding the extent to which early intervention services for eligible children are being provided in "natural environments." OSEP directions were to use the 618 settings data tables as their data source for calculations of performance. Several States included data from additional sources, such as local program data, parent surveys, chart reviews and quarterly monitoring data.

State Criteria for Defining Natural Environments (FFY 06-07)

The 618 data tables used for this collection period were revised in 2006. There are now three reporting categories, a reduction from the previously required eight categories. The revised categories are now "home," "community- based," and "other." In the revised 618 tables, "home" and "community-based" are the settings that correspond with children served in the "natural environment." Instructions for the revised tables use the "other" category to now code settings such as provider locations, hospitals, residential schools and programs for children with delays or developmental disabilities as the "non-natural environments." Previously "other" was used to code many natural environment settings in the community such as libraries, recreation centers, gyms, etc. The instructions for this year's APR did not get revised and therefore did not match the settings descriptions from the 618 data tables. The APR instructions for this reporting period asked for "Percent of Infants and Toddlers with IFSP's who primarily received early intervention services in the home or programs for typically developing children."

Comparison of Services in Natural Environments FFY 2006 and FFY 2005 Actual Data

For FFY 06-07 reporting period 30 States were at or above 95% of services being provided in home or community settings- the natural environment. Seven States reported services between 90% and 94%. Ten States reported services between 85 and 89%. While there are a large number of States (37) reporting that over 90% of services are provided in the natural environment, there are still seven States falling at or below 84% with the lowest State reporting 52.7%.

Tables 1 and 1a compare FFY 06-07 to FFY 05-06 data. Percentage distributions are similar. The lowest State percentage for 05-06 was 48% as compared to 52.7% in 06-07. In both years, 30 States were between 95-100%.

Table 1: 06-07 Actual Data

Percentage of services in natural environments	Number of States in each percentile distribution
99.6% to 100%	4
98% to 99%	18
95% to 97%	8
90% to 94%	7
85% to 89%	10
80% to 84%	1
70% to 79%	3
60%to 69%	2
50%to 59%	1

Table 1a: 05-06 Actual Data

Percentage of services in natural environments	Number of States in each percentile distribution
99.6%-100%	6
98% to 99%	11
95% to 97%	13
90% to 94%	8
85% to 89%	6
80% to 84%	3
70% to 79%	4
60%to 69%	2
45% to 59%	1

The national average baseline for services provided in natural environments was 87.63%. Average actual performance (FFY 2005) was 90.69%. The average actual performance for FFY 2006 was 91.59%. This represents a slight increase from last year to this year and a progressive trend over the three data points.

Figure 1: Comparison of Baseline, Actual 05-05 and Actual 06-07

	Baseline	05-06 Actual	06-07 Actual
● Average %	87.63	90.69	91.59
■ Range (highest)	99.62	100	100
■ Range (lowest)	33	48	52.72

The chart above the table shows:
- Baseline: 32 states, 13 states, 4 states, 2 states, 2 states, 1 state
- 05-06 Actual: 36 states, 11 states, 4 states, 2 states, 1 state
- 06-07 Actual: 35 states, 13 states, 3 states, 2 states, 1 state
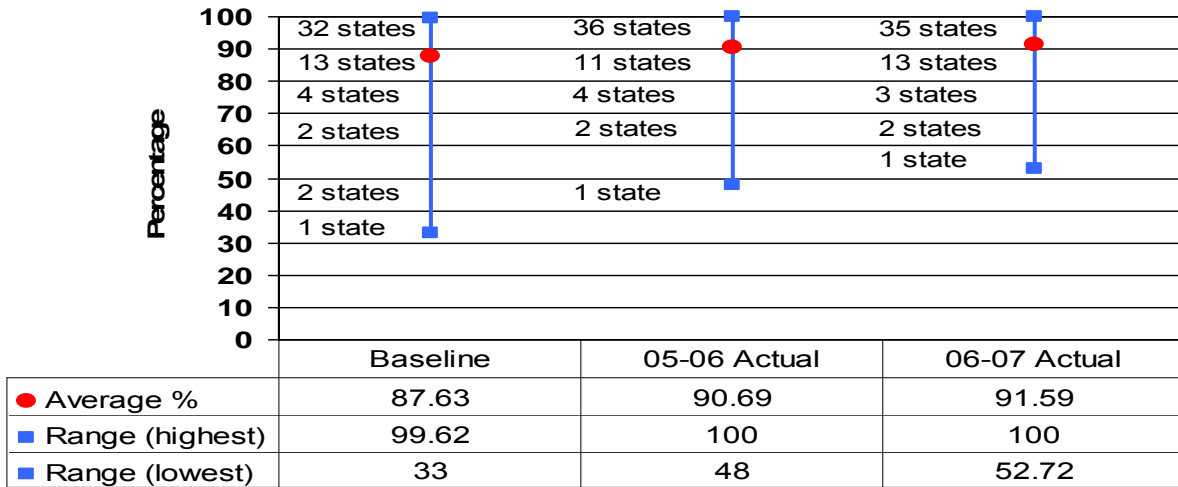
Progress or Slippage

Figure 2 represents the progress and slippage of the 54 States reporting on actual performance for FFY 06-07 compared to FFY 05-06 actual data.

Figure 2: Progress/Slippage from FFY05=06 to FFY 06-07

Slippage from 05-06 to 06-07
16.67%
(n= 9 states)

No Change
16.67%
(n= 9 states)

Progress
66.67%
(n = 36 states)
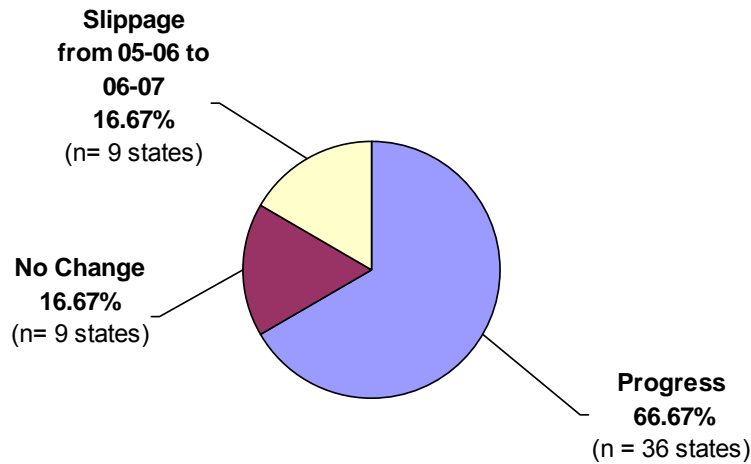
Explanation of Progress

Progress is defined as a positive change from the FFY 05-06 actual percentages of children served in the natural environment as compared to the FFY 06-07 actual percentages. Thirty-six States demonstrated progress. For 13 States the progress was less than one percentage point. Ten States made progress of 1-2%. Seven States made progress of 2-4%. Two States made progress of 4-8%. Three States made progress above 10%.

Of the five States making the most significant progress (4-10+%), one State attributed progress to the completion of a variety of improvement activities including monitoring activities, data collection, and training that crossed several of the indicators. They noted the relationship between these indicators and the service system improvements in the State. Another State specifically named activities in monitoring and posting of quarterly progress data on the State website, as well as targeted TA phone calls and site visits to programs failing to meet the State targets. The other three States with significant progress did not give any reasons for their progress. Three of the 36 States demonstrating progress did not meet their target set for this year.

Other factors reported by States as contributing to progress included training and technical assistance provided to program providers on various aspects of serving young children and families in home and other community settings, improved data collection, clarification of reporting categories or training for data operators. Twenty-five States described training materials the State had developed and implemented. Progress was also attributed to expansion of community partners and settings through memoranda of agreements, trainings, and collaborative activities. Six States specifically mentioned working with "Expanding Opportunities", "SpecialQuest" teams and the "National Inclusion Institute" in their explanation of progress. Two States mentioned giving financial incentives to local programs that reached or exceeded the State target as well as penalizing those that did not.

Explanation of Slippage

Slippage is defined as a negative change from the 05-06 actual percentages of children served in the natural environment as compared to the 06-07 actual percentages. There are nine States with slippage. Five of these States had less than a 2% decline and remained in the overall range of services provided in the natural environment 90% or greater. Three States reported slippage greater than 4-10%. The State reporting the most significant slippage was also the State reporting the lowest percentage of children served in natural environments. This State and one other State in this category reported significant problems with data collection from the previous year and cited this as the reason for slippage. Both States have improvement activities in place to correct this problem. Of the nine States experiencing slippage, five did not meet their target.

No Change

Nine States reported no change from last year to this year. Eight of the nine States reported 95% of services were provided in natural environments in both years. Two of these States experiencing no change from 05-06 did not meet their targets for 06-07.

Identified Issues

Eleven States identified one or more specific issue(s) in implementing services in natural environments. Only three of eleven were States that experienced slippage. The two States with the most significant slippage reported that data

from 05-06 was incorrect, giving the wrong numbers as a comparison. Personnel shortages among the therapy providers were the most frequently mentioned issue but not necessarily tied specifically to States experiencing slippage. This appears to be a national issue and is one that crosses indicators. Two States mentioned that it was more difficult to retain and recruit staff for rural areas. Three States mentioned specific problems with the data tables and collection using the revised categories. Funding was only mentioned as an issue for this indicator by one State.

Table 2: Issues Identified by Type FFY 2006

Issues Identified by Type in Order of Frequency Reported	Number of States Reporting
Personnel Shortages/difficulty in recruitment	7
Other (funding, increase in children, etc.)	3
Inadequate or incorrect data	3
Acceptance/Buy-in	1
Capacity/Inclusion Opportunities	1

Table 2a: Issues Identified by Type FFY 2005

Issues Identified by Type in Order of Frequency Reported	Number of States Reporting
Other (funding, family reasons, increase in children, etc.)	13
Personnel Shortages	8
Inadequate Monitoring	2
Inadequate Training/Acceptance/Buy-in	2
Capacity/Inclusion Opportunities	1
Lack of Coordination/Collaboration with families/Agencies	1
Inadequate data	1

Improvement Activities

Improvement activities described for 06-07 addressed many of the issues identified in the 05-06 report. Many of the improvement activities listed crossed indicators C-1(timely services) and C-7(45-day timeline). Generally, States are engaging in collection of the "right" data, for monitoring compliance and performance. States are providing training and TA to service coordinators and services providers. The activities focus on enhancing or redesigning their system of services to support best practices, improve performance, compliance and correction of identified noncompliance. Many of these broadly described activities are "on-going" in nature indicating that systemic change is a long-term process. The specific activities in Table 3 are activities completed in 06-07. Forty States

reported on three or more activities that were completed during the reporting period. Many States engaged in multiple activities in each category.

Table 3: Improvement Activities

Improvement Activities by Type and Frequency Mentioned	Number of States
Provide TA/Training and Professional Development (D)	44
Improved Monitoring (B)	23
Improved Data Collection and Reporting (A)	18
Clarify or Develop Policies and Procedures (E)	12
Program Development (F)	11
Improve Collaboration/Coordination(G)	16

Top Three Categories of Improvement Activities Completed

Training and Technical Assistance Activities (Improvement Activity Code D)

Forty-four States conducted 75 improvement activities in training, TA and professional development. Twenty-one States mentioned specific training materials they had developed and used in the State to enhance the provision of services in natural environments. These materials ranged from position statements and brochures to service orientation "modules" required of all service providers working in the system. Content included accurate reporting of the settings categories, appropriate IFSP justifications and writing functional outcomes.

Other content was more specific to the way services were to be provided. Topics included working with families, routine-based interviewing, providing services through routine-based interventions, working with team members and philosophical and evidence-based reasons for providing services in home and community settings. Two States provided intensive training and mentoring to community programs working with children with social and emotional problems and with Autism Spectrum Disorders. Target audiences for training and TA activities included service coordinators, families, service providers, early care and education workers, and program administrators.

In-State training and TA included conference presentations, workshops, web-based- self paced instruction modules, required training hours for newly hired service providers, site visits and TA to targeted programs experiencing difficulties. Six States mentioned attending out-of-State training by sending teams to the National Inclusion Institute, participating in Expanding Opportunities and "SpecialQuest" with the goal of increasing community opportunities for young children with disabilities.

Nineteen States contracted with outside national consultants to provide training or to work statewide on system improvements. Consultants have been working closely with States to develop or improve their service delivery system "models".

Fifteen States named a "model" or "methods" currently promoted in their State. These models included: Primary Service Provider, Primary Coach Model, Transdisciplinary Teaming (with consultation or with coaching) and Routine Based Interventions. Four States identified being in the beginning stages of adopting a primary service provider model. Improvement activities for this indicator crossed over to indicators C1 and C7.

Improved Monitoring, Data Collection and Reporting Activities (Improvement Activity Codes A and B)
Forty-one States engaged in activities to ensure collection of the correct data and made necessary revisions for the collection of revised 618 data categories. Thirty-five States noted that monitoring and data collection systems now collect information on appropriate justification statements on the IFSPs when services are not to be provided in natural environments. While States were not required to report monitoring activities under this indicator, 21 States discussed monitoring activities and the correction of noncompliance when found.

Specific examples of improvement activities included: revising fields on data tables, creating web-based data systems, revising justification statements on IFSPs, instituting and conducting chart reviews, posting program profiles on State web sites, instituting corrective action plans, offering financial incentives to regions or programs that reached or exceeded State targets, discontinuing contracts with agencies that continue to fall below the State baseline, using data to rank counties/regions, and using data to target TA needs.

Improve Collaboration and Coordination (Improvement Activity code G)
Collaboration and coordination activities ranged from Part C staff participating in statewide committees working to improve services for all children to Part C staff sharing and funding joint training opportunities for local child care providers to feel successful in working with young children with disabilities in their child care programs. State partners listed were Child Welfare, State Councils on Developmental Disabilities, Offices of Early Learning (Department of Education), Offices of Child Care, Head Start, Early Head Start and local child care programs. States cited the "Expanding Opportunities" and "Special Quest" initiatives working in their States as important partners in bringing State teams together to focus on building more community options for young children with disabilities.

Examples of Other Specific Improvement Activities

Several States identified additional improvement activities specific to improving the provision of services in natural environments:

- Building relationships with local libraries and swimming associations to increase community activities
- Increasing rates to local center-based programs that provide 51% of their services in home and community settings
- Department of Education and Parents as Teachers giving mini-grants to support inclusive "Stay and Play" groups in three counties

- Providing funds to two local programs to pilot a primary service provider model
- Providing all parents with a community directory of resources and "natural" opportunities and strategies for families to participate in community activities
- Continuing to work on raising the EI reimbursement rates to increase salaries of allied health providers
- Local infant and toddler programs that did not meet State target having to submit plans for improvement with their State application for next year's funds
- Developing a statewide IFSP
- Providing funds to local child care centers to improve staff ratios

Use of OSEP TA Centers

OSEP funded TA and training centers and projects specifically mentioned included the Community of Practice-Family Centered Services in Natural Environments, SERRC, MSRRC, WRRC, NECTAC, New Scripts, National Center for Professional Development, and the Center for Social and Emotional Foundations for Early Learning (CSEFEL). All States were represented at the National Early Childhood Conference sponsored by OSEP and NECTAC. Five States have developed Expanding Opportunity Work Plans for improving inclusive opportunities for young children. NECTAC staff are involved in each of these plans and subsequent State TA.

INDICATOR 3: INFANT and TODDLER OUTCOMES
Prepared by ECO

INTRODUCTION

Part C Indicator #3: Percent of infants and toddlers with IFSPs who demonstrate improved:
   A. Positive social-emotional skills (including social relationships);
   B. Acquisition and use of knowledge and skills (including early language/communication); and
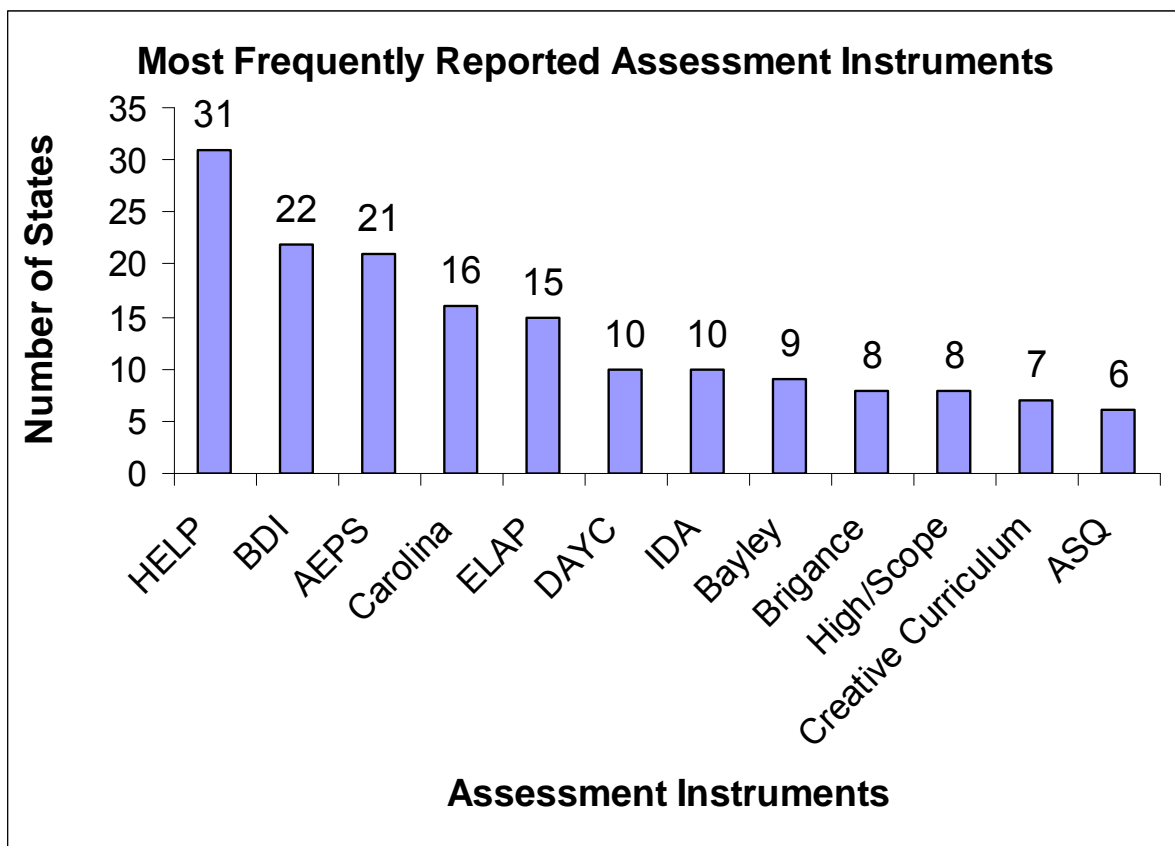   C. Use of appropriate behaviors to meet their needs.

This summary is based on information reported by 54 States and jurisdictions in their February 2008, revised State Performance Plans (SPPs) and/or Annual Performance Reports (APRs). Only information specifically reported in the SPPs/APRs was included in the analysis. Therefore, it is possible that a State or jurisdiction may be conducting an activity or using a data source or assessment that is not included in this summary. States and jurisdictions will be called 'States' for the remainder of this report.

MEASUREMENT APPROACHES

States provided a description of the approach they are taking to gather data for measuring child outcomes. Of the 54 States reporting, 39 (72%) are using the ECO Child Outcomes Summary Form (COSF). One of those States reported they are planning to switch to one tool statewide in the future, when their system has been fully established. Eight States (15%) are using one assessment tool statewide. Two States (4%) are using multiple publishers' online reporting systems. Finally, five States (9%) have developed other approaches to measuring child outcomes: a chart by chart physical extraction by lead agency to compare ratio of functional age to chronological age at entrance and exit; a State-developed platform that translates scores from four approved assessment tools to the State ELGs/ELSs and OSEP categories; a State-developed methodology calculating percent delay based on assessment scores entered into database by providers; and a State-developed summary tool. One State that has been collecting data with a State-developed process, is exploring other approach options for the future.

Table 1: Types of Approaches to Measuring Child Outcomes (N=54)		
Type of Approach	Current	Future
7-point COSF	39	38
One statewide tool	8	9
Multiple Publishers' online systems	2	2
Other	5	4
Undecided	--	1

Most States listed formal assessment instruments that are used as part of their approach to measuring child outcomes. The most commonly reported assessment tools were: Hawaii Early Learning Profile (HELP), Battelle Developmental Inventory (BDI) or Battelle Developmental Inventory, Second Edition (BDI-2), Assessment, Planning, and Evaluation System (AEPS), Carolina Curriculum, Early Learning Accomplishment Profile (ELAP), Developmental Assessment of Young Children (DAYC), Infant-Toddler Developmental Assessment (IDA), Bayley Scales of Infant and Toddler Development, Brigance Inventory of Early Development, High/Scope Child Observation Record (COR), Creative Curriculum Developmental Continuum, and the Ages & Stages Questionnaires (ASQ). In comparison to last year, more States named the formal assessment tools that are part of their system. See the chart below for most frequently reported assessment instruments.

Most Frequently Reported Assessment Instruments

Number of States (y-axis): 0, 5, 10, 15, 20, 25, 30, 35

Assessment Instrument	Number of States
HELP	31
BDI	22
AEPS	21
Carolina	16
ELAP	15
DAYC	10
IDA	10
Bayley	9
Brigance	8
High/Scope	8
Creative Curriculum	7
ASQ	6

Assessment Instruments (x-axis)

More than half of all States (59%) reported they have a list of approved tools from which programs must select. By definition, States using one statewide tool provided only one formal assessment option. Those States reported using the BDI or BDI-2, AEPS, or their own State-developed tool. States using the publishers' online system reported using one or more of these formal assessments: Ounce, High Scope, Creative Curriculum, or AEPS. Of the 39 States using the COSF, ten States (26%) reported having a list of approved tools with the most commonly mentioned assessments being the HELP, BDI or BDI-2, Carolina Curriculum, ELAP, IDA and AEPS.

In addition to formal assessment instruments, many States reported other key data sources in the child outcomes measurement process, including parent/family input (48%), professional observation (50%), and clinical opinion (20%). For States using one statewide tool or publishers' online or other formal assessments, it is important to note that some of the instruments include parent input, professional observation, and/or clinical opinion as part of the assessment.

POPULATION INCLUDED

Most States (40) are implementing their outcomes measurement systems statewide, although at least six reported they are still completing their phase in process and another six have opted to use a sampling plan. For two States, it was unclear whether they were implementing their system statewide.

At least nine States have set policies related to the minimum age a child must be before entry data is collected, delaying the entry data collection until the child reaches 4-6 months of age.

DEFINITIONS OF NEAR ENTRY AND NEAR EXIT

Of the 54 States reporting, 47 (87%) provided a State definition of 'near entry.' Definitions varied, with timelines starting from different points – intake, referral, eligibility, assessment, initial IFSP, services, or enrollment (e.g., within 45 days of referral, within 30 days of eligibility, at initial assessment, as part of intake, prior to initial IFSP, within 45 days of initial IFSP, within 6 weeks of entry, within 60 days of beginning services). The most common reference point was relative to the initial IFSP, though there was still much variation. The earliest point or the nearest to entry defined by a State was 'as part of intake' and 'with eligibility determination.' The latest point defined by a State was within 6 months of enrollment.

Of the 54 States reporting, 29 (54%) provided a State definition of 'near exit.' Definitions of 'near exit' varied as well, with some States' definitions in reference to a particular event (e.g., at the exit conference, at evaluation closest to exit) while other States' definitions were within a certain number of days or months from exit or the end of Part C services (e.g., within 60 days of exit, within 30 days of last service date).

CRITERIA FOR COMPARABLE TO SAME AGE PEERS

The criteria States set for functioning at the level of "same age peers" depended upon measurement approach. For States using the COSF process, a rating of 6-7 on the 7-point rating scale indicated that a child's functioning met age expectations. States using specific tools applied developer or publisher-determined standard scores, developmental quotients, or age-based benchmarks and cut-off scores. States using multiple on-line systems were working with publishers to determine cut-off scores for age expectations, as well as for scores corresponding to each of the five progress categories.

PROGRESS DATA FOR 2006-2007

Of the 54 State APRs/SPPs, 52 provided progress data for children exiting in the reporting period.   The number of children included in the data ranged from one child to 5,944 children. Almost half of all States reported progress data for 10-99 children; eight States had fewer than 8 children in this year's data. Explanations about the small number of children related primarily to the phase in process and/or the fact that many children for whom entry data were collected have not exited the program yet. Approximately one third of States had at least 100 children in their data, with very few over 500.

Total Number of Children States Included in Progress Data
Range = 1-5944
< 10 = 8
10-99 = 25
100-499 = 11
500-999 = 4
1000 - 1999 = 2
2000+ = 1

Analysis of the progress data reported this year (presented in the chart below) is based on the percentages that States reported in each of the five progress categories for each of the three outcome areas[1]. At this time, data are not yet representative of the children served for various reasons (low N's, not statewide yet, most children only received 6-12 months services). For all the progress categories, there was a wide range of percentages reported by States. The small number of children for whom States had data clearly skewed the data – in some cases percents ranged dramatically from 0% in one State to 100% in another State. Therefore, it would be inappropriate to draw conclusions about the program based on the child outcome data. This year's analysis has been designed using the State as the unit of analysis to provide a general view of the data patterns and allow a State to compare themselves to the national average. In the future, when State systems have representative data and reliability and validity assurances are in place, the unit of analysis will be the child for a national report on the progress of children in the Part C program.

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[1] Additional analyses, including 1) just states with more than 10 children and 2) just states with more than 30 children, yielded patterns that were very similar to the data shown in this report. Because the analyses provided no new information, we did not include them.

Average Percentage of Children in Each Progress Category, by Outcome (n=52 states)
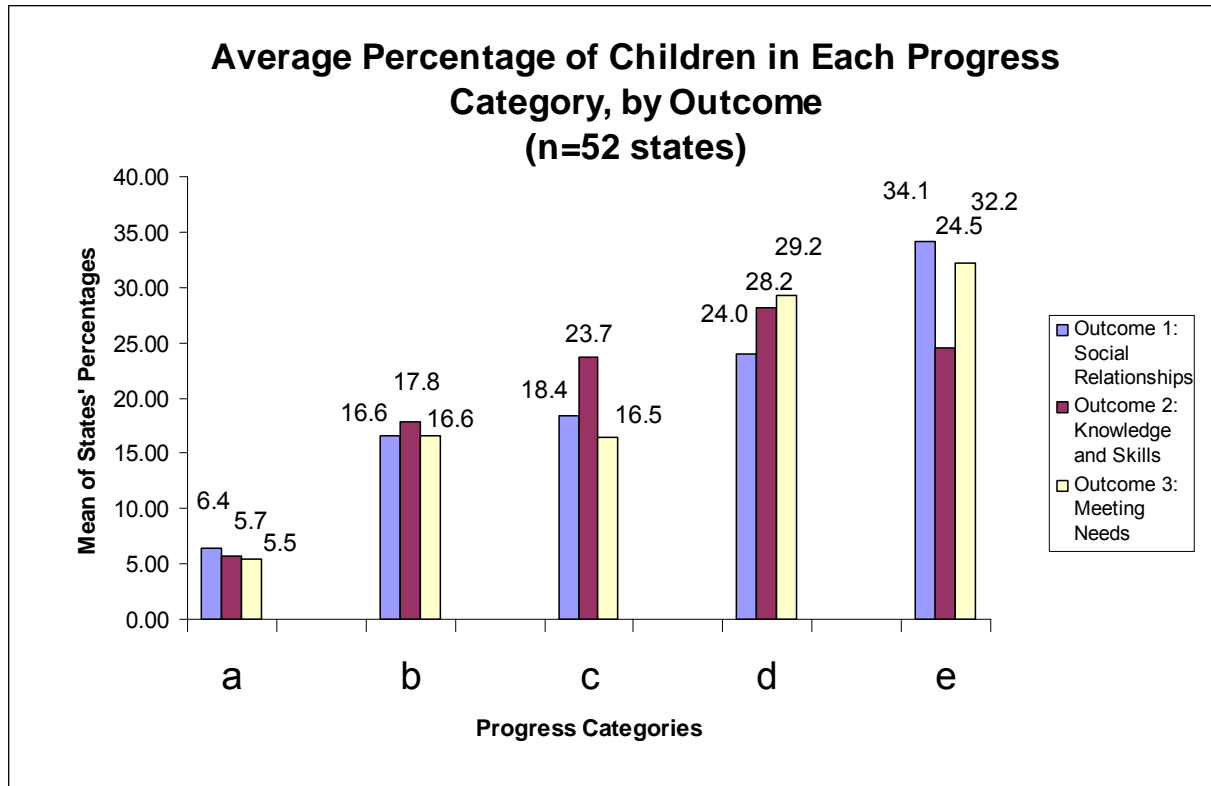
Progress category "a" – percentage of children who did not improve functioning

For progress category "a," the average of State percentages were between 5.5% and 6.4%, with outcome 1 slightly higher than outcome 2, which in turn was just slightly higher than outcome 3. The percentage of children in category "a" varied widely across States. A few States commented on their high percentages in category "a" and reported they are investigating and looking for possible explanations, with one possibility that local programs may misunderstand the definition of the category.

Progress category "b" – percentage of children who made progress but not sufficient to reach a level nearer to their same age peers

The average of State percentages of children in category "b" was more than twice those in "a," with a range of 16.6% to 17.8% across the three outcome areas. The average for outcome 2 was slightly higher than for outcomes 1 and 3.

Progress category "c" – percentage of children who made progress sufficient to reach a level nearer to their same age peers

The average of State percentages of children in category "c" was slightly more than "b," and ranged from 16.5% to 23.7% across the three outcome areas. The average for outcome 2 was notably higher than that for outcomes 1 and 3 – on average, States reported more children 'closing the gap' for outcome 2 than outcomes 1 and 3.

Progress category "d" – percentage of children who made progress sufficient to reach a level comparable to their same age peers

The average of State percentages for category "d" was higher than "c" and ranged from 24% to 29.2% across the three outcome areas. The average for outcome 2 was notably higher than that for outcomes 1 and 3 – on average, States reported more children 'closed the gap' for outcomes 2 and 3 than for outcome 1.

Progress category "e" – percentage of children who maintained a level comparable to their same age peers

The average of State percentages for category "e" varied widely, with the average percentage of outcome 2 being 24.5% while outcomes 1 and 3 were 34% and 32% respectively. Across the outcomes, States reported that a lower percentage of children maintained age appropriate functioning in outcome 2. A few States commented on their high percentages in category "e" and reported they are investigating possible explanations. Some of the issues States reported included—concerns about the algorithm translating online assessment data to the OSEP categories, recognition that this year's data disproportionately included children who entered at an older age, the fact that some children maintained functioning in one or two outcome areas but not all three, and the idea that a large number of children receiving only speech services may perform at age expectations when they enter the program in one or more outcome areas.

IMPROVEMENT ACTIVITIES

In the 54 State APRs/revised SPPs submitted February 2008, 53 States reported 322 different improvement activities for Indicator 3. A review of improvement activities showed that more than half of all improvement activities related to one of two categories – provide training and professional support (40% of all activities), and evaluation (19% of all activities). Other categories related to improving infrastructure of TA and support (9%), clarifying or developing policies and procedures (9%), improving data collection and reporting (8%), improving systems administration and monitoring (6%), and a combination of evaluation and improve systems administration and monitoring (4%). A few also reported activities related to collaboration/coordination (2%), program development (1%), increasing or adjusting FTE (1%) or other types of activities (2%).

Types of Improvement Activities Reported By States
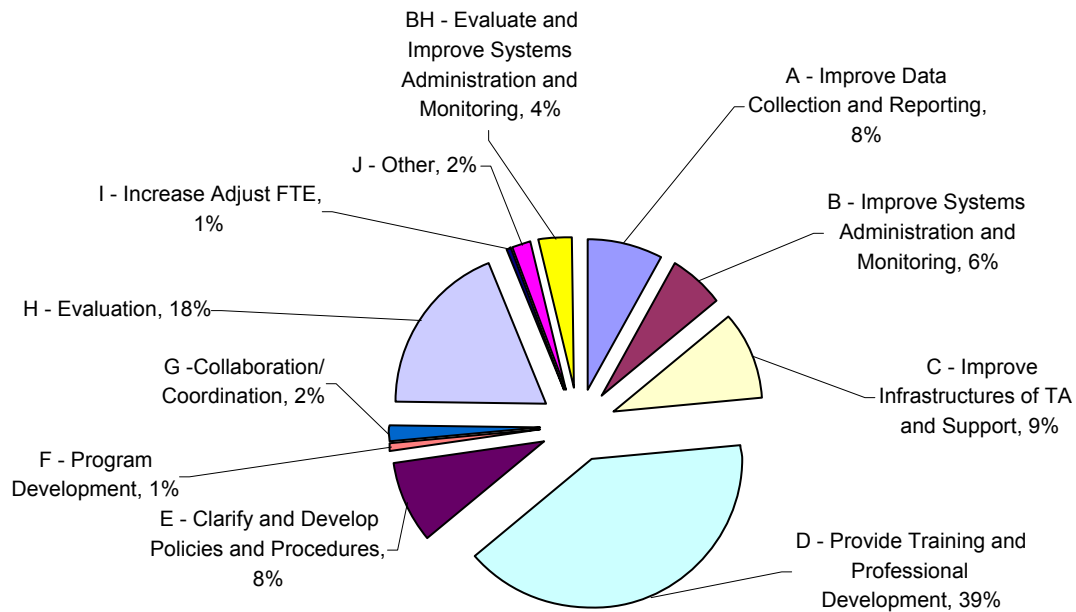
Analysis of the same data by State (see chart below) showed that nearly all States reported improvement activities related to training and professional development (93%), and more than half reported activities related to evaluation (65%). Many States reported improvement activities related to improving infrastructure of TA and support (44%), clarifying and developing policies and procedures (41%), improving data collection and reporting (37%), and improving systems administration and monitoring (28%).

Improvement Activity Category	# IAs	# States
A. Improved data collection and reporting	26	20
B. Improved systems administration and monitoring	20	15
C. Improved infrastructure of TA and support	30	24
D. Provide training and professional development	130	50
E. Clarify/develop policies and procedures	28	22
F. Program development	2	1
G. Collaboration/coordination	6	6
H. Evaluation	60	35
I. Increase/adjust FTE	2	2
J. Other	6	6
B/H. Evaluation and Improved Systems Administration and Monitoring	12	8

Within the category of **data collection and reporting** some of the key subcategories of activities were related to:

- revising current data system for child outcomes,
- training and support on data entry or on the data system,
- incorporating COSF into data system, and
- developing a database.

Within the categories of **systems administration and monitoring** some of the key subcategories of activities were related to:

- conducting data reviews (monthly, quarterly, annually, semi-annually, etc.),
- revising the existing monitoring processes to include the child outcome data, and
- conducting verification of data reported.

Within the category of **infrastructure of TA and support** some of the key subcategories of activities were related to:

- ongoing needs assessment for understanding the training and professional development needs in the State,
- design of new training modules, DVDs and other materials,
- use of the train-the-trainer to support learning across the State, and
- development or revision of competencies for personnel.

Within the category of **training and professional development** some of the key subcategories of activities were related to:

- COSF training,
- training on assessment,
- training on outcomes/requirements, and
- training on the overall outcomes measurement system.

Within the category of **clarify/develop policies and procedures** some of the key subcategories of activities were related to:

- establishment of written policies and procedures related to outcomes data collection,
- revisions to guidelines, FAQs, forms, and procedures for collection and reporting outcomes data,
- clarification of procedures (e.g., definition of 'near exit'),
- development of 'cutoff scores' as part of the procedures for translating child data to the OSEP categories, and
- establishment of recommended assessments for child outcomes measurement.

Within the category of **evaluation** some of the key subcategories of activities were related to:

- analyzing data by demographics to look for patterns,
- reviewing data for completeness and accuracy (to ensure reliability and validity), and

- analyzing data for purposes of feedback to locals and identifying training needs.

The category of **evaluation and systems administration and monitoring** related to both developing a system for ongoing monitoring as part of the State monitoring process of all indicators, and short term review of data to identify issues with the data.

ECO TA SUPPORT

Of the 54 State APRs/revised SPPs, all but one State reported improvement activities around indicator 3 (July 1, 2007 forward). Sixteen (16) States named the Early Childhood Outcomes Center (ECO) as a resource to be used in the improvement activities. The National Early Childhood TA Center (NECTAC) was reported as a resource for this indicator in 11 States.

During the reporting period, the Early Childhood Outcomes Center (ECO) provided TA to all States through a variety of strategies. All States received TA support from ECO by participating in one or more cross-State TA services including listserv discussions, national conference calls, the annual Measuring Child and Family Outcomes conference held August 2007 in Baltimore, and/or the pre-conference workshop in December 2007. Many States received individualized TA through telephone and email conversations to problem-solve specific questions or issues in their State. At least 13 States received intensive ongoing consultation including onsite trainings and TA.

INDICATOR 4: FAMILY OUTCOMES
Prepared by ECO

INTRODUCTION

Part C Indicator #4. Percent of families participating in Part C who report that early intervention services have helped the family:
- A) Know their rights;
- B) Effectively communicate their children's needs, and;
- C) Help their children develop and learn**.**

The following data are based on information reported by 54 States and jurisdictions in their February 2008, Annual Performance Report (APRs). States and jurisdictions will be called "States" for the remainder of this report. Only information specifically reported in the APRs was included in the analysis. Therefore, it is possible that a State may be conducting an activity or using a data source that is not included in this summary. All percentages reported are based on a total of 54 States and jurisdictions, unless stated otherwise.

Family Survey Tools

Of the 54 States, 25 (46%) used the NCSEAM Family Survey to collect data for this indicator. Twenty States (37%) used the ECO Family Survey, six States (11%) used State developed surveys, two States (4%) added ECO items to their survey, and one State (2%) added both NCSEAM and ECO items to their State survey. During FFY 2006, six States changed the surveys used to measure family outcomes (four switched from a sate survey to the NCSEAM survey and two from NCSEAM to the ECO survey).

Twenty-eight States (52%) reported that they provided translations of the surveys, or have translators available to assist families with the surveys. The primary language mentioned was Spanish (N = 26 States, 48%). Additionally, seven States (13%) stated that they would provide translators in the respondent's native language.

Note: Both the NCSEAM and the ECO Family Surveys have Spanish translations.

COMPARISON OF BASELINE, TARGET AND ACTUAL PERFORMANCE DATA

The analyses provided below include the baseline, target, and actual data for FFY 2006 for 53 States (one additional State submitted a timely APR, however, did not report family outcomes data).

2005-2006 Baseline Data

States' baseline data, presented below, represents the percent of families who reported in FFY 2005 that early intervention helped their families in each of the sub-indicator areas. Overall State reported baseline data are shown in the table below.

Sub-Indicator	a. Know their rights	b. Communicate children's needs	c. Help children develop and learn
Mean	80% of families	78% of families	86% of families
Range	45% - 99%	51% - 99%	53% - 98%

Targets for 2006

The targets for 2006 for each of the sub-indicators were analyzed and are reported in the table below. The mean percentage of families was based on 53 States reporting.

| Sub-Indicator	a. Know their rights	b. Communicate children's needs	c. Help children develop and learn
Mean	80% of families	81% of families	86% of families
Range	46% - 99%	51% - 99%	54% - 100%

Actual Target Data for 2006

The data below represent the percent of families reporting that early intervention helped them know their rights, communicate their children's needs, and help their children develop and learn. The percentages reported below are based on the 53 States who reported actual target data.

| Sub-Indicator	a. Know their rights	b. Communicate children's needs	c. Help children develop and learn
Mean	80% of families	81% of families	87% of families
Range	46% - 97%	49% - 99%	56% - 98%

A comparison of the means of target and actual data shows that on average States either met or exceeded their targets for FFY 2006 and improved performance from their FFY 2005 baseline data. A comparison of the average percent for baseline data, State targets, and actual performance for FFY 2007 (percent of families reporting agreement for each of the sub-indicators) is depicted in Figure 4.

Figure 4: Comparison of Average Percent Established for Baseline, Target and Actual Percent of Families Reporting Agreement for Each Outcome
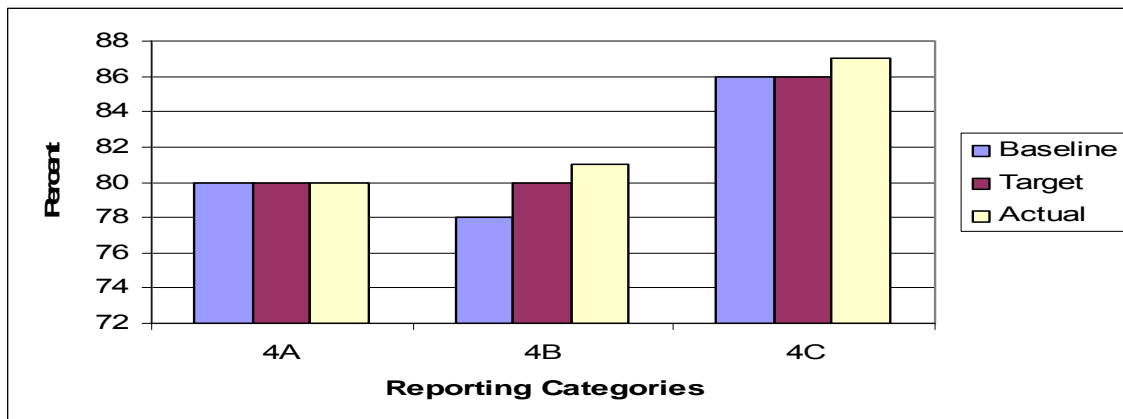
States using the ECO Family Survey reported they used two different criteria for determining family "agreement" with the items. One State used a rating of "3" (fair) and above, while 16 States reported percentages of families rating the items with a "5" (good) and above on the 7 point scale. Three States indicated that they were using the ECO Survey, but did not state their chosen criteria. For those States using the NCSEAM Survey and reporting criteria for this indicator, 17 States reported they used the Rasch analysis developed by NCSEAM to analyze their family outcome data while four others used an alternate method of analysis. Alternate methods included a rating based on level of agreement with items or percentage points awarded based on the level of agreement. Eight (8) States used a State developed survey, six of which rated the indicator as met if respondents "agreed, strongly agreed, or very strongly agreed" with the outcomes items. One State used "strongly agree and very strongly agree" and another State did not report their criteria for scoring. *Figure 5* displays the actual data for the States using various tools and criteria for positive responses.

Figure 5: Actual Target Data by Survey Tool and Criteria for Positive Response
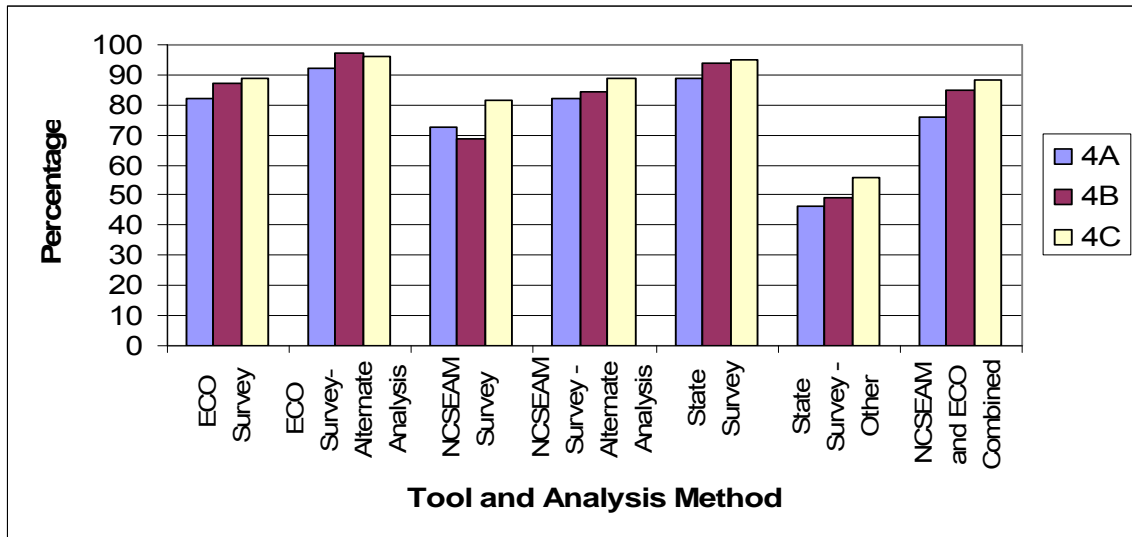
The figure shows fairly comparable performance data for States using the ECO Survey standard analysis (5 and higher), NCSEAM alternate method, and State Survey standard analysis. The ECO Survey using the criteria of "3 and above" for analysis (ECO Survey- Alternative Analysis) resulted in somewhat higher outcome measures, and the NCSEAM Survey mean percentages for the standard Rasch analysis were somewhat lower. The State that used "strongly agree and very strongly agree" as their criteria for measuring results showed significantly lower performance than other methods.

Note: While results were somewhat lower for some tools and methods than others, these results are not necessarily due to lower State performance but due to the analysis process itself.

Explanation of Progress and Slippage

Figure 6 represents progress and slippage of the 53 States reporting on actual performance data for FFY 06-07 compared to FFY 05-06 baseline data for the three sub-indicators.

Figure 6: Progress and Slippage for the Three Family Outcomes
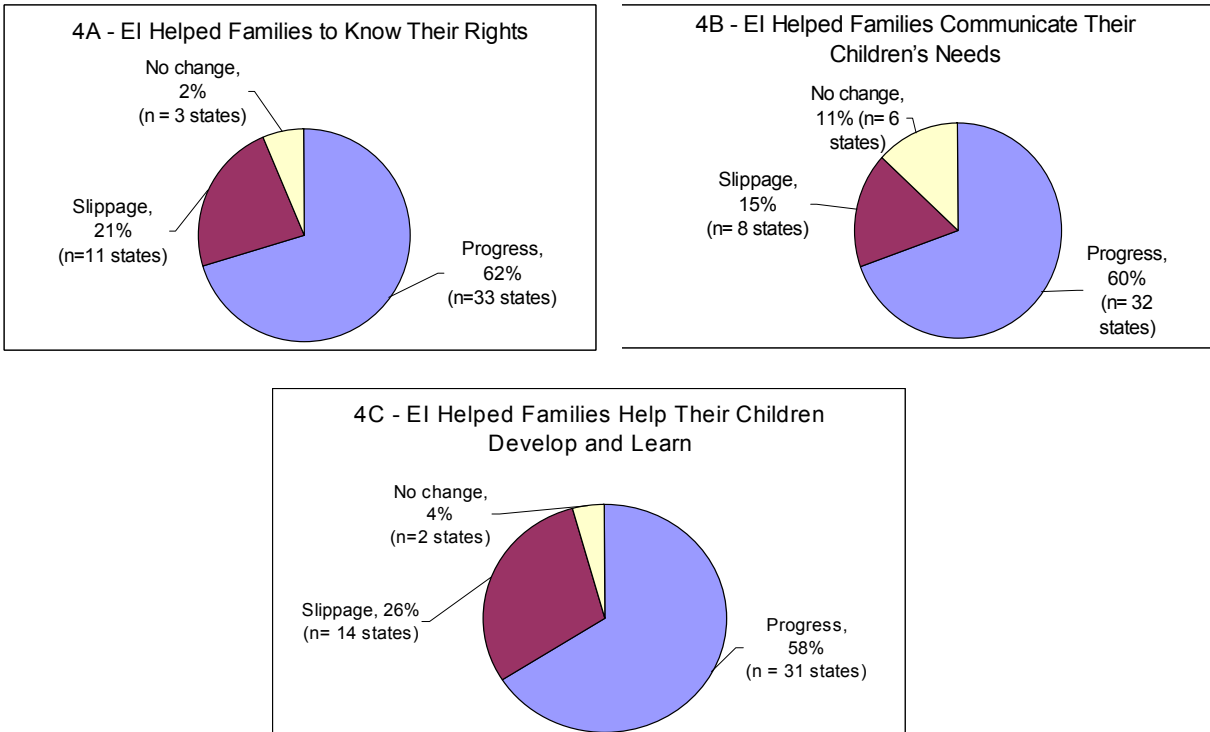
The majority of States (approximately 60%) showed progress from the last reporting period in each of the three family outcome measures. Two States (2%) reported no progress for two of the sub-indicators (e.g., families "Know Their Rights" and "Help Their Children Develop and Learn") while six States (11%) reported no change for the third sub-indicator (e.g., families "Communicate Their Children's Needs"). Slippage varied across the three outcomes measures with the least slippage (N = 8 States) in families "Communicate Their Children's Needs" and the most (N = 14 States) in families "Help Their Children Develop and Learn."

Explanation of Progress and Slippage

Many States (N = 23) did not specify reasons for progress or slippage, however, States reported completing numerous improvement activities. Six additional States changed surveys for 2006 and as a result were not able to provide reasons for progress or slippage, presumably due to either revising their baseline data or needing to revise their baseline.

Progress:

For those States that reported reasons for progress, the most common reason identified was that providers were effectively implementing family centered practices. These States also indicated that they were providing technical assistance and training to local programs about expectations related to provision of parent rights and family centered services. Another theme identified for progress was successful completion of improvement strategies.

Slippage

The most frequently mentioned reasons for not making progress in family outcomes related to provider practices and not providing enough technical assistance, training, guidance or communication about family centered services, provision of family rights, and the procedures related to implementing family outcome measurement. Other reasons for slippage included low response rate to the survey, findings of noncompliance related to rights and family assessment, ineffective or insufficient training, and an increase in responses demonstrating more accurate data.

FURTHER DETAIL ABOUT APPROACHES AND METHODS

Additional information that describes the various approaches and methods States used in conducting family outcome measurement was analyzed from review of the FFY 2006 APR for Indicator 4.

Population Included in Survey

Fourteen States (26%) reported data from a sample of families, 38 States (72%) distributed surveys to all families (census), and one State used a split survey method to explore a sampling vs. census approach. The mean, median, and range of the number of responses by the two primary distribution methods are summarized in the table below.

Number of Responses	Overall	Sample (28%)	Census (69%)
Mean	692 surveys	499 surveys	767 surveys
Median	393	399	433
Range	31 - 3307	83 - 1094	31 - 3203

There were several variations on the definition of the population included in the data collection for this indicator. Twenty-nine States (54%) defined the population as those who were simply enrolled in the Part C program, and those who had been receiving services at least six months. Ten States (19%) stated that the families surveyed were enrolled in the Part C program at the time of the survey, or during a specific time period. Six States (11%) surveyed those families who had exited the program and had participated in services for at least six months. Three additional States (6%) surveyed families who had exited the Part C program during a specified period. One State reported surveying families who received services 9 or more months, and five States (9%) did not report on criteria for the population. These data are depicted in Figure 7.

Figure 7: Definition of Population Surveyed by Number of States
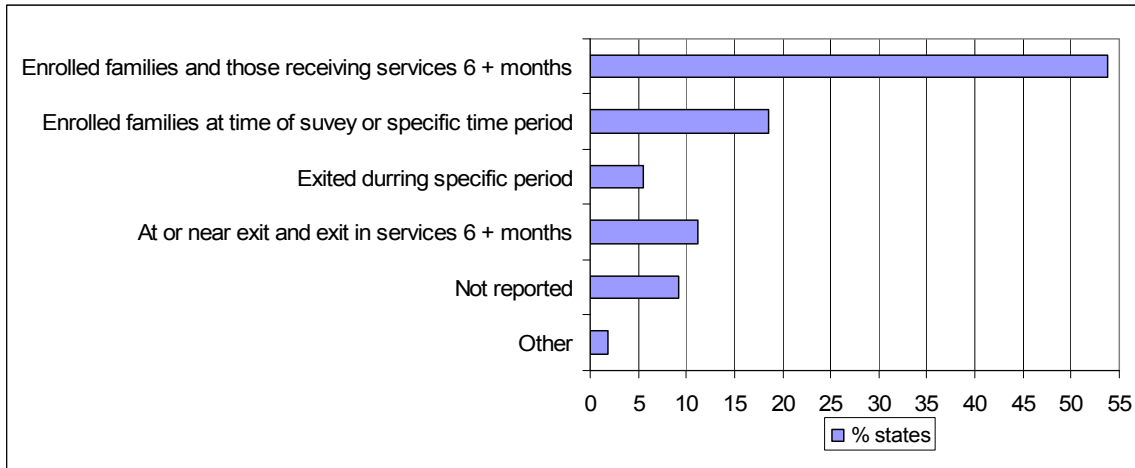
Response Rates

The response rates for the family surveys are summarized in Figure 8 by population, survey tool, distribution strategy, and return strategy.

Figure 8: Variables Related to Response Rates
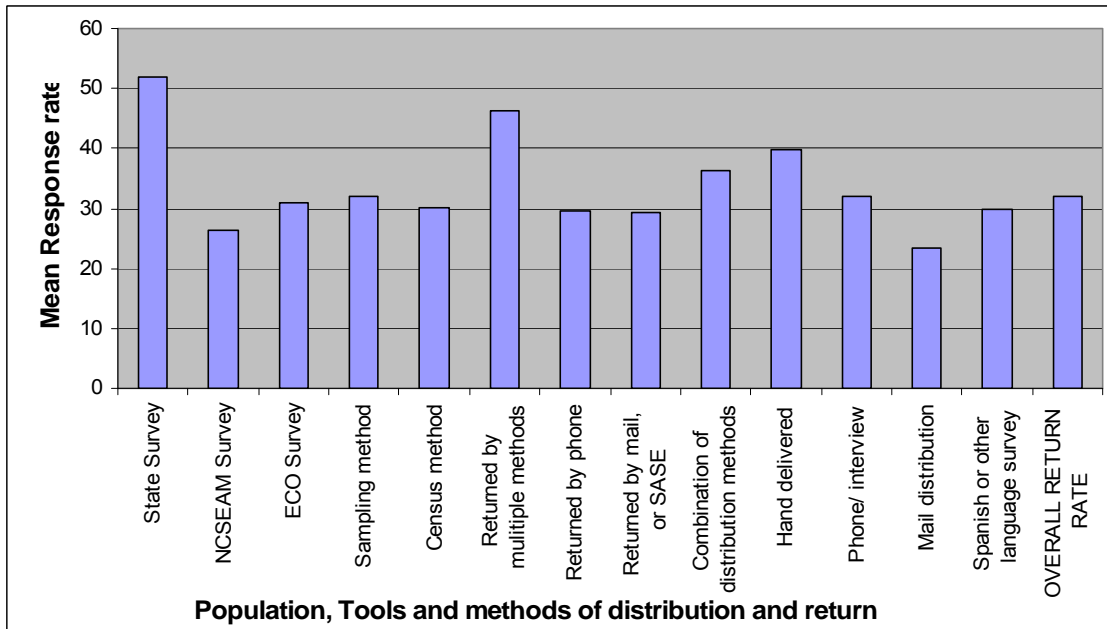
As seen in Figure 8, patterns related to response rates included slightly higher response rates for States who sampled (mean = 32%) than for States who included "all" families (mean = 30%); and higher response rates for State developed surveys (mean = 52%) than for ECO (mean = 31%) or NCSEAM (mean = 27%) surveys. In addition, an analysis of the method of survey distribution (N = 46 States) revealed that hand delivering surveys (mean response rate = 40%) had the highest response rates followed by combined distribution methods (mean = 36%), telephone surveys (mean = 32%) and mailed

surveys (mean = 23%). Method of survey return (N = 40 States) was also found to be related to response rates. Higher response rates were reported for surveys returned by hand (mean response rate = 49%) and by multiple methods (mean = 46%). Lower response rates were evidenced for other methods (mean = 34%), telephone (mean = 30%) and mail returns (mean = 29%). Twenty-seven States (50%) reported having Spanish or other language surveys. Those States average return rates (mean = 30%) were slightly lower than the overall average.

Forty States (74%) reported criteria used for determining whether their data were representative of the families served in their States. Variables in these analyses typically included race/ethnicity, geographic representation, gender, age, and length of time in program. Several reported weighting data to ensure representation.

Timeframes for Family Surveys

The most common data collection timeframes were (1) annually at a designated month or during a specific time period (N = 29 States), or (2) collecting data according to a schedule based on an individual child's participation in the Part C program (N = 13 States). In addition, two States based the timing of family surveys on monitoring calendars, two States stated a specific date for data collection for the current reporting period only, three States listed their data collection as ongoing, and one State reported that the data collection was at a specified point in children's early intervention participation, which was yet to be determined. State plans for the timing of data collection are summarized in the table below.

Timing of Family Surveys	# States	% States
Annually, at a certain time each year (e.g., a designated month or time period)	29	54%
In relation to individual participation:	13	24%
• At or near exit/transition	8	15%
• At 6 month or annual IFSP reviews	4	7%
• At IFSP reviews and at exit	1	2%
Based on monitoring schedule	2	4%
Other	3	6%
Not reported	7	13%

IMPROVEMENT ACTIVITIES

The majority of States (N = 52) reported 237 improvement activities for Indicator 4. A review of improvement activities showed that more than half of all improvement activities related to one of two categories – providing training and professional support (23% of all activities), and clarifying and developing policies and procedures (23% of all activities). Other improvement activity categories related to conducting evaluation (16%), improving data collection and representativeness (14%), improving systems administration and monitoring (7%), improving infrastructure of TA and support (6%), and collaborating and

coordinating with other entities/agencies (6%). A few States reported increasing or adjusting FTE (2%) and other types of activities (3%).

Figure 10: Types of Improvement Activities
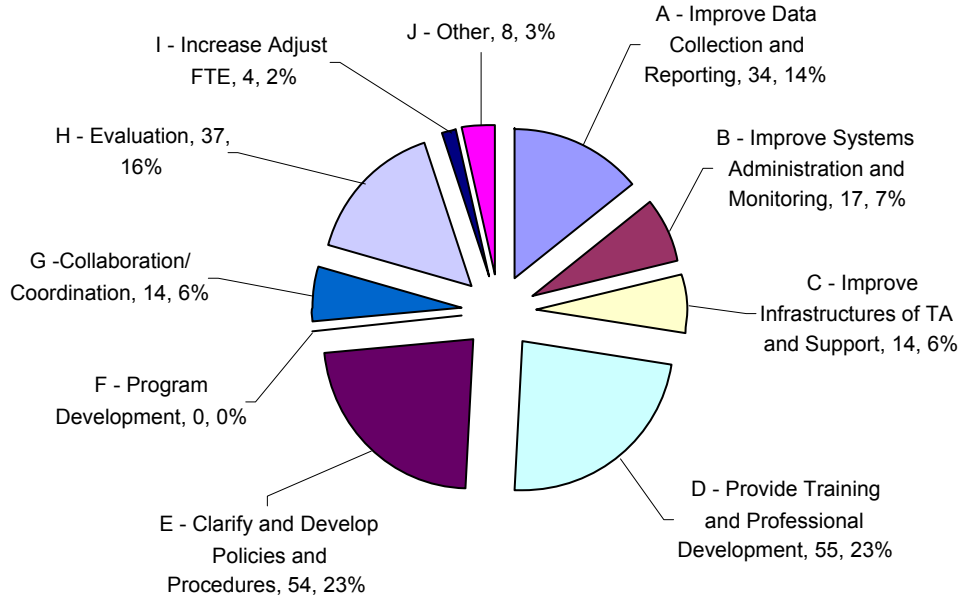
Analysis of the same data by State (see chart below) showed that the majority of States (77%) reported completion of improvement activities related to clarifying or developing policies and procedures. Approximately half of the States implemented activities related to improving data collection (48%), conducting evaluation (52%), and training and professional development (54%). Numerous States also reported completing activities related to collaboration and coordination (21%), improving infrastructure of TA and support (23%), and improving systems administration and monitoring (25%).

	# IAs	# States
A. Improved data collection and reporting	34	25
B. Improved systems administration and monitoring	17	13
C. Improved infrastructure of TA and support	14	12
D. Provide training and professional development	55	28
E. Clarify/develop policies and procedures	54	40
F. Program development	0	0
G. Collaboration/coordination	14	11
H. Evaluation	37	27
I. Increase/adjust FTE	4	4
J. Other	8	5

To assist with implementation of Improvement Activities, States mentioned TA agencies from which they received assistance: NECTAC (3), NCSEAM (4), ECO

(4), RRCs (8), and WESTAT/DAC (1). The types of improvement activities in each of these categories is summarized below.

Data Collection and Reporting

By far the most common theme in this area was developing strategies for improving the family survey response rates and representativeness of the data. These included improving methods for survey distribution and return, providing support to help families complete the survey (including interpreter services and resources to contact if they have questions), and translation of the survey into various languages. Other themes included in-depth analysis of survey responses for the purposes of individual program improvement, improving data systems, data processing methods and analysis, and processes for reviewing response data for completeness.

Systems Administration and Monitoring

The predominant theme was monitoring local programs on the delivery of family centered services (including family assessments), provision of parent rights, and the distribution and collection of family survey data. States discussed the requirement of programs to develop local improvement plans and local corrective action plans to improve overall performance based on monitoring, while others discussed the review of plans related to improving family outcomes that were submitted with local applications/contracts each year.

Training and Personnel Development

The primary theme was the provision of training and technical assistance to providers and service coordinators regarding family rights and procedural safeguards. Although the majority of the proposed training activities targeted providers, States also provided training for families. PTIs were noted as resources for providing and facilitating training for families and for collaborative training with the State. Other training provided included effective practices relating to family centered services, understanding the procedures for implementing the measurement of family outcomes, and understanding and using the family survey data for program improvement.

Technical Assistance Infrastructure and Support

Improvement activities related to improving technical assistance infrastructure and support focused on the development of training curricula and technical materials and resources for parents and providers. The development of training resources related primarily to family centered practices, developing IFSPs and IFSP outcomes, parent rights, and transition (specifically for States conducting the family survey at or near exit). Other activities included identifying promising practices on implementing family outcome measurement procedures, developing FAQs and service coordinator speaking points regarding family outcome measurement, and assessing needs of programs, providers and families.

Policies and Procedures

The most common themes in this area were the clarification of policies regarding family rights and family centered services, modifications to procedures related to the implementation of family surveys, and revisions to the family survey, materials accompanying the survey, and specific family outcome measurement procedures. Many modifications were a result of evaluation efforts conducted related to the implementation of family outcome measurement procedures in FFY 2005. In fact, some States changed which survey they used in FFY 2006 based on their evaluation of baseline data. In addition, guidance documents were developed addressing how and when to present and discuss family outcomes with families, revision of IFSP documents to include family survey requirements, and revision of parent rights and family handbooks.

Program Development

No program development improvement activities were reported completed during FFY 2006.

Collaboration and Coordination

States reported collaborating with PTIs, local family support networks/agencies, other family organizations, and other agencies to coordinate efforts for improving skills, supports, services for families and overall performance on Indicator 4.

Evaluation

There were very numerous improvement activities in this area including evaluating the processes used to implement family outcome measurement in FFY 2005 (including distribution methods, follow-up, methods of analysis, etc.), surveys for readability and comprehension, response rates for representativeness, data for program improvement. Other activities included conducting family focus groups or random interviews with families to validate outcomes data.

Adjust FTE

Again, few States mentioned improvement activities in this category. The States that did provide information, activities either focused on shifting personnel and their responsibilities or hiring new staff to coordinate the family outcomes work. Another activity mentioned was accessing increased funding and contracting with other agencies for service coordination to ensure provision of family centered practices and parent rights.

Other Improvement Activities

Most of the activities in this area were related to contracting for distribution and collection of family surveys and the analysis of family survey data. Other activities identified were developing and distributing a family newsletter and redesigning the State's finance system.

Promising Practices

A number of promising practices emerged related to Indicator 4.

- Surveying all families, then selecting a sample to analyze from the completed surveys according to a stratified sampling plan, resulting in a representative sample of families in the State.
- Identifying necessary cell sizes (to ensure representation) for their sampling plan, and continuing to send surveys to additional families in cells with insufficient responses until all cells were filled. This also resulted in a representative sample of families in the State.
- Identifying promising practices at the local level regarding implementing family outcome measurement and sharing information with other programs to improve practices.
- Conducting focus groups with families to verify and further explain family survey data (especially for program improvement).
- Incorporating triggers on the IFSP form related to sharing information with families about the family survey process and providing families with the family survey as part of the IFSP meeting.
- Increasing response rates by: 1) providing information to families about family outcomes measurement and its purpose through a variety of ongoing methods including newsletter, post card, flyer; and 2) implementing follow-up strategies when surveys are not returned within a given time period (i.e., post card, phone calls)
- Developing FAQs and service coordinator speaking points regarding the family survey process and purpose,

ECO TA SUPPORT

During the reporting period, the Early Childhood Outcomes Center (ECO) provided TA to all States through a variety of strategies. All States received TA support from ECO by participating in one or more cross-State TA services including listserv discussions, national conference calls, the annual Measuring Child and Family Outcomes conference held August 2007 in Baltimore, and/or the pre-conference workshop in December 2007. Many States received individualized TA through telephone and email conversations to problem-solve specific questions or issues in their State. At least four States received intensive ongoing consultation including onsite trainings and TA.

INDICATOR 5: CHILD FIND BIRTH TO ONE
Prepared by NECTAC

INTRODUCTION

PART C INDICATOR #5: Percent of infants and toddlers birth to 1 with IFSPs compared to: A. Other States with similar eligibility definitions; and B. National data.

This summary of the analysis of Part C Indicator #5 is based on a review of Annual Performance Reports (APR) for 54 States. (In this report, the term "State" is used for both States and jurisdictions.) Two States are not included, as they had not submitted their APR at the time this summary was completed.

Indicator #5 is intended to show a State's performance in the identification of eligible infants during their first year of life. Together with Indicator #6, a State's performance in finding eligible children and finding them early is reported. Indicator #5 is considered a performance indicator. The measurement specifies that States must use data collected and reported under Section 618 (Annual Report of Children Served) regarding the number of infants birth to age 1 who were identified and served on December 1, 2006, and to calculate the percentage of the State's birth to 1 population which that number represents. States were asked to measure their population of infants and toddlers birth to 1 in comparison to the percent served by States with similar eligibility definitions, with the national percentage and in relation to the rigorous and measurable target established in their State Performance Plan for FFY 06-07.

PERFORMANCE OF STATES IN RELATIONSHIP TO NATIONAL PERCENTAGE, ELIGIBILITY CATEGORY AND ACTUAL TARGET DATA

For this indicator, OSEP provided Table 8-4a, which ranks all States according to the percentage of infants and toddlers with IFSPs, birth to 1, served on December 1, 2006, and included the national percentage. The national percentage (listed as the baseline on the table) was 1.04%. This figure is higher than the previous year's percentage of 1.01%.

In order to help a State compare its performance with other States having similar eligibility definitions, OSEP provided States with information [Table 8-3b, Infants and toddlers ages birth through 2 (including children at risk) receiving early intervention services under IDEA, 2006] that divided the States' eligibility definitions into three categories—narrow, moderate, and broad. While this table only ranks States according to percentage of children from birth through 2, the table allowed States to compare themselves with States with similar eligibility for children from birth to 1.

Actual Performance Data and National Percentage

Target data for Indicator #5 (N = 54 States) shows that 24 States reported that their actual performance data were above the national percentage. The remaining 30 States reported that their actual performance data were below the

national percentage. In FFY 05-06, 28 States (N = 55 States) were above the national percentage, while 27 were below.

Actual Performance Data and Type of Eligibility Category

Of the 24 States that reported their actual performance data were above the national percentage, four States were in the narrow eligibility category, six States were in the moderate eligibility category, and 14 States were in the broad eligibility category. Of the 30 States that reported their actual performance data as below the national percentage, ten States were in the narrow eligibility category, eight States were in the moderate eligibility category, and ten States were in the broad eligibility category. As noted earlier, two States, one in the narrow eligibility category and one in the broad, did not have data on this Indicator; therefore, they are not counted in the N for this analysis. Three States reported that they have changed their eligibility criteria over the last year, while another reported extensive preparation for future changes in eligibility.

Performance of States in Relation to FFY 06-07 Target and Actual Performance Data

States listed targets for FFY 06-07 and reported their actual performance data in the FFY 06-07 APR. Of the 54 States in this analysis, 34 States reported FFY 06-07 actual data that met or exceeded their FFY 05-06 actual performance (progress); this is an increase of four States from FFY 05-06. Twenty States reported that their FFY 06-07 data were below their FFY 05-06 data (slippage); this reflects a decrease of five States from FFY 05-06. Twenty-six States met their FFY 06-07 targets, while 28 States did not. Of these 28 States, 11 States' actual performance data were above their FFY 05-06 performance but did not meet their targets. The remaining 17 States reported actual performance data the same as or below the prior year's data.

Figure 1 depicts the number of States that made progress by meeting or exceeding their FFY 05-06 performance compared with the number of States that had slippage by not equaling surpassing their FFY 05-06 performance.

Figure 1: Progress and Slippage From FFY 05-06 to FFY 06-07

Slippage, 37.04% (n= 20 states)

Progress, 62.96% (n= 34 states)
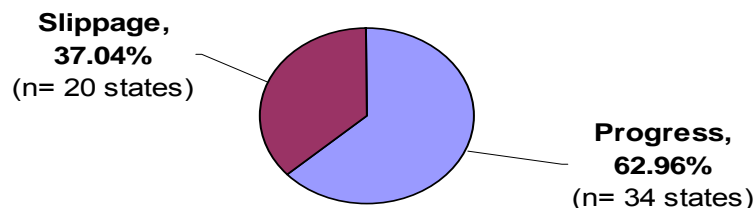
Changes in State performance from baseline to actual performance data for FFY 06-07 are shown by range in the Table 1. Two States showed a substantial drop from baseline to actual performance in the percentage of infants and toddlers birth to 1 with IFSPs, while another 3 States had moderate declines in their performance on this Indicator. This is in comparison to FFY 05-06 data where two States showed increases greater than 0.25% from baseline to actual performance data compared to seven States for FFY 06-07 who showed such increases. One additional State had an increase greater than 0.51% from baseline. One State reported actual performance data that was the same as its baseline performance.

Table 1: Percent Change from Baseline to Actual Performance Data for FFY 06-07

Percent Change from Baseline to 2006-2007 Actual Performance Data	Number of States
-0.5 to -0.8	2
-0.2 to -0.4	**3**
-0.09 to -0.19	**3**
-0.05 to -0.08	**3**
-0.01 to -0.04	**9**
0 to -0.04	**4**
+0.05 to +0.14	**12**
+0.15 to +0.24	**10**
+0.25 to +0.51	**7**
➢ +0.51	**1**
Total	**54**

Figure 2 illustrates the change made by individual States from baseline (FFY 04-05) to actual performance in FFY 06-07, including their performance in FFY 05-06.

Figure 2: Change in State Performance from Baseline to 06-07
Ordered from Least to Most Improved
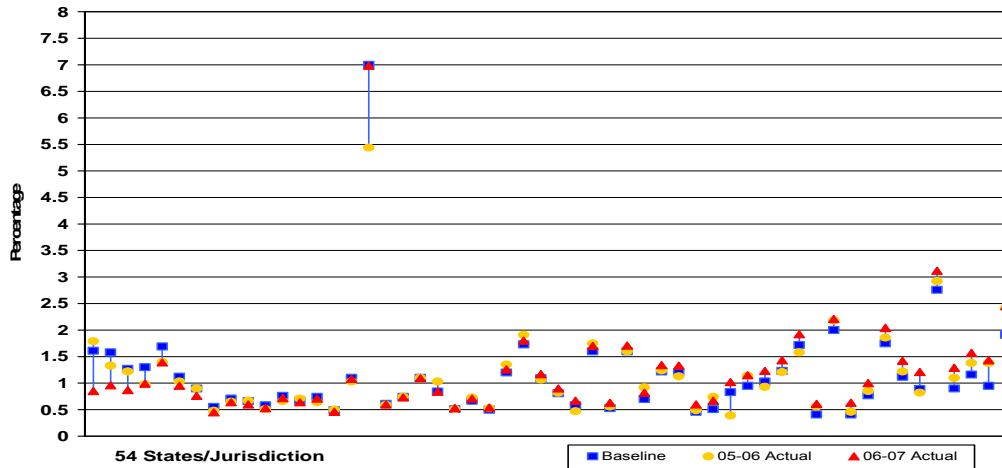
Explanation of Progress

Most States provided an explanation of progress, including States that did not meet their targets but did see an increase in the numbers and/or percentage of children served. Of those that reported an explanation of progress, States provided the following types of explanations: overall success with the improvement activities outlined in their SPP; expanded Child Find and Public Awareness efforts; ongoing outreach and other Child Find activities by early intervention providers to referral sources and other community resources to engage hard-to-reach populations; focus on collaboration among agencies/programs on their Child Find efforts and activities, (e.g., between the Lead Agency and the SICC, NICUs, Child Welfare); improvements in States' data system and the accuracy of the data collected; professional development activities that led to an increase in the numbers of appropriate referrals; program changes which reduced barriers to child identification; overall growth in the State's population, including in the population of children Birth-1; changes in the State's eligibility criteria, with concomitant increases in public awareness and training/professional development; an increase in the number of providers working in early intervention, including Child Find; programs/agencies developing and executing data-driven action plans to improve their child find efforts; and evidence of the importance of early intervention and its widespread acceptance among professionals and within communities. Although extensive, this list is not exhaustive.

Explanation of Slippage

States also reported a wide range of factors related to slippage: decreased emphasis on Child Find because of an increased emphasis on Compliance

Indicators; adopting new eligibility criteria; decrease in the State's Birth-1 population and/or in State's overall population; military base closures in the State; difficulty reaching and serving children referred through CAPTA requirements; need for increased outreach to primary referral sources; lack of understanding by referral sources of the importance of early referral and identification; lack of understanding by Service Coordinators of their Child Find responsibilities; changes in the system for processing vital records; decreases in referrals from NICUs; changes in Medicaid reimbursement, with resulting changes in number of providers who are willing to contract with Part C, leading to fewer infants identified and served; adoption of new eligibility and assessment tool – with training and experience, providers are identifying fewer children; more effective monitoring and data collection, so that numbers have decreased but are more accurate than in the past; changes in Lead Agency with related changes in Child Find responsibilities and procedures; changes in Lead Agency with related lack of monitoring during transition from one Lead Agency to another; uncertainty about Part C funding leading to a drop in referrals to the system; and staff turnover in agencies that partner for Child Find activities, leading to decreased collaboration and/or few activities. Three States reported the drop in their percentage was minimal. As with the previous section on States' explanations of progress, this list is extensive but not exhaustive.

IMPROVEMENT ACTIVITIES

States reported the following improvement activities for Indicator #5 in FFY 06-07. The following table shows the types of activities reported by the States.

Table 2: Types of Improvement Activities Reported by States

Types of Improvement Activities	Number of States
Other	39
Improve collaboration/coordination	36
Provide Technical Assistance/Training/Professional Development	33
Improve Systems Administration and Monitoring	24
Improve Data Collection and Reporting	21
Clarify/Examine/Develop Policies and Procedures	21
Program Development	16
Evaluation	12
Increase/Adjust FTE	3
Build Systems/Infrastructures of TA and Support	1

Activities included in the category **Other** included developing a data-driven public awareness plan; developing, updating, translating and disseminating public awareness materials, often directed to physicians, NICUs or other primary referral sources; reporting on child find and public awareness activities; updating websites or providing new links with collaborating partners; maintaining a toll-free

telephone line to provide information about early intervention; including expansion of Part C eligibility in recommendations to the Governor; participating in grant development activities; using regional conference calls to compare child find/public awareness methods and results with other States; reviewing research on State's demographic factors to improve child find outcomes; and identifying/developing/distributing public awareness/child find materials targeted at specific populations, such as parents of children identified through the EHDI program, child welfare staff, families receiving WIC, and difficult-to-reach families.

Examples of activities to **Improve collaboration/coordination** included working with the child protective services agency in order to develop agreements, policies, and procedures related to the referral of children involved with a substantiated case of abuse/neglect or substance exposure; developing interagency agreements and presenting collaborative child find /public awareness activities with Title V, CHIP, 619 programs, Child Care, Bureau of Children and Families, Head Start, Medicaid and other agencies; working with Assuring Better Child Health Development (ABCD) grants, START and Medical Home Projects; collaborating with Medicaid and other agencies on ABCD projects; collaborating and writing agreements with local hospitals, particularly with their NICUs; engaging in coordination among newborn screening programs to assure appropriate referrals are made directly to Part C; working with hospitals and physicians groups to increase referrals from, and promote screening of, infants and toddlers; engaging in coordination among service coordinators to increase outreach to physicians; increasing interagency coordination by including additional members to the SICC; building relationships between Part C programs and local tribes; and providing collaborative training opportunities.

Training and technical assistance was often aimed at primary referral sources (especially physicians, NICUs, child protective service workers and health care providers) and local providers (especially as it related to new policies, procedures or guidelines, such as new eligibility or evaluation procedures, requirements related to CAPTA, or the identification of delays in young children's social/emotional development). Additional targeted training and technical assistance was used to support local early intervention programs in developing improvement plans, materials, and training curricula around increasing referrals and identification rates.

Activities under **Improving systems administration and monitoring** included the following: on-site and/or expanded monitoring of referral sources, child find activities and local MOAs and Interagency Agreements related to Child Find; reviewing Child Find data with State's TA providers to raise awareness of program participation rates and to identify and address problematic performance trends; providing focused monitoring with child find as a priority area, including setting local performance targets related to percentage of infants/toddlers with IFSPs and specific actions for low performing programs (providing or requiring locals to use more extensive data to help target primary referral sources or populations, developing improvement plans, on-site visits, consultation, technical

assistance or changes to program's funding based on performance); monitoring State's online application system for Medicaid, CHIPs, Head Start and Early Intervention; and, public reporting of local program performance on this Indicator posted on State's website.

For **Improving data collection, and reporting**, activities included: upgrading the data system to include a unique identifier for each child to allow data collection on all referrals, including those that result in an IFSP and/or to include referral source; reviewing referral source data to identify gaps in outreach efforts; sharing data with local programs and the SICC; ranking county/region performance on percent of children served based on December 1 count compared to county census data, and including this in the annual county performance reports; collaborating with 619, Head Start, and Early Care and Education programs in data analysis; working with another agency that is building a comprehensive data system that will include referral information for Part C and other programs; and implementing mechanisms to share data between Part C and other programs.

Activities under **Clarify/examine/develop policies and procedures** included developing policies and procedures with the State child protective services agency; clarifying or developing referral and evaluation policies, procedures, assessment/evaluation tools or forms, and child find responsibilities; reviewing, modifying or changing eligibility definitions; developing guidance materials regarding changes in eligibility; reviewing and revising screening procedures; initiating development of unified regulations which clarify the purpose and need for early intervention services; developing State-level protocol for eligibility questions on specific established conditions; developing a collaborative hospital-to-home policy; developing and piloting a universal referral form for physicians; and developing or revising memoranda of understanding related to child find.

Several States reported improvement activities related to **program development**. Examples include implementing targeted case management to secure additional funds for Early Intervention; approving the expansion of the Newborn Genetic Screening Program; redesigning the State system, including Child Find, for a Birth-5 seamless system among all public health programs; expanding the ABCD project in the State; and collaborating with another State agency on an Autism Screening Pilot Project.

A small number of States (12) reported on **Evaluation** improvement activities. Some of these activities included surveying local programs to assess their public awareness needs, followed by re-evaluating the State's plan to meet those needs; evaluating the effectiveness of implemented Child Find and/or improvement activities; extending a pilot study that is evaluating the efficacy and performance of child find contracts; evaluating the effectiveness of the previous year's focused monitoring site visit; and surveying private providers and hospital-based clinics that do not participate in Part C to identify factors that contribute to the low number of infants referred to early Intervention, then using the result to develop new improvement activities and strategies.

Three States reported that they **increased/adjusted FTEs**: either the State Legislature or the Part C program added positions for developmental screenings and referrals or other child find activities. One State indicated that it was "strengthening its systems or infrastructures of TA and support."

Because States often reported more than one improvement activity within a given category for this Indicator (e.g., collaborating with the State's EHDI program AND collaborating with NICUs; maintaining a toll-free line for resource and referral information AND posting a Child Find brochure on its website), the numbers of Improvement Activities by category are indicated in Table 3.

Table 3: Numbers of Improvement Activities Reported by States

Types of Improvement Activities	Number of Activities
Improve Collaboration/Coordination	95
Provide Technical Assistance/Training/Professional Development	77
Other	72
Improve Systems Administration and Monitoring	35
Improve Data Collection and Reporting	30
Clarify/Examine/Develop Policies and Procedures	30
Program Development	20
Evaluation	20
Increase/Adjust FTE	3
Build Systems/Infrastructures of TA and Support	1

Use of OSEP TA Centers

NECTAC provided various forms of TA to States in support of child find for children birth to 1. All States received information related to child find. All of the States attended national conferences, such as the National OSEP Early Childhood Conference, and/or participated in small group technical assistance, such as one of the OSEP Communities of Practice. One State was involved in extensive TA with NECTAC related to this Indicator (i.e., an Early Identification State Work Plan). Four additional States mentioned NECTAC in their APR report on this Indicator, usually in their State improvement activities.

State Performance Plan Revisions

Figure 3 depicts the types of revisions States made to their SPP.

Figure 3: Types of SPP Revisions
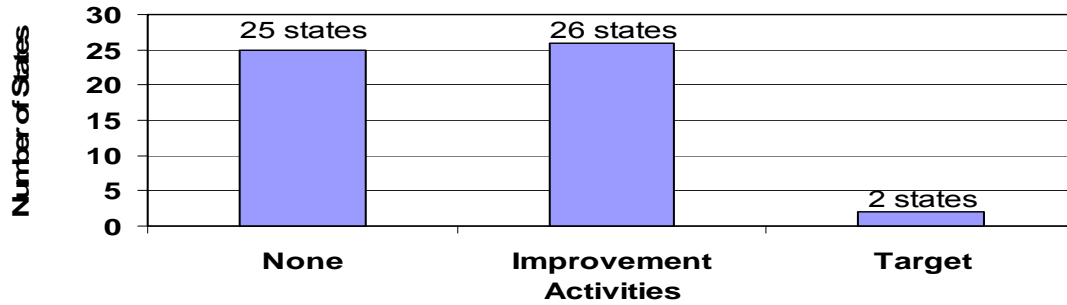
Of the 54 States reviewed, 25 States made no revisions to their SPP. Of the remaining 29 States, 26 States made revisions to their improvement activities; 2 States made revisions to their targets; and 0 States revised their baseline (N > 54 because States could make revisions in multiple areas).

INDICATOR 6: CHILD FIND BIRTH TO THREE
Prepared by NECTAC

INTRODUCTION

Part C Indicator #6: Percent of infants and toddlers birth to 3 with IFSPs compared to: A. Other States with similar eligibility definitions; and B. National data.

This summary of the analysis of Part C Indicator #6 is based on a review of Annual Performance Reports (APR) for 54 States. (In this report, the term "State" is used for both States and jurisdictions). Two States are not included, as they had not submitted their APR at the time this summary was completed.

Indicator #6 is intended to show a State's performance regarding the identification of eligible infants and toddlers, birth through two. Together with Indicator #5, a State's performance regarding finding eligible children and finding them early is reported. Indicator #6 is considered a performance indicator. The measurement specifies that States must use data collected and reported under Section 618 (Annual Report of Children Served) regarding the number of children birth through age 2 who were identified and served on December 1, 2006, and to calculate the percentage of the State's birth through age 2 population which that number represents. States were asked to measure their population of infants and toddlers birth to 3 in comparison to the percent served by States with similar eligibility definitions, with the national percentage and in relation to the rigorous and measurable target established in their State Performance Plan for FFY 06-07.

PERFORMANCE OF STATES IN RELATIONSHIP TO NATIONAL PERCENTAGE, ELIGIBILITY CATEGORY AND ACTUAL TARGET DATA

For this indicator, OSEP Provided Table C-9: *The percent of infants and toddlers receiving early intervention services Under IDEA Part C by age and State*. This table displays the number of infants and toddlers reported in the December 1, 2006, child count and what percentage of the State's birth through 2 population that number represents. Table C-9 shows that the national percentage of infants and toddlers with IFSPs on December 1, 2006 was 2.43%.

In order to help a State compare its performance with other States having similar eligibility definitions, OSEP provided States with information (Table 8-3b) that divided the States into three categories of eligibility definition: narrow, moderate, and broad.

Actual Performance Data and National Percentage

Actual target data for Indicator #6 (N = 54 States) shows that 26 States reported their actual performance data were above the national percentage, while 28 States reported that their actual performance data were below the national percentage. Last year, 25 States (N = 55 States) were above the national percentage, and 30 were below.

<u>Actual Performance Data and Type of Eligibility Category</u>

Of the 26 States reporting actual performance data above the national percentage, four are in the narrow eligibility category, eight are in the moderate eligibility category, and 14 States are in the broad eligibility category. Of the 28 States below the national percentage, 11 are in the narrow eligibility category, six are in the moderate eligibility category, and 11 States are in the broad eligibility category. As noted earlier, two States, one in the narrow eligibility category and one in the broad, did not have data on this Indicator, so they are not counted in the N for this analysis. Three States reported that they have changed their eligibility criteria over the last year, while another reported extensive preparation for future changes in eligibility.

<u>Performance of States in Relation to FFY 06-07 Target and Actual Performance Data</u>

States provided targets for FFY 06-07 and reported their actual performance data in the FFY 06-07 APR. Of the 54 States in this analysis, 30 reported that they met or exceeded their FFY 05-06 performance (progress); this is a decrease of four States from FFY 05-06. Twenty-two States reported that their FFY 06-07 data were below their FFY 05-06 data (slippage); this reflects an increase of five States from FFY 05-06. The data from two States showed no change from FFY 05-06 to FFY 06-07. Twenty-nine States met or exceeded their FFY 06-07 targets, while 25 States did not. Of these 25 States, six States' actual performance data were above their FFY 05-06 performance but did not meet their targets. The remaining 19 States reported actual performance data the same as or below their prior year's data.

The following graph depicts the number of States that made progress by meeting or exceeding their FFY 05-06 performance compared with the number of States whose performance was the same and the number that had slippage by not surpassing their FFY 05-06 performance.

Figure 1: Progress/Slippage from FFY 05-06 to FFY 06-07

Slippage
40.74%
(n= 22 states)

No Change
3.70%
(n= 2 states)

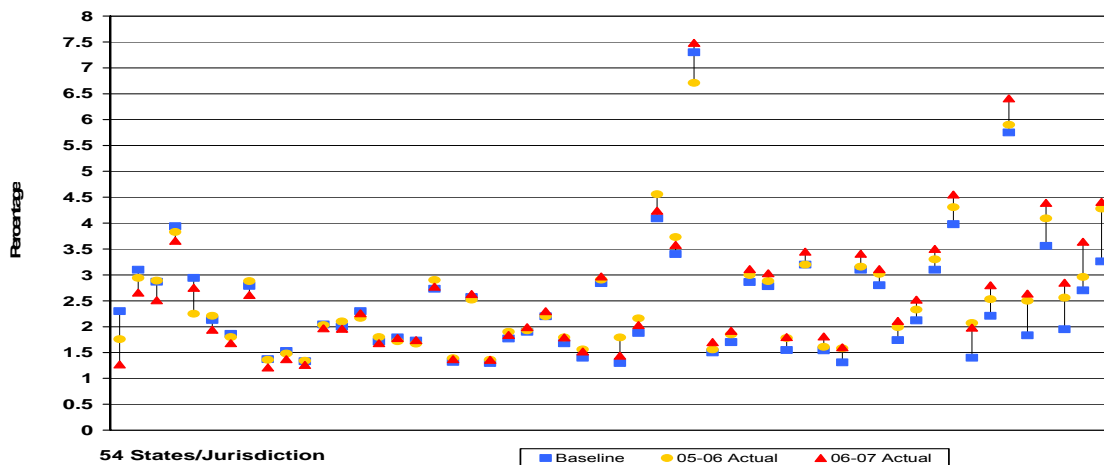**Progress**
55.56%
(n= 30 states)
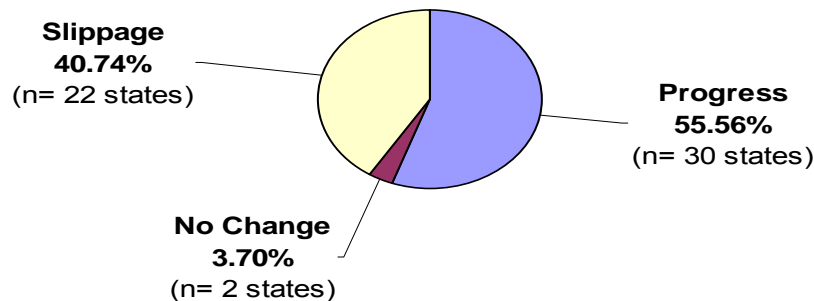
Changes in States' performances from baseline to actual performance data for FFY 06-07 are shown by range in Table 1. Two States showed a substantial drop from baseline to actual performance in the percentage of young children birth to 3 with IFSPs, while another three States had moderate declines in their performance on this Indicator. While in FFY 05-06 12 States showed increases greater than 0.25% from baseline to actual performance data, 20 States did in FFY 06-07; nine of those reported an increase greater than 0.51 from baseline.

Table 1: Percent Change from Baseline to Actual Performance Data for FFY 06-07

Percent Change from Baseline to 2006-2007 Actual Performance Data	Number of States
-0.9 to -1.2	1
-0.5 to -0.8	1
-0.2 to -0.4	3
-0.09 to -0.19	6
-0.05 to -0.08	1
-0.01 to -0.04	5
0 to +0.04	1
+0.05 to +0.14	10
+0.15 to +0.24	6
+0.25 to +0.51	11
➤ +0.51	9
Total	54

Figure 2 illustrates the change made by individual States from baseline to actual performance in FFY 06-07, including their performance in FFY 05-06.

Figure 2: Change in State Performance from Baseline to 06-07
Ordered from Least to Most Improved

Explanation of Progress

Most States provided an explanation of progress, including States that did not meet their targets but did have an increase in the numbers and/or percentage of children served. Of those that did report an explanation of progress, the following types of explanations were given: overall success with the improvement activities outlined in their SPP; growth in the 0-3 population served and in the number of referrals; expanded, focused, effective public awareness and child find efforts; improvements in the State data system (e.g., ability to track referral source and age of children at referral) and increased accuracy of data submitted by providers; increased focus on interagency child find activities and interagency agreements throughout the State; effective policies and procedures to ensure that children are identified and EI services provided in accordance with Part C eligibility requirements; coordination with Child Welfare providers and clear protocols related to referrals of children who have substantiated abuse or neglect; training and technical assistance with State partners to increase the number of appropriate referrals to Part C; outreach to referral sources and other community resources to engage hard-to-reach populations; significant increase in the number of infants and toddlers in specific categories (e.g., with ASD; referred because of CAPTA); change in eligibility criteria with concomitant public awareness and training events; and growth in the number of positions providing EI services. Although this list is extensive, it is not exhaustive.

Explanation of Slippage

States also reported a wide range of factors related to slippage: decreased emphasis on Child Find because of an increased emphasis on Compliance Indicators; lack of understanding by referral sources that Part C is the primary program for infants and toddlers with known or possible developmental delays; piloting or adopting new eligibility criteria; changes in Medicaid reimbursement resulting in changes in number of providers who are willing to contract with Part C, leading to fewer infants and toddlers identified and served; adoption of new eligibility and assessment tool leading to providers identifying fewer eligible children; policy change that requires evaluation teams to base eligibility on standard scores rather than on percentage of delay; a high number of transient families in the program; more effective monitoring and data collection; changes in Lead Agency with related changes in Child Find responsibilities and procedures; uncertainty about Part C funding leading to a drop in referrals to the system; staff turnover in agencies that partner for Child Find activities, leading to decreased collaboration and/or few activities; and use of revised baseline and target for this year's data collection. As with the previous section on States' explanations of progress, this list is extensive but not exhaustive.

IMPROVEMENT ACTIVITIES

States reported the following improvement activities for Indicator 6 in FFY 06-07. Table 2 shows the types of activities reported by the States.

Table 2: Types of Improvement Activities Reported by States

Types of Improvement Activities	Number of States
Other	41
Improve Collaboration/Coordination	35
Provide Technical Assistance/Training/Professional Development	30
Improve Systems Administration and Monitoring	26
Clarify/Examine/Develop Policies and Procedures	24
Improve Data Collection and Reporting	20
Program Development	15
Evaluation	11
Increase/Adjust FTE	4
Build Systems/Infrastructures of TA and Support	1

Activities in the category **Other** included developing, updating, translating into specific languages and disseminating public awareness materials often targeting physicians, Neo-natal Intensive Care Units (NICUs), LEAs or other primary referral sources (e.g., parent focused materials); conducting public awareness activities (e.g., exhibits at conferences for professional groups, visits to physicians and clinics; outreach to traditionally underserved populations); utilizing State Interagency Coordinating Council (SICC) subcommittees to develop Child Find and Public Awareness materials and activities; participating in faith-based planning initiatives coordinated through the State's CHIP program to provide information about Part C as a resource for families; attending the NECTAC Finance Symposium and identifying 5 areas to increase community support/awareness of early intervention; and updating websites or providing new links with collaborating partners.

Examples of activities to **Improve collaboration/coordination** included developing Child Find agreements with other agencies (departments of education, Health Departments, Early Head Start, EHDI programs, tribal organizations and entities) at the State and local level; collaborating with the SICC to develop strategies to reach underrepresented infants; analyzing data collaboratively with other programs (e.g., 619, Head Start and early care and education programs); linking with NICUs to increase knowledge of Part C services and referral procedures; working with Assuring Better Child Health Development (ABCD) grants, Early Childhood Comprehensive Systems (ECCS) grants, and Medical Home Projects; having an interagency workgroup develop a comprehensive website regarding eligibility; collaborating with the child welfare agency to develop a system to provide developmental screenings for children involved with a substantiated case of abuse or neglect under CAPTA; and working with other agencies to offer collaborative training opportunities.

As in the prior year's Annual Performance Reports from the States, **Training and technical assistance** was often targeted to primary referral sources (especially physicians, NICUs, health care providers, foster care and child protective service workers), families/parent organizations, and local providers (especially as it related to new policies, procedures or guidelines, such as new eligibility or evaluation procedures or requirements related to CAPTA, and the identification of delays in young children's social/emotional development). Additional targeted training and technical assistance was used to support local early intervention programs in developing improvement plans around increasing referrals and identification rates.

Activities under **Improving systems administration and monitoring** included developing and monitoring Child Find/Public Awareness plans; expanding the State's monitoring protocol for child find activities; monitoring data on child find activities, referral sources, tracking trends, and analyzing data by regions; creating a self-assessment regional reporting process for teams to examine data, evaluate trends, and drill down to determine root causes of slippage or progress; utilizing the SICC's Public Awareness Committee to review the quality assurance Public Awareness data reports and provide recommendations to LA partner agencies; developing a database with a report available to identify CAPTA referrals; monitoring of State's online application system for Medicaid, CHIPs, Head Start and early intervention; and public reporting of local program performance on this Indicator posted on State's website.

Activities under **Clarify/examine/develop policies and procedures** included changing eligibility criteria/guidelines; developing or clarifying guidelines related to referrals to early intervention from foster care and other Child Welfare staff; determining which evaluation/assessment tools are most appropriate for specific populations; discussing strategies to improve coordination of referrals/referral procedures from Early Hearing Detection programs; developing protocols regarding waiting periods for the State's CHIP program; producing a "First Step Manual" regarding referrals; reviewing/examining roles and responsibilities in the Child Find process; and modifying entry team Effective Practice Modules and processes to facilitate timely eligibility determination and development of IFSPs.

Examples of activities to **Improve data collection and reporting** are generally related to improvements in the State data system, data collection, and analysis. Specific activities included developing a tracking system and analysis related to referrals to Early Intervention from the foster care system; amending the data system to track and report referral sources and/or list referral outcome by source; modifying the web database to incorporate quarterly data trends by early intervention agency/program and statewide; improving the data system to include a unique identifier for each child; matching electronic birth records with the Lead Agency database; and analyzing statewide demographic data to examine historical and project expected population growth.

Several States reported improvement activities related to **Program development**. Examples include implementing targeted case management to secure additional funds for early intervention; approving the expansion of the

Newborn Genetic Screening Program; redesigning the State system, including Child Find, for a Birth-5 seamless system among all public health programs; expanding/doubling the ABCD project in the State; collaborating with another State agency on an Autism Screening Pilot Project; and contracting to develop a statistical model to forecast the number of Part C eligible children.

A small number of States (11) reported on **Evaluation** improvement activities. Some of these activities included surveying local programs to assess their public awareness needs, followed by re-evaluating the State's plan to meet those needs; evaluating the effectiveness of implemented Child Find and/or improvement activities, including using data related to birth defects to measure those; extending a pilot study that is evaluating the efficacy and performance of child find contracts; evaluating the effectiveness of the previous year's focused monitoring site visit; and analyzing data to determine the number of children who are Part C eligible but whose parents declined services, to assess their impact on the system.

Four States reported that they **Increased/adjusted FTEs:** either the State Legislature or the Part C program added positions for developmental screenings, referrals or other Child Find activities. One of these four States reported that the LA facilitated opportunities for Service Coordination Units to employ Service Coordination Associates with an emphasis on locating individuals from the community, including bilingual Service Coordinators and Service Coordination Associates. Finally, one State indicated that it was "strengthening its systems or infrastructures of TA and support" by developing a website regarding eligibility.

Because States often reported more than one improvement activity within a given category for this Indicator (e.g., collaborating with the State's Child Welfare program AND collaborating with Signatory Agencies regarding Child Find activities; maintaining a toll-free line for resource and referral information AND posting a Child Find brochure on its website), the numbers of Improvement Activities by category are indicated in Table 3, below.

Table 3: Numbers of Improvement Activities Reported by States

Types of Improvement Activities	Number of Activities
Improve collaboration/coordination	90
Provide Technical Assistance/Training/Professional Development	79
Other	74
Improve Systems Administration and Monitoring	39
Clarify/Examine/Develop Policies and Procedures	32
Improve Data Collection and Reporting	28
Program Development	19
Evaluation	16
Increase/Adjust FTE	4

| Types of Improvement Activities	Number of Activities
Build Systems/Infrastructures of TA and Support	1

Use of OSEP TA Centers

NECTAC provided various forms of TA to States in support of child find for children birth to 1. All States received information related to child find. All of the States attended national conferences, such as the National OSEP Early Childhood Conference, and/or participated in small group technical assistance, such as one of the OSEP Communities of Practice. One State was involved in extensive TA with NECTAC related to this Indicator (i.e., an Early Identification State Work Plan). Four additional States mentioned NECTAC in their APR report on this Indicator, usually in their State improvement activities.

State Performance Plans Revisions

Figure 3 depicts the types of revisions States made to their SPP.

Figure 3: Types of SPP Revisions
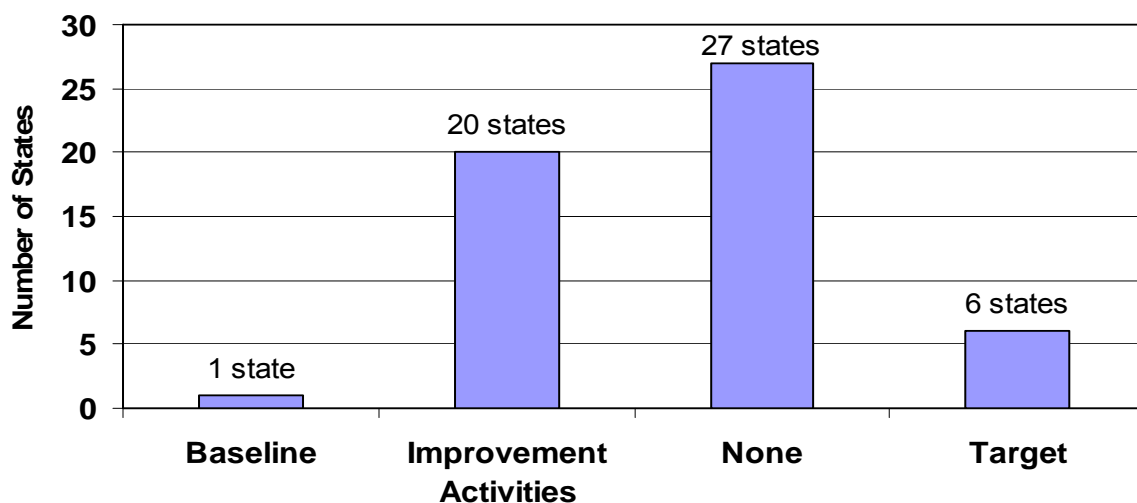
Of the 54 States, 27 States made no revisions to their SPP. Of the remaining 27 States, 20 States made revisions to their improvement activities; six States made revisions to their targets and one State made revisions to its baseline. (N > 54 because States could make revisions in multiple areas.)

INDICATOR 7: 45-DAY TIMELINE
Prepared by NECTAC

INTRODUCTION

Part C Indicator #7: Percentage of eligible infants and toddlers with IFSP's for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.

Indicator #7 is a compliance indicator with a performance target of 100%. Part C regulations specify that, "Within 45 days after it receives a referral, the public agency shall (i) Complete the evaluation and assessment activities in 303.322; and (ii) Hold an IFSP meeting in accordance with 303.342" [303.321(e)].

This summary of Part C Indicator #7 is based on a review of Annual Performance Reports (APRs) for 54 States. (In this report the term "State" is used for States and territories.) Two territories were not included, because the APRs were not submitted in time for analysis. Family circumstances for delaying the 45-day timeline were not considered instances of noncompliance; however, any program reasons that delayed the 45 days were considered instances of noncompliance. Two States defined the time period stricter than the OSEP standard, using 45 days to the completion of the IFSP, rather than 45 days to hold the initial IFSP meeting. State used data from their local monitoring system including sampling files for review and/or from data from State data systems that included information on all children within a specified time period.

Comparison of Baseline, Target and Actual Performance

As a compliance indicator, targets for Indicator 7 are set at 100%. Table 1 shows the distribution of States' actual performance in percentile categories for FFY 05-06 and FFY 06-07. The same number of States (22) report 94-100% compliance over the two reporting periods. More States report percents between 80% and 93% (20 States in FFY 05-06 and 24 States in FFY 06-07). No State was below 50% compliance in FFY 06-07.

Table 1: Actual Performance

Actual performance in meeting the 45 day requirement	05-06 Number of States in each percentile distribution	06-07 Number of States in each percentile distribution
100%	2	5
97-99%	15	10
94-96%	5	7
90-93%	8	13
89-85%	8	7
80-84%	4	4
70-79%	5	3
50-69%	5	4
Below 50%	2	0

Change from Baseline to Actual Performance in FFY 05-06 and FFY 06-07

Figures 1 and 2 illustrate the change made by States from baseline in FFY 04-05 to actual performance in FFY 05-06 and 06-07. Comparing the baseline to the actual performance shows improvement over the past two reporting periods towards achieving 100% compliance. Improvement across the 3 years of reporting is evident, as the range from poorest performers to top performers decreased over the 3 years (baseline: 25%-100%; 05-06: 39%-100%; 06-07: 56%-110%). The reported average also shows improvement (77%-86%-89%). Figure 1 illustrates improvement over the three year period from baseline to 06-07, with the line graph getting shorter (smaller range) and more States performing at higher percentages.

Figure 1: Comparison of Baseline with Actual Performance in FFY 05-06 and FFY 06-07

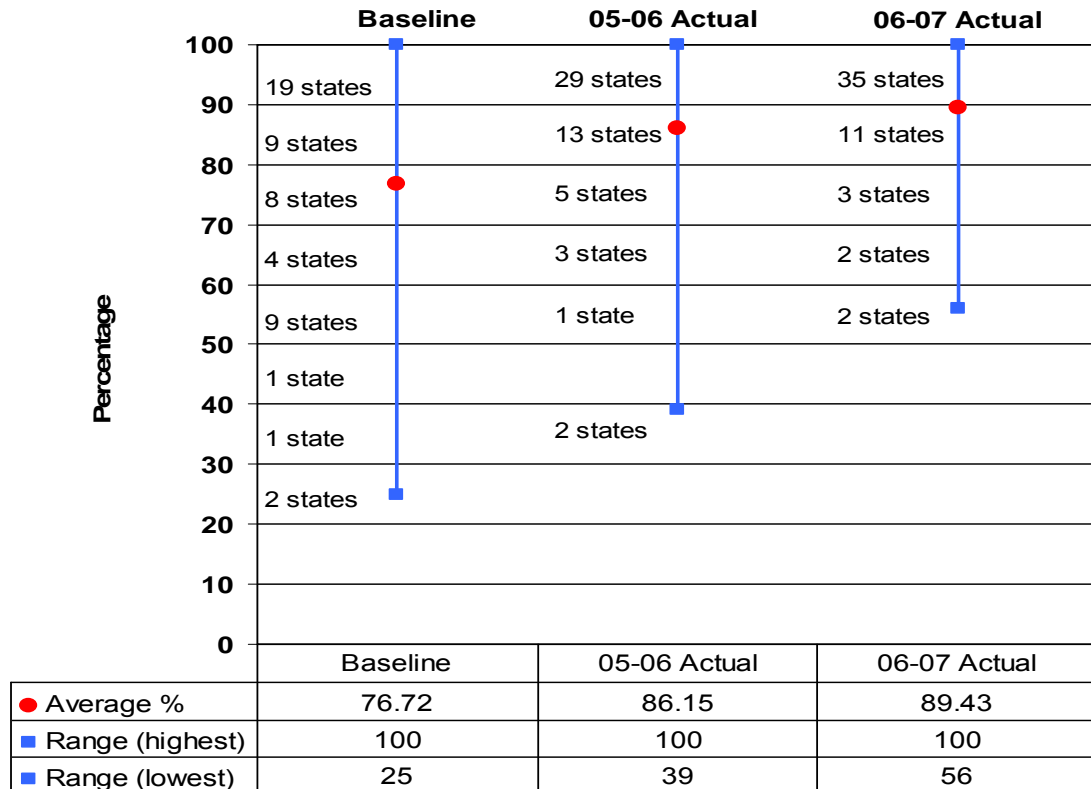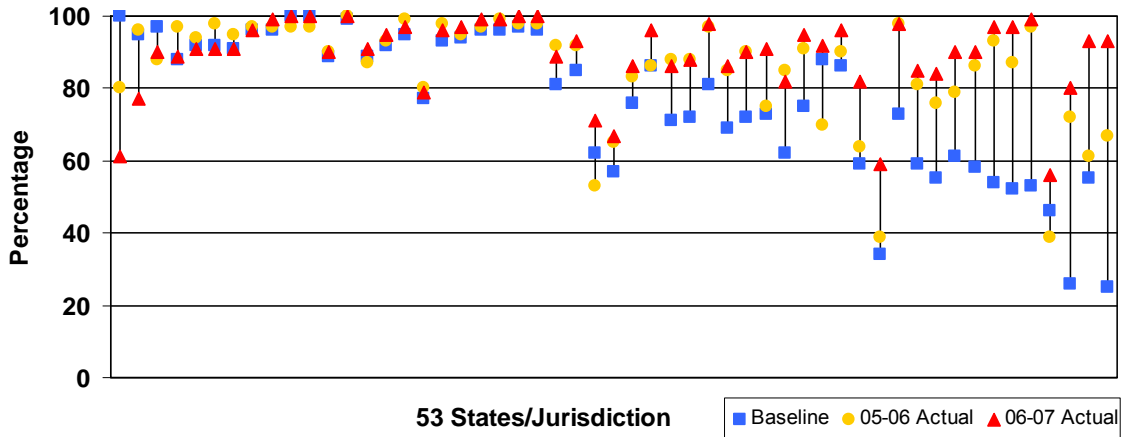|	Baseline	05-06 Actual	06-07 Actual
● Average %	76.72	86.15	89.43
■ Range (highest)	100	100	100
■ Range (lowest)	25	39	56

Figure 2 illustrates individual State's trajectories from baseline to FFY 05-06 to FFY 06-07.

Figure 2: Trajectory from Baseline to Actual Performance in FFY 05-06 and FFY 06-07 from Least to Most Improved


Of particular interest are the following points:

- Two States fell below baseline in both FFY 05-06 and FFY 06-07. One State showed a negative trajectory of -20 and -39 points from baseline. The State data is based on file reviews and sampling from differing data sources than the previous year's data sources, so the State is not confident data across years is comparable. The second State reported little change from baseline to FFY 05-06, and -18 points from baseline in FFY 06-07. Earlier data had been based on a statewide data system (over 3,000 children). The 06-07 data was based on a review of 36 files from a sample of children referred over a 2 day period.

- Twenty States showed little change from baseline (from -3 to +3 points) for either year's report. Most of these States have been consistently high performers (from 90% – 100%), with two exceptions: one reporting 88%, 97%, and 89% and the other 77%, 80%, and 79% over the three years.

- All but two States showed steady improvement from baseline. These two States fell from baseline in FFY 05-06, but improved from baseline in FFY 06-07.

- Fifteen States report more than 20 points improvement from baseline to FFY 06-07. Among the States reporting the greatest improvements were those reporting the poorest performance at baseline. Of those States, four have almost reached compliance in 06-07. The reported improvements were 53%-99% (46 points); 52%-97% (45 points); 54%-97% (43 points) and 73%-98% (25 points) respectively.

- The State that reported the lowest baseline performance is the State that demonstrated the greatest improvement trajectory by FFY 06-07 (from 25% to 93% or 68 points)

Progress or Slippage

Figure 3 portrays data on progress and slippage from FFY 05-06 to FFY 06-07 reports. For this analysis, progress was indicated if a State had improved 1 or more percentage points from FFY 05-06 to FFY 06-07 and for 1 State that reached 100% for 05-06 and maintained 100% compliance for FFY 06-07. These data confirm the detailed report on improvement trajectories provided in Figure 2. Sixty-four percent of States demonstrated progress from the last reporting period, while 36% showed no progress. Thirteen States (25%) reported "slippage", a lower percent compliance than the previous year, and six States (11%) had no change or less than one percent change.

Figure 3: Progress/Slippage from FFY 05-06 to FFY 06-07
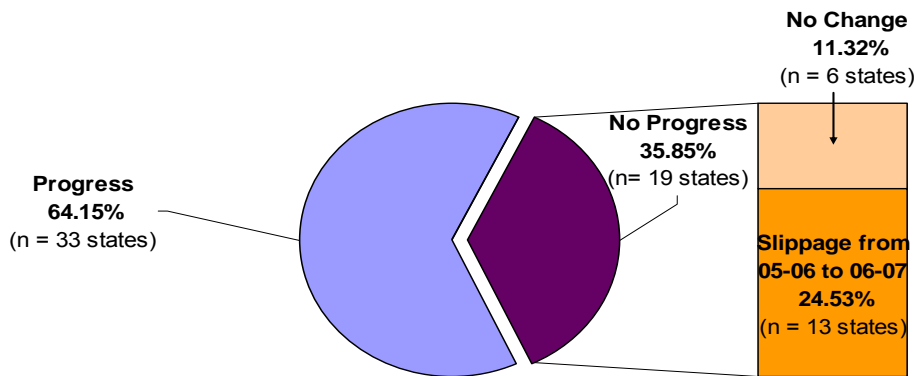
Explanation of Progress

Most States attributed progress to successful improvement strategies which cumulatively addressed the causes of noncompliance. Examples of promising improvement activities reported by States are discussed below. A frequent theme in States' explanation of progress was the State's communications with locals, emphasizing the importance of 100% compliance with timely services indicators (C-1 and C-7) and continual monitoring of and reporting on local program performance.

Explanation of Slippage

The most frequently mentioned reasons for not meeting compliance targets were personnel issues and inefficiencies in the IFSP process and/or service model (22 States and 24 States respectively). These challenge areas are related, and

narrative remarks are not easily categorized. For example, one State may mention difficulties scheduling evaluations (which could be an efficiency issue) and another might mention evaluators not being available (which may be more of a personnel shortage issue). States also mentioned insufficient or inaccurate data reporting (N=11); increasing numbers of children (N=6); inconsistent or inadequate implementation of policies (N=5) and other challenges (N=10). The numbers of States volunteering descriptions of various challenges is not as meaningful as a qualitative discussion of related issues and causes described by States.

A. Personnel Issues

- Shortages of therapists, especially Speech Language Pathologists, were frequently mentioned. Some States noted a discrepancy in pay scales between the early intervention programs and hospitals and clinics that can pay more as a contributing factor.
- Shortages of developmental specialists or service coordinators were also mentioned, especially by States that rely on these personnel to coordinate the process and/or act as primary service providers.
- Difficulty in finding Interpreters, especially in rural areas slowed the process.
- Having too few evaluators and /or difficulty scheduling evaluators was often described, especially in systems using private providers or vendors to conduct the evaluations.
- Shortages often resulted in high caseloads, which contributed to scheduling problems.
- One State described a loss in private providers due to decreased Medicaid reimbursement rates.
- Staff turnover and slow recruitment processes were also described. For example, one State's performance was compromised when one local program had a complete turnover in director and staff.
- One State described delays in credentialing private providers to work in the early intervention system.

B. Inefficient Process or Procedures

- **Scheduling delays** were frequently described, including difficulties contacting families and difficulties scheduling evaluation/assessments, and IFSP meetings. Often the lack of adequate numbers of available evaluators and providers was reported as contributing to scheduling difficulties, as was inadequate funding to pay for the number of evaluations needed.
- **Communication challenges** were also described, such as: sharing of information in a timely manner, delays from point of entry, insufficient referral information and delays in receiving evaluation reports.
- **Delays in coordination with other agencies** were also reported, such as: difficulties in getting information and/or parental consent for increasing numbers of children referred from Child Protective

Services(CPS) and under the Child Abuse Protection and Treatment Act (CAPTA). Slower intake of children in foster care, especially difficulties in quickly assigning a surrogate parent was also mentioned. Delays in receiving medical records or physician "prescriptions" and inadequate resources for vision and/or hearing screening were listed. Finally, requirements for prior authorizations for billing were described as slowing evaluation/assessments as well as timely services, if efficient procedures were not in place.

- **Having an inefficient Service Model** was also described. Key issues were having multidisciplinary providers scheduling evaluation/assessments and writing reports separately. A related concern was having private providers (a vendor system) and inadequate or no funding for "team-time" or the IFSP meeting which contributed to scheduling and communication difficulties.

C. **Inadequate or inconsistently interpreted policies and procedures**

- States reported confusion or inconsistent reporting of reasons for delay, misinterpreting which reasons were due to family circumstance vs. program or system issues.
- States reported inconsistent procedures for referrals during holidays or the summer.
- Confusion about date of referral – the difference between referral to screening vs. referral for an evaluation/assessment was described as contributing to delays.
- Confusion on requirements for what must be completed in 45 days-using the date of completion of the IFSP instead of the date for holding the initial IFSP meeting caused longer timelines.

D. **Increasing numbers of children** were reported as stretching program resources, especially when there were no increases in funding or actual funding cuts.

E. **Inadequate or inaccurate documentation and data concerns**, including**:** data error which skewed results; inability to report on family circumstances; insufficient documentation; lack of confidence in sampling procedures and resulting data; lack of clarity on definitions for reasons for delay; and inaccurate coding of delays due to family circumstances.

F. **Other causes mentioned were:** poor monitoring and enforcement; having a large urban area which accounted for most instances of delay and lowered over State performance, even though other areas showed compliance and or improvement; and frequent severe weather, especially in rural areas.

**Delays Attributable to Exceptional Family Circumstances**

Although States were not required to report the number or percent of delay attributable to family circumstances, 17 States reported a range from less than one percent to 47% with an average of 18%. Five States reported 10% or less;

six States from 11%-20%; four States from 21%-30% and 2 above 30%. The highest percent (47%) was reported by a small island territory, serving a large proportion of children from an Intensive Care Unit where infant health issues were family reasons for delays. One State reported an interesting procedure for investigating a high percent of delays coded as family reasons. Finding 91% of all delays were coded as family reasons, the State sampled case notes for 25% of delays. They found 19% were either not acceptable as "family reasons" or had no justification. The overall data was then adjusted by the 19% estimated inaccuracy. Another State with a three year history of substantial compliance on this indicator noted that local programs are not allowed to exclude "family reasons" from percentages, although the numbers are still reported. The State found this practice substantially reduced delays due to family reasons.

IMPROVEMENT ACTIVITIES

All States reported improvement activities. Some were general reports, such as "provided training." Others offered descriptions of the types of improvement activities undertaken to address specific challenges or root causes of noncompliance with the 45-day timeline. Table 3 provides data on numbers of States reporting implementation of various types of improvement activities. Most States mentioned improved administration and monitoring; providing technical assistance and training; clarifying policies and procedures and increasing personnel.

Table 3: Improvement Activities
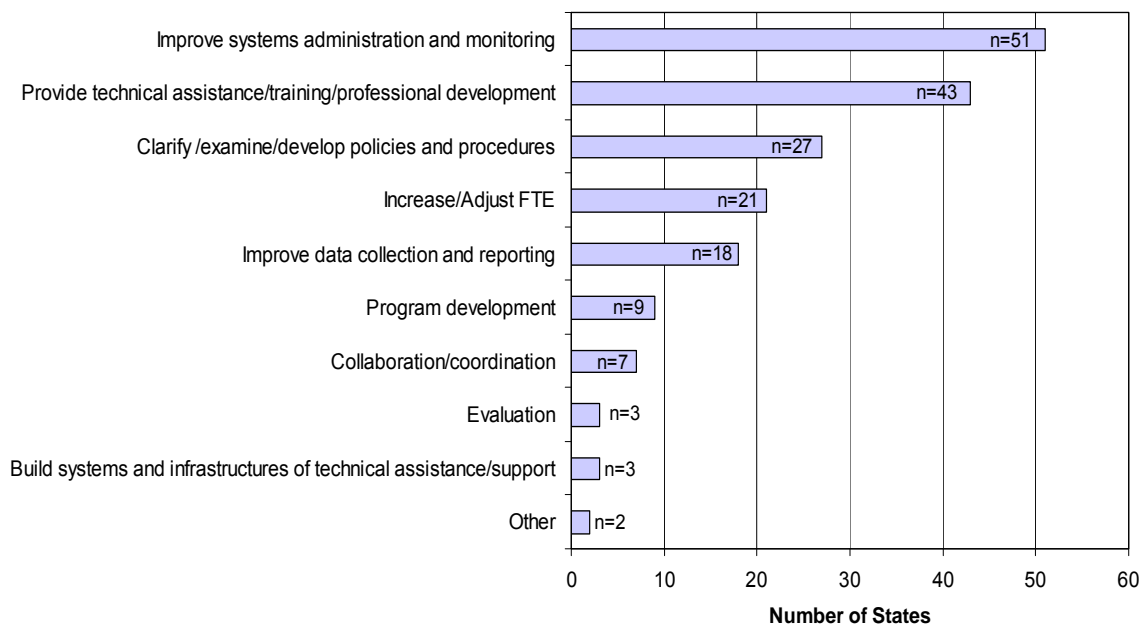
States' narrative descriptions described "promising strategies" that they linked to improvements in compliance by addressing the challenges or root causes of performance problems. Of particular interest were the following activities:

- **Continuous Monitoring and Review of Data**

  - A common activity in States reporting improvement was on-going review of local performance through focused monitoring, review of data on timelines, use of a web-based data system and training locals to generate reports on their performance, use of self-assessment systems or requiring documentation of each instance of noncompliance. States used "tickler" systems, timeline "alerts", a flowchart with timelines for the IFSP process, and notices to providers to keep local awareness about this indicator high.

  - Performance reports were made to service coordinators, supervisors and managers and in several States, reports were made public. For example, local performance was reported to Local Interagency Councils (LICCs), the ICC, and/or posted on the State website. One lead agency sent formal letters to District Superintendents regarding their EI programs' performance and expected corrections. Some States tied fiscal rewards and sanctions to performance on timelines.

  - Verification and requiring corrective action plans tied to specific causes of noncompliance were reported. For example, in one State, managers monitored to see if any delay is specific to individual staff, referral agencies or geographic area to ensure corrections are targeted to causes. Another State required a corrective action plan and written documentation of every instance of noncompliance.

  - States also reported using monitoring information to target technical assistance (TA) and training to specific programs to help them correct specific causes of delay.

- **TA and Training**

  - Providing TA on the importance of the 45 day timeline and meeting regularly to review performance and problem-solve were strategies reported by several States. For example, one lead agency had monthly calls with program managers. In another State, TA providers met regularly with service area providers to problem-solve and share strategies from high performing areas. One State implemented a peer mentor system for every program director with a Corrective Action Plan, pairing him or her with a director who corrected a similar problem.

  - Several States provided orientation training and/or on-going training for service coordinators to help them better manage the IFSP process in a timely manner.

  - States also reported TA targeted to the root cause of delays, such as: training on evaluation assessment procedures, training on new procedures for assessing hearing/vision, training and mentoring new

evaluators, and TA to improve intake and evaluation/assessment procedures.

- Some States reported training aimed at assuring quality as well as efficiency in the IFSP process, including training on effective services in natural environments, use of observation in assessments, interviewing techniques with families and family training by a parent organization to ensure families understand the IFSP process and requirements.

- **Personnel Issues**

  - Many States reported increasing the number of evaluators, through additional contracts with private providers; configuring evaluation teams and backup teams; reducing the number of evaluators who see each child; paying travel reimbursements for services in natural environments; adding evening and Saturday evaluation slots and instituting a system to alert the lead agency when an evaluator is needed.

  - Some States lowered caseload maximums and recruited more service coordinators.

  - Recruitment activities to add EI staff included: collaborating with Institutes of Higher Education (IHE) for student practicum and recruitment; sending letters and applications to recruit Title V providers; requesting additional or "emergency" funding from the legislature for more staff; and collaborating with an IHE to get a personnel preparation grant.

  - Strategies to increase therapy services included: instituting use of SLP assistants; recruiting school therapists to work evenings, weekends & summers; and changing to a primary provider model to extend the numbers of families each therapist can see.

  - Several States extended staff capacity by instituting efficiencies in scheduling, such as electronic scheduling of entry teams and automatic filling of cancellations.

  - One State created a workforce on personnel in the ICC and an array of activities for recruiting and retaining staff were developed, such as: adding positions and contract providers, recruitment of school therapists, adding evaluation/assessment slots and State level recruitment through: career fairs, bulletin boards, presentations at conferences; and providing information to faculty to link students to local programs.

- **Increased efficiency**

  - Several States consulted with experts, NECTAC and OSEP about options and adopted new procedures to streamline effective evaluation and assessment procedures.

  - One State reported successfully piloting a process in which evaluation assessment and the initial IFSP meeting was held in one visit.

- States reported working with referral sources and child find teams, clarifying interagency responsibilities and procedures.
- States provided guidance documents and training on the IFSP process or clarified procedures in program contracts.
- One State changed a vendor system to make the service coordinator a State employee, established evaluation teams and increased rates for teams performing in a timely manner, while noting that problems meeting timelines could reduce program grants.
- Some States reported changing the service delivery model to do better teaming and/or use primary service providers (see also Indicator C-2).
- Several States clarified policy on referral date and date of initial IFSP meeting.
- One State changed guidelines on billable hours to support mentoring of new evaluators.
- Interagency work also enhanced efficiency, such as public awareness for healthcare providers; collaboration with CAPTA on screening procedures and shared criteria for referrals, work with Child and Family Services (or CPS) on enhancing services to jointly served families; and streamlining procedures for assigning surrogate parents.
- One rural State increased community collaboration so that rural health clinics, parents and local agencies can hold IFSP meetings via teleconference when extreme weather prevents travel.

- **Other improvement strategies**

  - reducing eligibility
  - piloting a screening and tracking program for some diagnoses rather than granting automatic eligibility
  - redistributing service areas and funding.

Use of OSEP TA Centers

NECTAC provided information to all States. All States sent representatives to national conferences, such as the National OSEP Early Childhood Conference or RRC regional meetings in which NECTAC staff co-presented. NECTAC provided on-going consultation, or assisted with developing and implementing a State Work Plan (SWP) impacting this indicator (4 States).

INDICATOR 8: PART C TO PART B TRANSITION
Prepared by NECTAC

INTRODUCTION

Indicator #8: 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: (A) IFSPs with transition steps and services (B) Notification to LEA, if child potentially eligible for Part B; and (C) Transition conference, if child potentially eligible for Part B.

Indicator #8 is a compliance indicator with a performance target of 100%. Each of the three sub-indicators of Indicator #8 relate to specific Part C regulations. For (A) *IFSPs with transition steps and services*, Part C regulations specify that "The IFSP must include the steps to be taken to support the transition of the child, in accordance with 303.148, to preschool services under Part B of the Act, to the extent that those services are appropriate or other services that may be available, if appropriate" [303.344(h)]. For (B) *Notification to LEA, if child potentially eligible for Part B*, Part C regulations specify that the Lead Agency will "Notify the local education agency for the area in which the child resides that the child will shortly reach the age of eligibility for preschool services under Part B of the Act, as determined in accordance with State law" [303.148(b)(1)]. For (C) *Transition conference, if child potentially eligible for Part B*, Part C regulations specify that "In the case of child who may be eligible for preschool services under Part B of the Act, with the approval of the family of the child, [the lead agency will] convene a conference among the lead agency, the family, and the local educational agency" [303.148(b) (2)(i)]. States were asked to show actual performance for FFY 06-07 in all three sub-indicators of Indicator #8.

This analysis of Part C Indicator #8 is based on a review of Annual Performance Reports (APRs) for 54 States and jurisdictions. Two States did not submit an APR for this reporting period but baseline and FFY 06 data were utilized for the analysis comparing baseline target and actual performance and were also included in the analysis of progress and slippage. (In this report, the term "State" is used for both States and jurisdictions.)

COMPARISON OF BASELINE, TARGET AND ACTUAL PERFORMANCE

Overall, similar to the analysis of State Performance Plan (SPP) submissions of baseline data and APR submissions for FFY 05-06, an increased number of States continue to show higher rates of compliance in notifying LEAs of potentially eligible children (8B) and documenting transition steps within the IFSP (8A) than for holding transition conferences (8C).

Of the three sub-indicators, more States were in full compliance for sub-indicator 8B (Notification to the LEA) than for either of the other two sub-indicators. For sub-indicator 8B, 24 States (44%) met the target of 100% compliance. Of the 30 States that did not attain a target of 100% compliance, fifteen States reported performance at substantial compliance of 95% to 99%. In analyzing these combined data for 39 States (24 at 100% and 15 at 95-99%), results

demonstrated an increase in the percentage of overall compliance for sub-indicator 8B to 72%.

Sub-indicator 8A (IFSPs with transition steps and services) had the second highest rate of compliance as 12 States (22%) reported full compliance. Of the 42 States that did not reach 100% compliance, 15 States reported performance of substantial compliance between 95-99%. In analyzing these combined data for 27 States (12 at 100% and 15 at 95-99%), results demonstrated an increase in the percentage of overall compliance for sub indicator 8A to 50%. (See note above for 8B.)

Sub-indicator 8C (Transition conference) demonstrated a rate of compliance of 15%. Eight States reported attaining 100% compliance, while 85% (46 States) did not meet the 100% compliance criteria. Twelve of the 46 States not attaining 100% compliance reported substantial compliance at 95 - 99%. Using the 95% or higher criteria (20 States) increases the overall compliance for sub-indicator 8C to 37%. (See note above for 8B about the overall percentage.)

All States reported data for all three sub-indicators demonstrating improvement in data reporting capacity as compared to the FFY 05–06 reporting period, when some States were unable to report performance.

Table 1 illustrates the FFY 06-07 distribution of reported performance for all three sub-indicators (N=54).

Table 1: Distribution of FFY 06-07 Actual Performance

Distribution	C8A Transition Steps	C8B Notification to LEA	C8C Transition conference
100%	12	24	8
95-99%	15	15	12
90-94%	12	7	12
80-89%	9	5	12
70-79%	4	1	6
60-69%	2	2	1
50-59%	1		2
40-49%			1
Below 40%			

Change from Baseline to Actual Performance

Figure 1 illustrates the comparison of baseline, FFY 05-06 performance data and FFY 06-07 performance data for the three sub-indicators. The average rate of performance improves for the three sub-indicators with an average rate of improvement ranging from 8% to 14% from baseline through the second reporting period of FFY 06-07. Sub-indicator 8C demonstrated the highest average rate of improvement of 14% from baseline to FFY 06-07 compared to sub-indicators 8A and 8B.

Sub-indicator 8A increased in average rate of performance from 80% (Baseline) to 89% in FFY 05-06 to 92% in FFY 06-07. Sub-indicator 8B increased from 87% (Baseline) to 94% (FFY 05-06) to 95% in FFY 06-07. It should be noted that sub-indicator 8B continues to have the highest average rate of performance, but has made the smallest gain since FFY 05-06. Sub-indicator 8C increased from 74% (Baseline) to 84% (FFY 05-06) to 88% in FFY 06-07. The range of lowest actual performance for FFY 06-07 demonstrated improvement for sub-indicators 8B (from 32% to 67%) and 8C (from15% to 44%) from baseline data. The range of lowest actual performance for sub-indicator 8A is up from baseline but has decreased from 54% in FFY 05-06 to 50% in the last reporting period.

Figure 1: Comparison of Baseline and Actual Performance

	8A - IFSP Steps			8B - Notify the LEA			8C - Transition Conference		
100	n = 23	n = 27	n = 38	n = 33	n = 41	n = 46	n = 17	n = 22	n = 32
90	n = 7	n = 16	n = 9	n = 8	n = 7	n = 5	n = 10	n = 18	n = 12
80	n = 8	n = 4	n = 4	n = 3	n = 4	n = 1	n = 6	n = 6	n = 6
70	n = 5	n = 2	n = 2	n = 1	n = 2	n = 2	n = 6	n = 3	n = 1
60	n = 4	n = 2	n = 1	n = 2			n = 3	n = 2	n = 2
50	n = 3			n = 3			n = 6	n = 1	n = 1
40	n = 1			n = 2			n = 3	n = 2	
30							n = 1		
20							n = 1		
10									
0									

	8A Baseline	8A Actual 05-06	8A Actual 06-07	8B Baseline	8B Actual 05-06	8B Actual 06-07	8C Baseline	8C Actual 05-06	8C Actual 06-07
● Average	80	89	92	87	94	95	74	84	88
◆ range (highest)	100	100	100	100	100	100	100	100	100
■ range (lowest)	39	54	50	32	64	67	15	30	44

Percentage

Figures 2, 3 and 4 illustrate change from baseline to FFY 06-07 performance for each sub-indicator. State performance progressed from left to right depicting performance as "below," "same as," or "above" baseline. States demonstrated performance improvement in all three sub-indicators. Regression was demonstrated by 25 States (unduplicated count) with six of the 25 States displaying regression in more than one sub-indicator.   A few States with high baselines reported changes to data system or data collection approach impacting reporting ability during FFY 05-06. Two States reported FFY 06-07 data as more accurate due to data system and data collection reporting refinements.

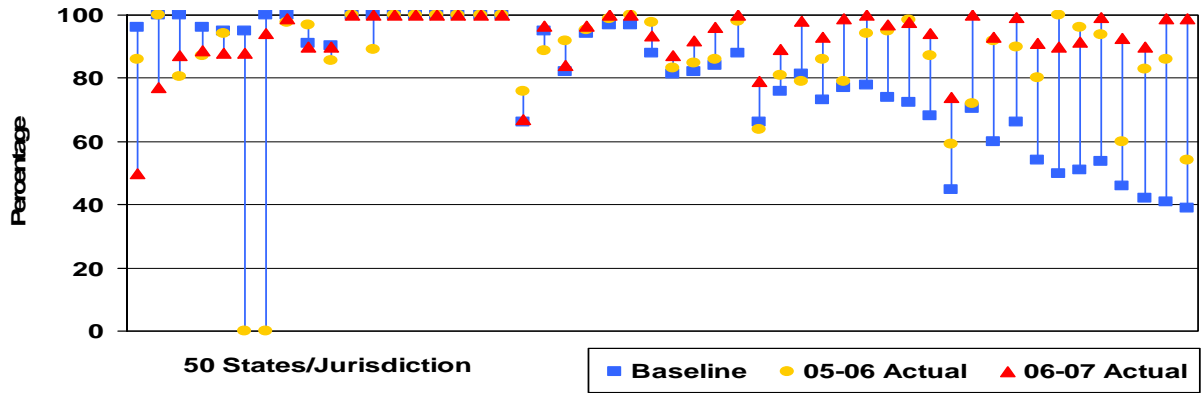Figure 2: C8A - Change in State Performance from Baseline to FFY 06-07

Figure 3: C8B - Change in State Performance from Baseline to FFY 06-07
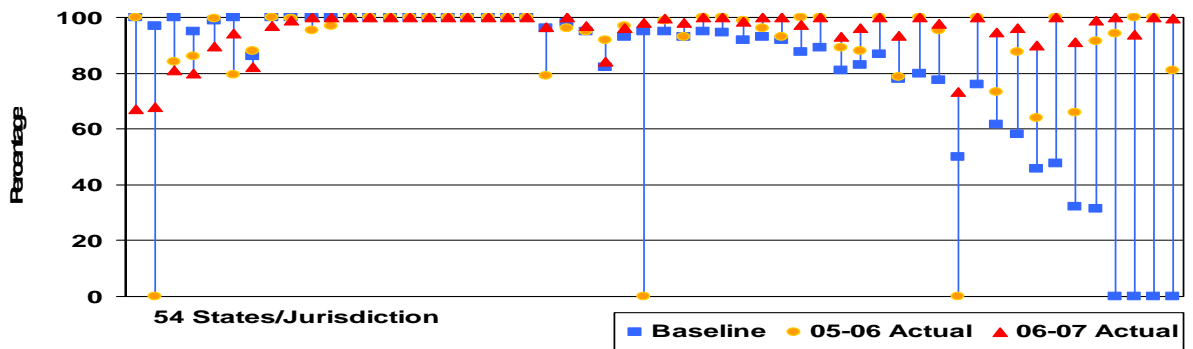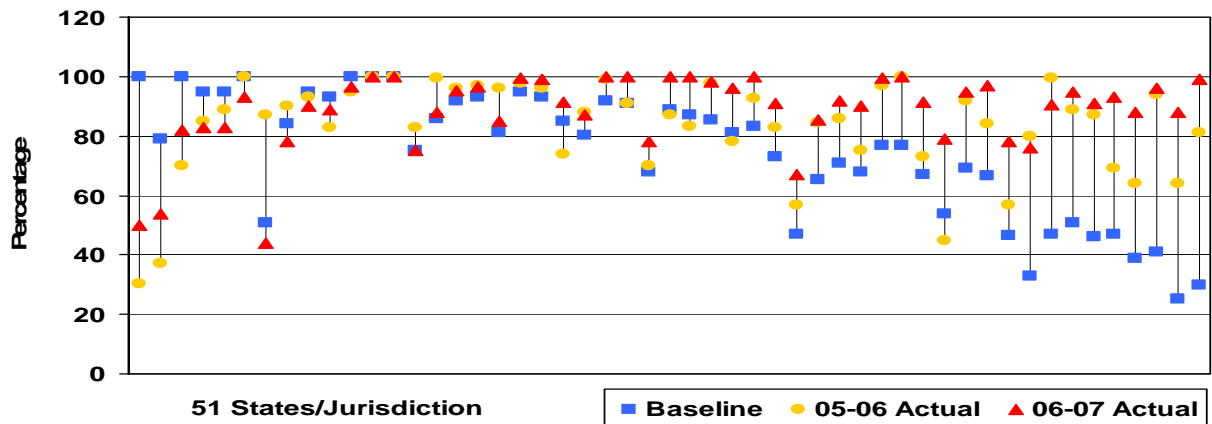

Figure 4: C8C - Change in State Performance from Baseline to FFY 06-07

<u>Data Sources</u>

In the SPP analysis conducted by NECTAC in 2006 (FFY 04-05), eight States did not provide a data source for baseline. Of the States that did provide a data source, the majority used monitoring data to establish baseline for all three sub-indicators. Most States used a random sample of record reviews, with many States utilizing a multi-year monitoring cycle. In the FFY 05-06 reporting period, the distribution of data sources was similar to that of the previous year depicting baseline performance. In the two previous analyses of data sources, the reported data sources were combined for all three sub-indicators. This analysis of FFY 06-07 APRs recorded the data sources for each sub-indicator in an effort to begin to identify potential trends by the States. Table 2 illustrates combined data sources for FFY 05-06 and the new analysis approach.

Many States continued to rely on monitoring mechanisms for reporting purposes. Variation existed in monitoring processes described by States. Most States used cyclical program monitoring, file reviews or desk audits for data verification. A few States reported efforts to monitor all programs by reviewing files from all programs or other processes for examining an increased number of files. Some States used a data system combined with monitoring processes for data verification. For those programs utilizing a random sample of file review there was a range in the number of files reviewed. Based upon review of State's reports it was difficult, in some cases, to determine the data source for the sub-indicators. Five States did not describe or report data sources. An increased number of States reported using electronic and web-based data systems, particularly for sub-indicators 8B and 8C. Some States reported efforts to add fields to State data systems to capture data required for sub-indicator 8C. Some States reported issues related to the efficacy of current data systems affecting reliability and validity of data. Data systems were most commonly utilized for sub-indicator 8B for notification to the LEA. States reported different schedules for notification to the LEA (monthly, bi-monthly, quarterly, and annually).

Table 2: Types of Data Sources Reported for Actual Performance

Types of Data Sources	Combined FFY 05-06	8A – IFSP Steps FFY 06-07	8B – Notification to the LEA FFY 06-07	8C – Transition Conference FFY 06-07
Monitoring/File Review	30	33	22	23
State Data System	9	4	20	15
State Data System & Monitoring	7	14	9	16
Other Data Process	2		1	
Not Given/ Not Described	8	3	2	

In response to OSEP's clarification in 2007 regarding the measurement of exceptional family circumstances, States identified if the number of exceptional

family circumstances was included in both the numerator and denominator for sub-indicator 8C.
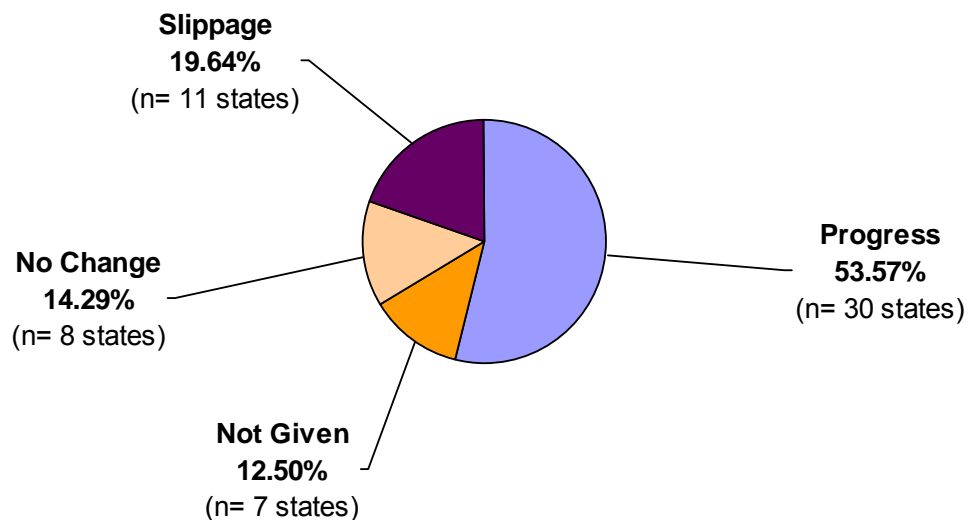
Progress or Slippage

Figures 5 through 7 illustrate progress and slippage of actual performance for FFY 06-07 in relation to FFY 05-06. For this analysis, data from 56 States was used. The FFY 05-06 actual performance was used for two States that did not submit an APR for this reporting period. Those two States are reported as "not given" due to an inability to compute progress or slippage, along with the other States that did submit an APR but could not provide accurate or reliable data for this reporting period. It should be noted that the number of States in the "not given" category remain low and are comparable to the analysis conducted in 2006 except for sub-indicator 8A which increased from three States to seven States during this reporting period. Overall, States have made progress on each of the three sub-indicators.

For sub-indicator 8A (IFSPS with Transition Steps), eight States maintained a performance of 100% compliance as reflected in the "no change" category. The majority of States (54%) demonstrated progress and 20% demonstrated slippage from FFY 05-06 actual performance. The number of States exhibiting slippage decreased from 14 in FFY 05-06 to 11 in FFY 06-07. A few States reported changes to monitoring processes or data systems resulting in more rigorous and reliable data.

Figure 5: IFSPs with Transition Steps

C8A: Progress/Slippage from 05-06 to 06-07

Slippage
19.64%
(n= 11 states)

No Change
14.29%
(n= 8 states)

Progress
53.57%
(n= 30 states)

Not Given
12.50%
(n= 7 states)

For sub-indicator 8B (Notification to the LEA), eighteen States maintained a performance of 100% compliance as reflected in the "no change" category. Thirty-nine percent of States demonstrated progress from FFY 05-06 actual performance reflecting a decrease from 27 to 22 States exhibiting progress for

this sub-indicator. The number of States reporting slippage increased from 8 States in FFY 05-06 to 13 States in FFY 06-07. Of the 13 States demonstrating slippage it should be noted that five of those States still report very high performance and are all in the category of substantial compliance with an actual performance range of 96% to 99%. Only two of the 13 States reporting slippage demonstrated performance of less than 70%. The number of States in the "not given" category remained stable as compared to FFY 05-06 data.

Figure 6: Notification to the LEA

C8B: Progress/Slippage from 05-06 to 06-07
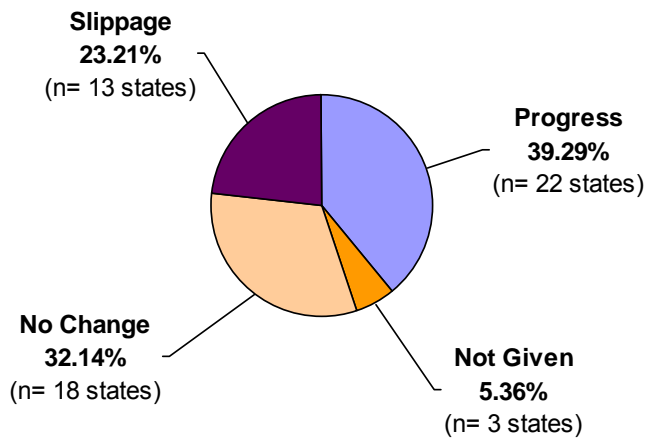
For sub-indicator 8C (Transition Conference), 57% of States demonstrated progress. Of the 32 States reporting progress, 12 States improved performance to substantial compliance of 95% or higher. Four States reported 100% compliance. The number of States reporting slippage increased from 13 States in FFY 05-06 to 17 States in FFY 06-07. Of the 17 States demonstrating slippage, five States reported actual performance of 90% or higher. Two States reported substantial compliance of 95% or higher. Only two of the 17 States reporting slippage reported performance of less than 70%. Most States reported performance ranging from 78% to 90%. The number of States in the "not given" category increased by three as compared to FFY 05-06 data. Only three States remained in the "no change" category, reflecting a decrease from the six States in FFY 05-06.

C8C: Progress/Slippage from 05-06 to 06-07

Slippage
30.36%
(n= 17 states)

No Change
5.36%
(n= 3 states)

Progress
57.14%
(n= 32 states)

Not Given
7.14%
(n= 4 states)
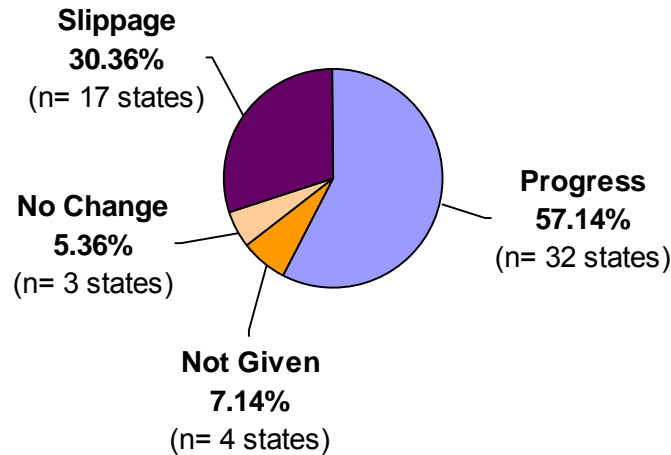
Explanation of Progress and Slippage

C8A - IFSPs with Transition Steps and Services

Twenty-two out of the 30 States demonstrating progress on 8A reported a variety of activities for which progress was attributed. Themes emerged related to improved monitoring processes and tools, clarification of regulations and policies, provision of specific training and TA, modifying data and monitoring systems to include sub-indicator requirements and changing statewide IFSP forms to include a specific section on transition specifying steps, services and outcomes.

Eight out of 11 States demonstrating slippage reported factors influencing performance. More States reported factors affecting slippage in this sub-indicator as compared to the other two sub-indicators. The factors reported included specific programs requiring policy clarification and TA, inaccuracy of new data systems, improper documentation in records, staff shortages, and changes needed in IFSPs to improve documentation.

C8B - Notification to LEA

Eighteen out of 22 States demonstrating progress or maintaining 100% compliance (N= 18) for this sub-indicator reported activities for which progress or maintenance was attributed. Two States demonstrating slippage also described activities facilitating improvements. Themes emerged related to improved data sharing procedures, improved accuracy of data entry, and increasing the frequency of notification reports. Other strategies mentioned included guidance development, promotion of local collaboration and targeted training for service coordinators and data managers.

Five out of the 13 States demonstrating slippage reported factors influencing performance. Those factors were related to data capacity issues and the need to develop, clarify or refine notification procedures. One State reported that improved data accuracy and increased stringency of measurement approach created slippage.

C8C- Transition Conference

Fourteen of the 32 States demonstrating progress for this sub-indicator reported activities for which progress was attributed. Themes emerged related to utilization of focused monitoring activities, use of more accurate data for analysis to facilitate targeted monitoring and improved data sharing, training and TA and policy clarification. Many of the States used training, TA and monitoring resources to work with specific programs on compliance issues. Strategies described by two States included positive results from a pilot project that is providing additional focused TA, using incentive funding for high program performance and including transition as a performance contracting measure. States with 100% compliance did not report any attribution for maintenance for this sub-indicator as compared with the other two sub-indicators.

Nine of the 17 States demonstrating slippage reported factors influencing performance. Factors described as influencing slippage were improper documentation, delayed eligibility determination, lead agency changes, personnel shortages, inability to collect data on the transition conference requirements and increased data accountability and monitoring efforts. States reported fewer issues related to slippage than progress. Three of the States demonstrating slippage in sub-indicator 8C described activities facilitating performance improvements rather than reasons for slippage.

C8 – Overall Issues

Table 3 illustrates the breakdown of issues identified by States for FFY 06-07. These data represent a duplicated count of States. Some States reported issues but did not describe them in the APR report under the section "Explanation of Progress or Slippage" or they described issues within the section but did not specifically attribute these issues as responsible for slippage. A few States that demonstrated progress in actual performance described issues. The majority of States did not identify specific issues pertinent to the individual sub-indicators. In the analysis for both FFY 04- and FFY 05-06 the issues identified for all sub-indicators were combined into one tally. For this analysis, the issues were examined by sub-indicator in an effort to determine specific trends in the concerns reported by States.

Table 3 provides the FFY 05-06 combined data as well as the issues identified in FFY 06-07. States reported issues for sub-indicator 8A (N=17 States), sub-indicator 8B (N=11 States), and sub-indicator 8C (N=18 States). The most commonly reported issues across the sub-indicators were related to data capacity and the need for policy/regulatory clarification. More States described issues related to collaboration and coordination for sub-indicator 8C (Transition Conference). Personnel capacity issues were only reported in sub-indicators 8A

(IFSPs with Steps) and 8C (Transition Conference). The fewest number of issues described by State were in sub-indicator 8B (Notification to LEA). The number of States not reporting issues increased from FFY 05-06 to FFY 06-07.

Table 3: Types of Issues Reported by States

Types of Issues	Number of States – FFY 06-07			Number of States FFY 05-06
	8A	8B	8C	Combined
Data Collection and Reporting	7	5	5	8
Systems Administration and Monitoring	3	1	1	2
Systems and Infrastructures of Technical Assistance and Support			1	
Technical Assistance/Training/Professional Development	1	1		5
Policies and Procedures	6	5	4	14
Program Development				
Collaboration/Coordination	1	1	5	4
Evaluation			1	
Increase/Adjust FTE	3		4	8
Other			3	14
None Given	36	43	36	18

Improvement Activities

Types of Improvement Activities

Table 4 illustrates the breakdown of improvement activities reported by type for FFY 05-06 and FFY 06-07.   These data represent a duplicated count of States. In the analysis for both FFY 04-05 and FFY 05-06, the types of improvement strategies reported for all sub-indicators were combined. For this analysis, the improvement activities were examined by each sub-indicator to determine specific trends in approaches described by States. The types of improvement activities were modified by OSEP for the FFY 06-07 analysis. The category of "Systems and Infrastructures of Technical Assistance and Support" was added. The category of "Provides Technical Assistance" was incorporated into "Technical Assistance/Training/Professional Development".

The category of "None Given" was included for FFY 06-07. Not all States reported activities for each sub-indicator. Some States with performance above 95% did not always report on improvement activities. For example, States that did not report on improvement activities for sub-indicator C8B (Notification to the LEA) reported performance at 98% or higher, with the majority demonstrating full compliance (N=10).

Table 4: Types of Improvement Activities Reported by States

Types of Improvement Activities	Number of States by Sub-indicator FFY 06-07			Combined Number of States FFY 05-06
	8A	8B	8C	8ABC
Data Collection and Reporting	25	22	30	33
Systems Administration and Monitoring	39	22	39	44
Systems and Infrastructures of Technical Assistance and Support	1	1	1	NA
Technical Assistance/Training/Professional Development	41	19	41	43
Technical Assistance	NA	NA	NA	29
Policies and Procedures	25	15	20	30
Program Development	3		3	
Collaboration/Coordination	22	12	32	38
Evaluation	3		4	3
Increase/Adjust FTE			2	2
Other				
None Given	1	12	2	NA

All States except for one reported at least one improvement activity for FFY 06-07. This State reached 100% compliance for all three sub-indicators. Many States reported on improvement activities that were implemented after the designated reporting period. For this analysis, improvement activities were coded only if reported as occurring between July 1, 2006 and June 30, 2007, even if reported as completed.

The distribution of improvement activities for FFY 05-06 were similar to those reported in the FFY 2004 SPP analysis, with the exception of "collaboration/coordination" which had been described by an additional 10 States. The improvement activity of "collaboration/coordination" moved up from sixth to the third most frequently cited improvement activity by States. Improvement activities related to collaboration and coordination remained in the top five categories reported in FFY 06-07.

There was similarity regarding the frequency of types of improvement strategies reported for sub-indicators 8A and 8C. For example, States described improvement strategies such as efforts to improve ability to monitor and correct noncompliance, provide training and technical assistance and clarify requirements.

For sub-indicator C8A (IFSPs with transition steps), the most frequently reported improvement activity was the provision of training and technical assistance (N=41) followed by the use of monitoring processes (N=39). States described the use of TA as combined with monitoring efforts. Tied for the third most frequently reported improvement activity for sub-indicator 8A were policy/procedure clarification (N=25) and improved data collection and processes (N=25). An example of State efforts to link and support improvement activities for this sub-indicator follows. Seven States modified IFSP forms to delineate the documentation of transition steps, services and outcomes. This required

modification of data systems or monitoring forms to report the regulatory requirements for sub-indicator 8A. Training and TA to support the implementation of the modified IFSP forms and procedures was provided. The incorporation of the changes were then included in future monitoring processes.

For sub-indicator C8B (Notification to the LEA), the two most frequently reported improvement activities were data collection and reporting and systems administration and monitoring (N=22). Providing training and TA (N=19) was the second most commonly reported activity followed by the clarification of policies and procedures (N=15). Activities to improve data collection and reporting processes for notification to the LEA included: developing new procedures for sharing notification data, designating specific personnel in addition to data entry personnel or service coordinators as responsible for sending reports to LEAs, altering the frequency of reports sent to LEAs, creating fields to more accurately capture children's birthdays and notification dates, developing and piloting child tracking forms which are shared with LEAs, and providing training and TA to personnel regarding notification requirements and data entry procedures. Activities to address notification as part of monitoring systems and processes included: embedding notification in monitoring protocols, revising and disseminating a self assessment tool to collect notification data, including notification procedures as part of corrective action plans and providing more extensive TA to programs demonstrating noncompliance.

Seven States developed a parental option to be excluded from the notification to the LEA policy (opt-out). Two of the seven States referred to having received OSEP approval for an opt-out policy. Four States reported waiting for OSEP approval. States reported providing policy clarification to programs and the provision of TA related to opt-out policy implementation. Thirty-eight States did not indicate or mention the concept of an opt-out policy. Five States described procedures and interagency agreements for the notification of all potentially eligible children to the LEAs.

For sub-indicator 8C (Transition Conference), the most frequently reported improvement activity was the provision of training and TA (N=41) with systems administration and monitoring efforts (N=39) reported second. The third most commonly reported activity was collaboration/coordination (N=32), followed by data collection and reporting efforts (N= 30) and clarification of policies and procedures (N=20).

Training and TA activities were described as collaboratively designed and implemented with Part B by many States. Some States worked with Parent Training and Information Centers to design and conduct training. States described training activities that required joint participation by local early intervention and LEA personnel. Other training and TA activities included: providing targeted TA to low performing programs as part of monitoring and corrective action process, including a module on transition as part of required service coordinator training, designing and providing training for parents in collaboration with the PTI, developing required online training courses on transition, providing TA through monthly calls with regional supervisors, using

technical assistance teams to work with local programs and requiring specific training and resources to be provided to new employees.

Monitoring activities were very similar to those described for sub-indicator 8A and 8B. State reported revising monitoring processes and tools to include the requirements and timelines specific to the sub-indicator, conducting verification activities and monitoring program progress on corrective action plans. More activities supporting and improving collaboration were described for sub-indicator 8C. States described collaborative efforts for sharing and evaluating the implications of data with Part B. A few States described efforts to study the use of a unique identifier. Some States reported on the development, refinement and implementation of interagency agreements and activities with local programs to develop and use local interagency agreements. Some States developed a protocol for monthly or quarterly meetings with Part B staff to discuss and evaluate State and local practices, use data for understanding compliance issues and jointly plan improvement strategies.

Use of TA Center

NECTAC provided a variety of TA activities to States regarding early childhood transition practices.

- Fifty-six States received information through mechanisms such as listserv postings, the NECTAC Transition Web-site, dissemination of materials and responsive TA via email and telephone.
- Fifty-six States attended the National OSEP Early Childhood Conference and had the opportunity to participate in concurrent workshops and networking opportunities on early childhood transition.
- Three States received extensive onsite consultation and were implementing strategic State work plan activities on early childhood transition with NECTAC during the reporting period.

INDICATOR 9: GENERAL SUPERVISION (TIMELY CORRECTION)
Prepared by DAC

INTRODUCTION

Indicator C9 is used to determine whether the State's "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." This indicator is measured as the "the percent of noncompliance corrected within one year of identification." The target for this indicator is 100%. The following formula is used:

Percent of noncompliance corrected within one year of identification = # of findings of noncompliance divided by # of corrections completed as soon as possible but in no case later than one year from identification times 100.

The measurement of this indicator that the State "for any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken." The APR instructions direct that "Lead Agencies must describe the process for selecting EIS programs for monitoring." Additionally, States are to describe the results of the calculations as compared to the target, reflect monitoring data collected through the components of the general supervision system, and group areas of noncompliance by priority areas and other topical areas.

Overall, the Data Accountability Center (DAC) reviewed 56 FFY 2006 APRs for this summary. These included the 50 States, the District of Columbia, and other jurisdictions eligible for and participating in the Part C program. For purposes of this summary, the term "State " will be used for any of these 56 entities. In some instances, there will be fewer than 56 responses, and this will be noted in the narrative.

Actual (2006-07) as Compared to 100% Target

Of the 56 States reviewed, 2 States provided no data for this indicator, and 2 additional States are in Compliance Agreements that include different provisions for addressing Indicator C9. Of the remaining 52 States:

- 16 States met the 100% target for 2006-07;
- 4 States' performance was between 95% to 99%;
- 13 States' performance was between 85% and 94%;
- 11 States' performance was between 50% and 84%; and
- 8 States' performance was less than 50%.

PROGRESS OR SLIPPAGE

It is important to note that this analysis reports on each State's discussion of progress or slippage. There was a great deal of variability in how States reported under this required category, and in fact, many States did not use the terms

"progress" or "slippage" at all. However, most States did provide narrative under this category that could be described as progress or slippage, so analysis was completed on these descriptions. Of the 56 States analyzed:

- 40 States provided some discussion of progress or slippage;
- 16 States did not address progress or slippage. Of these:
  - o 11 States' performance on Indicator C9 was 100%; and
  - o 5 States' performance was less than the target of 100%.

In general, the descriptions of progress or slippage related to:

- Issues or challenges that contributed to States' current performance on this indicator;
- Progress that occurred in State and local performance on the indicator;
- Factors that contributed to slippage (or any performance level below 100%) at the State and/or local level; and
- Steps the State has taken both at the State level and with individual locales to correct noncompliance.

Methods of Collecting and Analyzing Monitoring Data

DAC reviewed all 56 State APRs to determine what activities States used to collect and analyze 616 monitoring data. It should be noted that, in general, States describe their monitoring and general supervision systems in their State Performance Plans (SPP) and may or may not provide this information in each annual APR.

Of the 56 APRs reviewed, only three States did not provide any description of what activities were used for the collection of monitoring data. Most States reported more than one activity to collect monitoring data, and some States seemed to be describing their monitoring system in total.

In the 56 APRs reviewed, States reported using the following methods to collect and review monitoring data:

- 27 States reported using self-assessment;
- 42 States reported using desk audits of existing data;
- 48 States reported using onsite monitoring; Of these 48:
  - o 20 States reported using cyclical onsite monitoring (with a range of monthly to every 5 years);
  - o 25 States reported using focused onsite monitoring; and
  - o 5 additional States reported using onsite monitoring but did not specify the method of selection.

The reader should note that some States reported using both a cyclical onsite approach and also focused criteria to select additional local programs or agencies to visit based on specific criteria such as long-standing noncompliance or other risk factors.

States also reported using other activities to collect monitoring data, including State or regional record reviews, local interagency council desk audits, staff interviews, calling families or sending letters to verify provision of services, and

fiscal monitoring activities.

VERIFYING CORRECTION OF NONCOMPLIANCE

Due to the importance of ensuring that correction of noncompliance is verified, DAC reviewed all 56 APRs to see if States reported on the process used to verify correction. Since the APR instructions do not require States to specify how correction is verified, no conclusion can be reached about the fact that 32 States did not describe this process in the APR. However, the remaining 24 States did report activities (sometimes more than one) to verify correction as follows:

- 11 States reported focused monitoring visits;
- 7 States reported using a desk audit process;
- 4 States reported using record review;
- 3 States reported using a regularly scheduled cyclical visit;
- 2 States reported using self-assessment; and
- 1 State reported that verification occurred but did not report how.

Improvement Activities

DAC reviewed the Improvement Activities reported by all 56 States for this indicator, and all but two States reported improvement activities. States did not always characterize actions or steps as "Improvement Activities," but any State descriptions that seemed to reference actions or steps toward improvement were included in this analysis (see Table 1 below).

There was great variation in the number and the depth of description of the improvement activities. More than half of the States reported using three improvement activities—"providing technical assistance/training/professional development," "improving systems administration and monitoring," and "improving data collection and reporting." In addition, almost all the States reported ongoing improvement activities that did not reflect change or improvement.

Table 1: Summary of Improvement Activities, Ranked from Most to Least Frequent

Improvement Activity Category	Number of States Reporting at Least One Activity from the Category
Provide TA/training/professional development (D)	49
Ongoing activities not reflecting change or improvement (J2)	45
Improve systems administration and monitoring (B)	40
Improve data collection and reporting (A)	35
Increase/Adjust FTE (I)	16
Clarify/examine/develop policies and procedures (E)	15
Collaboration/coordination (G)	10
Development of materials (J1)	6
Build systems for TA and support (C)	4
Evaluation (H)	3
Program development (F)	2

Technical Assistance Provided to States

During 2006-07, Year 5 of the NCSEAM project, technical assistance was provided to half of the States (28 States). The types of assistance provided to States are shown in Table 2 below.

Table 2: Summary of Technical Assistance to States

Type of Technical Assistance	Number of States
Universal/General information	9
Targeted/Specialized (regional meetings)	17
Intensive/Sustained on-site consultation	10

Conclusions

Overall, 56 APRs were reviewed for this summary. This included the 50 States, the District of Columbia, and other jurisdictions eligible for and participating in the Part C program. In 2006-07, 16 States met the 100% target for Indicator C9, as compared to only 6 States in the February 2007 APR. An additional five States in 2008 met the federal standard for substantial compliance with this indicator. A total of 21 States or 38% had compliance of 95% or greater, indicating progress from last year in States' ability to timely correct identified noncompliance.

There remains tremendous variability in how States address progress or slippage in the APRs. While 40 States did provide some level of description in this year's APR, the format varied greatly. Some States reported changes in performance; some States reported challenges or issues affecting performance; and some States reported strategies for change. Some States did all of the above. Some States reported progress or slippage in relation to the local level; others reported related to the State level; and other States included descriptions related to both the State and local levels.

In this APR cycle, States continued to report on the use of monitoring methods other than the traditional onsite cyclical process. This included self-assessment, desk audits, and focused onsite-monitoring visits. In addition, 24 States described activities that were designed to ensure or verify the correction of identified noncompliance. These included focused visits, desk audits, cyclical visits, self-assessments, and record reviews.

There continues to be great variability in how States describe improvement activities. But not surprisingly, more than half of the States reported using three improvement activities—"providing technical assistance/training/professional development," "improving systems administration and monitoring," and "improving data collection and reporting." Many States also include activities that appeared to be regularly scheduled instead of designed to respond to current performance and the need for improvement or change.

INDICATORS 10, 11, 12, and 13: DISPUTE RESOLUTION SYSTEM FUNCTIONS and ACTIVITIES
Prepared by CADRE

INTRODUCTION

This document is based on a summary and analysis of selected FFY 2006 State Annual Performance Reports (APRs) for the dispute resolution indicators under Part C. These include:

- Indicator 10. Percent of signed written complaints with reports issued that were resolved within a 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
- Indicator 11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.
- 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 by the lead agency under 34 CFR §303.420(a)).
- Indicator 13. Percent of mediations held that resulted in mediation agreements.

An integrated perspective rather than a focus on these as separate indicators is more likely to produce lasting resolutions to disputes and the capacity of families and early intervention (EI) service providers to reach effective agreements and to deal with conflict when it arises. CADRE'S approach to technical assistance and to this analysis focuses on all dispute resolution areas and emphasizes early resolution and conflict management processes.

This chapter sampled selected Part C APRs for summary and analysis. We examined the APRs and web sites of 19 States. The States selected included every State that had at least one request for a due process hearing in FFY 2006, those States that had compliance issues for Indicator 10 (Complaints), about half of the States that reported some level of complaint activity, and four States that have not reported any formal dispute resolution activity. The last group was of particular interest and was selected based on their having reported alternative and early dispute resolution activities in earlier APRs.

We focused, then, on extracting from a sample of APRs and web sites, our best understanding of what Part C programs do, formally and informally, to manage and resolve conflicts and disputes. For purposes of this chapter, by "conflict" we mean "a normal expression of disagreement in human interactions that is most often resolved by the parties without outside intervention." By "disputes" we mean "a conflict that has risen to the level that may lead to a request by either or both parties for a process for or assistance in its resolution." The objective of this chapter, then, is a descriptive and prescriptive analysis:

> To describe, as fully as possible, the kinds of activities Part C Lead
> Agencies undertake in order to effectively manage and resolve conflict
> and disputes in their States.

The intended audiences for this document are Lead Agency Part C system managers, coordinators of dispute resolution processes (hearing, complaint or mediation systems), dispute resolution practitioners, and providers, parents and other stakeholders who are involved in advising Part C Lead Agencies on the operation of dispute resolution systems.

In this chapter we address methodology and concepts underlying the selection of States for review and the approach to the analysis. We then present findings in a detailed description of the activities that States undertake in order to operate capable dispute resolution systems. A summary of a review of Lead Agency web sites is included in the Appendix A.

Key Concept: Part C Dispute Resolution Activity is Relatively Infrequent

Few States report formal dispute resolution activity (written complaint filing, due process [DP] hearing request, or mediation) in their Part C APRs. Only 15 States have reported one or more dispute resolution events every year for the past four years; 12 States have reported some activity in three of those years; four States have reported activity in two of those years; nine States reported activity in only one year; and 16 States have reported no activity at all in the past four years (two of these States have not submitted reliable reports).

There is simply not enough formal Part C dispute resolution activity nationally to draw dependable conclusions about compliance and performance differences. On the two compliance indicators (C10 and C11), Table 1 summarizes FFY 2006 activity and the lack of it across States:

Table 1: Dispute Resolution Activity in Part C (FFY 2006)

	Indicator C10, Complaints	Indicator C11, DP Hearings
# States that did not report data	2	2
# States reporting ≥ one filing/request	28	7
# States reporting no filings/requests	26	47
# States with no substantial compliance	3	0

Of the seven States reporting at least one hearing request, only four actually held a hearing and all were reported completed within timelines. While larger States account for most of the formal dispute activity, nine of the 13 largest States (accounting for two thirds of the children served in Part C) reported no hearing requests. The seven States reporting hearing activity represent a decrease from the number of States reporting hearing activity in prior years.

Three of the 13 largest States reported no written complaint filings. Written complaints appear to be the most commonly used formal dispute resolution process. Based on three years of data (FFY 2003, FFY 2004, and FFY 2005), the total number of complaints nationally was remarkably stable, averaging about

176 per year. Each year about three fourths of complaint filings resulted in investigations with written reports issued and about 20% were withdrawn or dismissed. The percentage of reports with findings dropped from 57% in FFY 2003 to about 42% in FFY 2005.

Only 16 States have adopted Part B procedures for hearings. Virtually no activity was reported in these States related to resolution meetings or written settlement agreements.

Only three States reported more than ten mediations held (the cut-off for establishing targets and improvement activities).

In the three years prior to this APR cycle (FFY 2003 thru FFY 2005), 71% of all the dispute resolution activity (written complaints filed, mediations held and due process hearing requests) occurred in five States. In short, the formal dispute resolution processes required by IDEA are used infrequently and compliance, while it represents an issue for a few States, does not reflect much about how conflict might be resolved in Part C programs in general.

Various explanations have been offered for the relatively low level of dispute resolution activity in Part C (see Footnote 1):

- Parents of infants and toddlers may be overwhelmed.
- Parents don't know the EI system or their rights.
- Fear of reprisal or… "Don't dump your one best friend."
- Part C families have less time to work up to filing: average length of time served is 1.5 years – mean age at first IFSP = 17 months (NEILS, 2001).
- Part C child count (0-2 years) is about 4.5% of the Part B count (3-21 years).
- By law, early intervention participation is voluntary (some parents opt out).
- Parents are the primary decision-makers and are free to accept or reject any recommended EI service.
- The IFSP process tends to be family-friendly, intimate, and emphasizes services in the home or in natural environments.
- Parents know their rights but choose not to use formal dispute resolution approaches; prevention and informal complaint resolution mechanisms resolve concerns.

While each of these explanations may be a possible contributing factor, they do not likely all apply in all States. Lead Agencies with little or no dispute resolution activity may consider which of these (or other explanations) are relevant to their State.

Footnote 1: The first four bullets are from a summary of 18 interviews with Part C Coordinators from: Gittler & Hurth (1998) Conflict management in early intervention: Procedural safeguards and mediation. Inf & Yg Children.11(1); the last five bullets are from drawn from discussions and conversations among CADRE staff and Part C program participants attending CADRE presentations.

METHODOLOGY

Sample Selection

CADRE initially intended to select States based on the same logic we applied in our APR review and analysis for Part B. In that case, we selected States based on performance of three types: consistent demonstrated compliance over several years, improved to demonstrate compliance, or demonstrated "no substantial compliance." For the FFY 2006 APRs, with the exception of the two entities that did not report, all States with hearings held achieved compliance on Indicator 11 (timely hearings) and only three States that received written complaints did not demonstrate "substantial compliance" on Indicator 10 (timely complaints). With so few compliance issues in the Part C programs, a parallel selection approach could not be meaningfully applied.

Nineteen States were selected for the review to include:

- All States that had any hearing request activity (n = 7)
- All States that had compliance issues with Indicator 10 (n = 3)
- Other States that reported activity under Indicator 10 (n = 5)
- States that had no hearing, mediation or complaint activity (n = 4)

The last group was selected based in part on CADRE knowledge of past APRs and the active promotion in those States of alternative dispute resolution activity. The reviews involved reading and categorizing of all activity by two reviewers, followed by a third reviewer who combined and reconciled the two reviews, most often by another reading of the APR. The intent was to "go deep" in describing what Part C programs do to support and manage dispute resolution processes.

Identifying Part C Critical Functions and Activities v. Improvement Strategies

States are asked to describe in their APRs the "improvement strategies" they undertake to maintain or improve their performance in the dispute resolution indicator areas. Most States do not fully describe the operations of their systems in their APRs, but instead address their efforts toward improvement. As a result, most APRs provide only a limited view of how dispute resolution systems function overall. "What's working well" for many States may go unreported, or may be only alluded to in describing completed activities or in explanations of progress. As a secondary source, CADRE examined State Lead Agency web sites to identify the level of public information available on formal and informal dispute resolution options.

In both the Part B and Part C APR analyses, CADRE adapted the "improvement strategy taxonomy" and definitions provided by OSEP and added three functions: Public Awareness/Outreach, Upstream or Early Resolution Processes, and Stakeholder Involvement. Our premise in both analyses is that a State dispute resolution system will, at some level, have activities that address each of these basic "functions":

A. Data collection and reporting

B. Systems administration and monitoring
C. Systems and infrastructures for technical assistance and support
D. Technical assistance/training/professional development
E. Clarification/examination/development of policies and procedures
F. Program development
G. Collaboration/coordination
H. Evaluation
I. Increases or Adjustments to FTE
J. Public Awareness/Outreach
K. Upstream or Early Resolution Processes
L. Stakeholder Involvement

The focus of this Part C summary is on activities described in the APRs we reviewed. We also examined State web sites from two perspectives: (1) to assess how accessible information on dispute resolution is to parents and other interested parties; and (2) to identify the kinds of related activities that may be the reason for some States having so little dispute resolution activity (e.g., ensuring parents understand and can apply their procedural safeguard rights, informal dispute resolution activities). CADRE is convinced that well-informed families and competently managed conflict, dealt with early, can help Part C programs resolve most potential disputes with families and contribute to the positive collaborative partnerships so crucial to successful early intervention.

The Part B summary provides additional detail on the kinds of activities performed by State educational agencies (SEAs) in carrying out these functions (see "Dispute Resolution System Functions and Activities: From an Analysis of Selected FFY 2006 Annual Performance Report Indicators 16, 17, 18 and 19"). Since the required dispute resolution functions are essentially the same for both programs, the Part B summary may be of value to Part C States with significant levels of activity that want to examine management functions used in Part B to address data gathering, monitoring process timelines, practitioner standards and training, etc.

FINDINGS:

The amount of detail provided in Part C APRs varies and is, overall, generally less than that provided in Part B APRs. This is hardly surprising, given the relatively low levels of dispute resolution activity in Part C. In the States selected for this review, the APRs for the dispute resolution indicators ranged from 12 pages (with some detail about system organization and explanations of progress/slippage provided) to as few as three pages. In some APRs, there was little or no explanatory text (that is, almost all the space was taken up by the elements of the APR template, with no significant State content included).

In order to offer useful guidance about what Part C programs can do to effectively manage conflict and disputes, CADRE extracted as much detail as we could about each activity type. Clearly, not every State does the same things, but there are activities common to each of the 12 functions that seem to be fairly standard. Some activity descriptions reflect an aggregate of what two or more

States said about a particular kind of activity. In other cases, we include activities that some Lead Agencies pursue that others do not and would not find appropriate to undertake.

Activities Necessary to the Functions of a State Dispute Resolution (DR) System – Beginning Description

Identifying the broad categories of activity (functions of a dispute resolution system) is a meaningful step in understanding how Part B and Part C dispute resolution systems function. The following description of activities within each function is a first attempt at specifying critical activities and processes for an effective Part C Lead Agency dispute resolution system. We hope this summary can serve to stimulate discussions among system managers, practitioners and stakeholders about how these systems can be made more effective in promoting better parent/provider decision-making and, when needed, effective and durable dispute resolution.

These activity descriptions, arranged by the 12 identified "functions" of a dispute resolution system, are based on CADRE's review of APRs and examination of the Lead Agency web sites. Each function is listed below with a brief definition in parentheses following. For each function, detailed activities are described. For some functions, sub-functions are offered and then activities. The activities may include those that, at a minimum, are necessary for compliance and/or basic system operation, as well as activities that may enhance compliance and capable system performance.

Function A. Data Collection and Reporting

(Definition: Ensure accurate data collection in order to monitor, manage and report on dispute resolution activities.)

The degree to which a Lead Agency invests in data collection and process tracking should be related to the level of activity being managed. In Part C programs with few or no complaints and hearing requests, a paper checklist system or simple spreadsheet may suffice. In States with more activity, more complex systems are likely justified. In Part B programs, integrated data systems that allow tracking individuals or programs across dispute resolution options used are an increasingly common practice. Part C programs do not describe integrated data systems, even among those States with more DR activity. At a minimum, Part C DR data collection requires a method for compiling data that satisfies the Section 618 and APR data reporting requirements (Table 4). These data alone, however, will not suffice to manage timeliness of complaints and hearings and some other issues related to dispute resolution.

Part C APR descriptions primarily address written complaint tracking. The activities described below are organized by the "sub-functions" that data systems support:

Sub-Function A1: Collect Data to Support Timelines Management

Management of timely and effective system performance can be enhanced when States track steps in a dispute resolution process. The appropriate *level of detail*

to track is that which is sufficient to allow timelines monitoring, correction of timeline slippage in individual cases and the use of summary data in systems improvement efforts. Data systems can be designed to both generate expected dates for completion of various activities based on the date the DR process was initiated, as well as serve to document the actual dates of the activity for each case.

- **Data on the Timeliness of Complaints.** No APR included a description of tracking *process* by more than the date the complaint was filed and the date the complaint was closed. While not reported, tracking expected and actual intermediate process steps can assist in monitoring timelines, such as dates for: investigator appointed, end of an early resolution period, first contact with participants, additional information collected, first draft report, and final report.
- **Data on the Timeliness of Due Process (DP) Hearings** Again, no APR included a description of detailed *process* tracking. Hearing process tracking may involve dates for: HO appointment, first contact with parties, final date for submission of evidence, hearing date, draft decision, final decision.
- **Data on Resolution Meetings/Agreements.** Resolution meeting requirements apply only to States that have adopted Part B procedures for due process complaints. Only one resolution meeting occurred in these States from FFY 2004 through FFY 2005. Data on these activities (should they occur) is required under Section 618 data reporting requirements.
- **Track corrective action/decision implementation.** Several States mention monitoring and reporting on complaint corrective actions and implementation of hearing decisions, but no data specifications were offered.

Sub-Function A2: Collect Data to Support Management of Overall System Effectiveness

- **Issues raised in complaints.** Some States refer to collecting and reporting summary data on issues presented in complaints. Common issue taxonomies can help align analyses with Indicator 9 activities (system of general supervision).
- **Other information.** The data may include results of complaint investigations, the provider the complaint was filed against, and satisfaction of participants. One State mentioned collecting satisfaction data after six months to assess the durability of mediation agreements. Assessment of the durability of corrections resulting from investigations also might be accomplished through Indicator 9 (system of general supervision).
- **Informal dispute resolution.** Several States collect data and report on parental concerns and complaints that are resolved through informal means. Inasmuch as Part C programs may have greater capacities for informal resolutions of concerns, this kind of tracking seems critical to understanding issues/concerns that are not resolved through formal resolution processes.

Function B. Systems Administration and Monitoring

(Definition: Administer and manage dispute resolution systems. Carry out dispute resolution process monitoring, including continuous improvement and focused monitoring.)

Administration involves standard setting for practice and performance (e.g., timelines, durability of resolutions), monitoring of actual practice and performance, and adjusting resources and activities to improve system performance with respect to standards (e.g., for individual cases and for longer term adjustments to improve effectiveness). Data collected on dispute resolution processes and outcomes are critical tools for managers. Administration activity in the Part C APRs reviewed range from relatively simple (smaller systems with a few staff) to more complex in States with larger programs. States with higher levels of dispute resolution activity and those that share dispute resolution systems with the State's Part B program should consider reading CADRE's Part B APR analysis.

Among the kinds of activities unique to Part C administration were:

- **Informal systems to address complaints or concerns.** Several States have established informal complaint systems that do not require a formal written complaint in order to receive systematic attention. These systems often operate at the local provider and regional level first, with unresolved issues at these levels being addressed by State staff. Fast turn-around is characteristic of these informal systems (e.g., a goal of resolution within one or two days).
- **Ensure that hearings are timely, extensions appropriate, and that decision formats and language reflect Part C requirements.** In many States, Part C hearings may be run through a State Office of Administrative Hearings or held using hearing officers shared with the Part B program. Because the timeline requirements under Part C often differ, attention to clarifying those standards with the hearing officers is critical. A Memorandum of Agreement is a typical strategy.
- **Support the conduct of hearings.** States note using shared data systems (e.g., the Lead Agency and Office of Administrative Hearings both have access to process tracking data); providing high quality equipment for recording hearing proceedings; and arranging locations for hearings that are more accessible to families/participants.
- **Monitor complaints and implementation of corrective actions.** Complaint timelines were most often tracked. Some States also track to ensure that required corrections occur within a timely manner, and follow-up to ensure that system corrections were implemented.
- **Regular staff meetings on compliance issues and standards.** Some States share complaint or other DR results monthly with all staff to ensure that compliance issues are understood and addressed.

<u>Function C. Systems and Infrastructures for Technical Assistance and Support</u>

(Definition: Develop and maintain Statewide or regional infrastructures to maximize resources.)

Part C programs appear to have a more regional structure than do Part B (education) systems. As a result, the infrastructure for training, technical assistance (TA) and support may be assumed in these regional offices. However, other than the mention of regions and some collaboration with Parent Training and Information Centers (PTI) to provide training and support to parents, little of what was reported fit readily into this function. At a minimum, TA infrastructures should ensure sufficient information and support to dispute resolution practitioners and participants so that effective dispute resolution can be realized.

Since the vast majority of conflict resolution effort seems to be "hidden" in informal dispute resolution activity, these infrastructures should support those informal processes. Part C programs could benefit from sharing with one another how they provide support these kinds of informal processes.

<u>Function D. Technical Assistance/Training/Professional Development</u>

(Definition: Provide TA to State, regional and local service agencies, families and/or other stakeholders on effective practices and programs in dispute resolution.)

Training is a common activity in most of the Part C APRs we reviewed. States, however, tend to provide minimal detail about training content. Training for practitioners focuses on understanding the legal requirements of the dispute resolution (DR) process, IDEA regulations/precedents, and effective process management. Participant training often is about specific DR processes or may emphasize skill development (listening, negotiation, collaborative decision-making, IFSP development). This section addresses training/TA content, process of delivery and, where available, a sense of the length of typical training interventions. Examples of these activities include:

- **Train administrative law judges (ALJs).** Content may include: Part C timelines; procedural safeguard requirements; conduct of hearings; federal regulations; the hearing process; residential placement/tuition reimbursement cases. This applies in States with Office of Administrative Hearings (OAH) systems or where Part B and Part C share hearings officers. Typical trainings are one to two days per year.
- **TA/Support to administrative law judges.** ALJs are provided access to an online special education case law and legal database.
- **Train State and regional staff.** Provided annually on complaint resolution processes to staff responsible for informal and formal written complaint resolution.
- **Train service coordinators.** Training on both formal and informal options for dispute resolution to staff who are working directly with families.
- **Individualized training for mediators and hearing officers.** Mediators and hearing officers receive individual training prior to mediation or a due

process hearing assignment (this seems particularly appropriate in States where these events are rare – one or a few per year).

- **Train and provide TA for parents.** Training on family rights, procedural safeguards, how to file/request formal and informal dispute resolution. Provided by State staff or PTIs (sometimes jointly) in a variety of ways: face to face training, conference calls, webinars, flash videos, peer-to-peer model, PTI mentors, articles published in parent newsletters. Translation during trainings is critical for non-English speakers. In some cases, trainings for Spanish-speaking families were conducted entirely in Spanish.
- **Cross-train Part C Lead Agency and office staff:** One small State reported cross-training to ensure that timely dispute resolution management is not dependent on just one assigned staff.

Function E. Clarification/Examination/Development of Policies and Procedures

(Definition: Clarify, examine and/or develop policies or procedures related to dispute resolution.)

Resolution meeting requirements represent the biggest change in dispute resolution processes, but they apply only in States adopting Part B due process procedures. Only one resolution meeting has been held since FFY 2004 in the 16 Part C States that use Part B procedures. Thus, policy revision related to resolution meetings, an active issue in Part B, is largely irrelevant in Part C. A few States focused effort on making alternative dispute resolution options more clearly available to staff and families. To the extent that States reference policy and guidance to parents, local providers, and service coordinators, they tend to focus on procedural safeguards and making parents more aware of dispute resolution options.

- **Develop a written complaint form.** Several States revised or created new complaint filing forms and streamlined processes (e.g., who receives, how complaints are assigned, etc.). [Model complaint forms are readily accessible on about a third of the web sites reviewed.]
- **Provide model language**. Guidance and examples for written notices, prior consent, and descriptions of family rights as a means of ensuring that consistent and accurate information related to procedural safeguards is available. [We were unable to readily locate a copy of procedural safeguards on about a third of web sites reviewed.]
- **Guidelines and documentation of extensions:** Some States developed a formal process for extending the timeline for completing the complaint investigations based on documented exceptional circumstances.
- **Parent/family handbook:** Many States report revising/updating parent handbooks, including updated procedural safeguards.
- **Dispute resolution handbook:** Several States mention developing documents about the formal and informal ways of resolving disputes for use by service providers and families.
- **Family orientation and support on a DVD:** One State is developing a DVD to provide to every parent at the initial IFSP meeting. Content would include child development activities, resources of the Part C program,

parent and child rights, dispute resolution options, etc. Alternate means of providing the information would be available for families who could not access the DVD.

F. Program Development

(Definition: Develop/fund new regional/statewide processes or initiatives.)

Some of the Part C APRs we reviewed are from States where CADRE is aware that active early resolution activities are promoted and used successfully, yet the APRs do not reflect that activity. We did not identify, in the APRs we reviewed, "program development" activities. Since dispute prevention and early resolution seem to be the arenas within which most conflict is managed, program development in these areas would seem natural where they do not already exist. For activities that could become program development efforts in States without an early resolution focus, we draw the reader's attention to activities described under functions D (Training/TA), J (Public Awareness/Outreach), K (Upstream or Early Resolution Processes), and L (Stakeholder Involvement).

Function G. Collaboration/Coordination

(Definition: Collaborate/coordinate with families and agencies.)

- **Interagency Coordinating Council (ICC) leverages collaboration.** ICCs and Part C Lead Agencies meet with other parents (organizations, PTIs, individuals) to discuss issues, including parent rights, and recommend actions to the Lead Agency; ICC leadership projects (including periodic parent newsletter) may be used to promote involvement in Part C, encourage early resolution of issues.
- **Collaborate with PTIs.** Provide information on dispute resolution options (multiple languages, and in alternate formats upon request); provide mentors/guides to parents new to Part C programs; conduct joint training.
- **Collaborate with the protection and advocacy agency (P&A).** Work with the P&A to provide information about mediation to parents; conduct training on advocacy topics including child/parent rights and alternative dispute resolution.
- **Collaborate with other family organizations.** Develop a handbook with information about formal and informal ways of resolving disputes, for use by service providers and targeted toward specific groups of families.
- **Collaborate/negotiate with the State Office of Administrative Hearings (OAH).** Areas of collaboration address various procedures (streamlining process, data collection, language used in settlements and decisions, legal implications of policy changes); a memorandum of agreement spelling out such details is critical where an OAH system controls hearing and/or mediation processes.

Function H. Evaluation

(Definition: Conduct internal/external evaluation of informal and formal dispute resolution processes and outcomes.)

The APR descriptions of evaluation of dispute resolution processes, where they exist, tend to focus more on these critical questions:

- Are parents reliably provided copies of procedural safeguards?
- Do EI staff members or others (e.g., PTI staff) explain those rights to parents?
- Do parents understand how to exercise their rights and seek dispute resolution where appropriate?
- Are parent concerns or disputes effectively addressed through formal and informal dispute resolution processes?

These questions are closely related to APR Indicator 4 (from the OSEP Measurement Table):

"Percent of families participating in Part C who report that early intervention services have helped the family:
A. Know their rights;
B. Effectively communicate their children's needs; and
C. Help their children develop and learn."

Some APRs allude to but do not make specific reference to the Indicator 4 surveys, but this seems like an opportunity to think across indicators in assessing parental awareness of rights and dispute resolution options. A commonly used survey item to assess parent awareness of rights is: "My family was given information about the rights of parents regarding Early Intervention services." The NCSEAM Parent Survey Item Bank includes items that address other dispute resolution issues, however, including: how to advocate for my child and family; who to call if not satisfied with EI services; what options I have if I disagree with a decision about my child's services; etc. (see http://www.monitoringcenter.lsuhsc.edu/parent_Family_Involvement.htm). Some of these items would be helpful to States in evaluating their dispute resolution systems.

Almost without exception, Part C evaluation is directed toward system or process performance; almost nothing is directed toward evaluation of dispute resolution practitioner performance. In States that share DR practitioners with Part B, their evaluation may be satisfied by Part B performance reviews. Practitioner evaluation may be of little interest, because so few Part C programs actually have any significant formal activity. In contrast, evaluation of those who conduct hearings, investigate complaints, and who mediate is a fairly active topic in Part B programs. In Part C States where more activity is present, Lead Agencies may benefit from examining some of the activities suggested in the Part B analysis. Examples of Part C program and practitioner evaluation activities reported include:

Sub-Function H1. State Program Evaluation

- **Evaluate formal dispute resolution process and outcomes.** An ICC subcommittee reviews final hearing orders and dispute resolution data, including results of dispute participant surveys; a "procedural safeguards

officer" analyzes hearing decisions, complaint investigations, and mediation procedures and conducts a formal evaluation of consumers' experience and satisfaction with dispute resolution procedures and reports annually to the ICC.

- **Evaluate informal dispute resolution effectiveness in resolving "parent concerns."** Some States examine the resolution of parent concerns at local levels through: monitoring activities (e.g., a parent survey); review of reports and discussions with Area Agency staff about issues raised by families and their resolution.
- **Evaluate parent notification and understanding of procedural safeguards.** States report using various means to ensure that parents receive and understand procedural safeguards information and their dispute resolution options. Approaches reported include: client record reviews for documentation; parent survey responses; parent interviews; assessments of whether EI personnel have the materials and training needed to discuss dispute resolution with families.
- **Use evaluation results to plan State training and technical assistance.** Trend data from monitoring visits, complaints, and due process are considered when developing the contents of the State's training Institutes and technical assistance efforts.
- **Publish the results of dispute resolution activity and evaluations.** One lead agency reports posting program profiles on its web site; dispute resolution activity and summaries of outcomes may be reported regionally or statewide to ensure confidentiality.
- **Use public forums to present APR and dispute resolution information.** Lead Agency engages parents in providing input regarding services, activities, timelines and resources.

Sub-Function H2. Practitioner and Individual Participant Evaluation

- **Participant satisfaction surveys.** Participants are surveyed immediately following mediation and six months later about the satisfaction with mediation; results are reviewed by a stakeholder group that advises the Lead Agency on improvements to the dispute resolution system, including mediation. [This is as close to practitioner evaluation as we found in the States reviewed.]

Function I. Increases or Adjustments to FTE

(Definition: Add or reassign FTE at the State level. Assist with the recruitment and retention of local provider or regional staff members who focus on dispute resolution.)

Some States reported insufficient staffing as a reason for not completing complaint investigations on time. Approaches to adjusting/expanding FTE include:

- **Fund hearing officers in the State Office of Administrative Hearings.** In several States where hearings are managed in an office of administrative hearings, Lead Agencies may directly fund "dedicated" hearing officers.

- **Assign/contract with specialists to conduct complaint investigations.** Lead Agencies: dedicate a portion of one staff specialist FTE to ensure timely completion of complaint final orders; contract with external experts to conduct complaint investigations on demand.
- **Part B and Part C share dispute resolution resources.** Especially for conduct of hearings and mediation, some Lead Agencies contract the same personnel as Part B for formal dispute resolution. This can ensure more experienced mediators for both Part B and Part C.

Function J. Public Awareness/Outreach

(Definition: Specialized materials, targeted groups and methods of disseminating information on dispute resolution options.)

Public awareness activities on dispute resolution are often imbedded in other Part C outreach activities. Procedural safeguards outreach (providing notice, parent/family handbooks, training, etc.) is the primary initial way in which States try to make parents aware of their dispute resolution options. In a few cases, States emphasize "just in time" assistance in understanding these options, as when mentors or staff may be available to explain those options when a parent expresses a serious concern.

While web sites are a significant information dissemination strategy in many areas, only a few of the Part C APRs we reviewed mention using the web as a major dissemination method. A CADRE review of the web sites for the States included in our APR sample regarding dispute resolution information and its accessibility to parents was revealing. We concluded that work on web resources could make them a valuable tool in helping parents understand and act on dispute resolution options. This review is summarized in the Appendix. Reported outreach strategies include:

- **Welcome packets.** Information is made available in English, Spanish, and other languages; in alternate formats (including web and DVD); rights brochures and information on formal processes and alternative dispute resolution options.
- **Mentors provide individual family contact around specific concerns.** Parent Training and Information Center mentors assist individual parents, helping them to understand their rights and pursue effective resolution of their concerns.
- **Technical assistance teams and "point of entry" staff counsel families.** Staff have been trained on the importance of fully explaining procedural safeguards and parental rights; with families more aware of their rights, they are more vested in ensuring quality services to their child [an explanation offered for the increase in complaints].
- **Publishing information on dispute resolution results on the web.** Lead Agency provides regular reports of performance data to key stakeholders and to the general public.
- **Target information on changes in the administrative code to providers.** Information has been provided through annual regional workshops,

meetings of an intermediate units "collaborative project," and in statewide and regional meetings of the association of local provider system managers.

- **Conduct training and conference presentations.** At regional trainings, PTI events; collaborate with other organizations (e.g., P&A) to promote mediation and alternative dispute resolution options.

Function K. Upstream or Early Resolution Processes

(Definition: Support activities designed to reduce the frequency of disputes and to resolve conflict earlier and through less adversarial means than the formally required options.)

While conflict and disagreement are natural parts of human interaction, it may be that disputes with service providers in early development years are less likely. Parents are still adjusting to having a child with a disability, learning to stretch expectations for the future, etc. There is indication in Part C APRs suggesting that systematic, fast and informal responses to parent concerns often result in those concerns being addressed, obviating the need for more formal dispute resolution options. CADRE is aware (from work with States and from past APRs) of more of these "early and upstream" processes being used than were reported in these APRs. Examples of support for upstream dispute resolution processes noted by these States:

- **Informal complaint resolution processes.** Letters and other information to families outlining how and to whom to express issues and concerns; linkage on the web site for registering concerns or formal complaints; access to State EI specialists through a toll free number; parents are offered ways to resolve concerns more quickly, while strengthening the working relationship between the family and the provider system.
- **Incorporate a mediation process for written complaints.** One State is planning on incorporating a mediation option for written complaints as soon as the Part C regulations are finalized.
- **Systematic fast and early attention to parental concerns.** Family concerns are generally heard first by the service coordinator. Responses may involve the service coordinator or other "provider family relations staff" and include: home visits to discuss concerns and how they have been addressed (the family-centered IFSP process is often used to address concerns). Some States ensure response to a family-expressed concern in 48 hours or less.
- **Provide levels of attention to expressed concerns and their resolution.** Several States report "levels" of response beyond the immediate Part C staff including: referrals to the provider/supervisor in the service coordinating agency; system manager; regional consultant; State EI specialists; and a State complaints officer. Any written complaint or due process request received at any level is directly forwarded to the complaints officer; every effort is made to resolve issues without a formal hearing or investigation.
- **Require EI programs to have a local dispute resolution process.** Actual processes may vary (e.g., offer a meeting with the county administrator to

resolve issues first at a local level, offer mediation or other facilitated resolution assistance). Some States encourage local resolution processes within the first 10 days after receipt of a complaint, with Lead Agency staff actively involved.

<u>Function L. Stakeholder Involvement</u>

(Definition: Engage stakeholders in the review, evaluation, and implementation of dispute resolution practices; stakeholders recommend improvements to the Lead Agency, ICC or other advisory body.)

References to "stakeholders" or "advisory groups" were less frequent in Part C APRs for these indicators than in Part B APRs. This could be a consequence of less activity. However, it seems logical to engage stakeholders in exploring and testing the effectiveness of dispute resolution options, especially dispute prevention and early resolution activities.

States described several ways they engaged or planned to engage stakeholders:

- **Explore the basis for low levels of activity.** One State will seek input from stakeholders, including families, in order to better understand the reasons for the lack of formal written complaints, mediations and due process hearing requests.
- **Use public forums to present APR and dispute resolution information.** Lead Agency engages parents in providing input regarding services, activities, timelines and resources.
- **Solicit stakeholder input on proposed systemic change.** After release of final Part C regulations, one State is planning to collect stakeholder input on the development of a policy for an early resolution mediation process for written complaints.
- **Use State Advisory Council Subcommittee to review DR performance data.** The Dispute Resolution Committee (a subcommittee of the State Advisory Council for Special Education) reviewed all final orders issued and all dispute data, including the results of complaint participant surveys. Such a committee could have a broader charge (e.g., all DR options, including ADR).

CONCLUSION

CADRE believes that the summary of activities provided in this chapter could be a first step in describing the full range of activities that Part C systems might undertake in order to implement capable dispute resolution systems. Our observations are limited by the lack of detail and the infrequent formal dispute resolution activity reported in Part C APRs. These formal requirements are complex, involving at least three required dispute resolution processes, but most States rarely have occasion to apply them. Some States also actively support but do not report on early, alternative dispute resolution (ADR) options.

As a result of this review, four areas stand out as particularly deserving of attention by Part C Lead Agencies:

- **Ensure that parents understand and can use procedural safeguards and dispute resolution options.** Lack of reported formal activity suggests the continuing value of efforts focused on informing parents and service providers about procedural safeguards, dispute resolution options, and providing support for their appropriate utilization.
- **Increase sharing about and investment in emerging alternative dispute resolution (ADR) practices.** Most Part C conflict is presently being resolved through early and informal processes at the provider level. Increased sharing of more explicit information on these ADR approaches and how they work will help States make better decisions about strategic investments in these practices.
- **Learn from Part B.** Part B systems typically have more activity and have evolved and grown to address IDEA dispute resolution management requirements. Part C systems can learn from the experiences of Part B.
- **Engage stakeholders in the design, implementation and evaluation of dispute resolution processes.** Stakeholder involvement (e.g., through a subcommittee of the ICC or other group) can help Lead Agencies design and operate their programs so that parents and providers understand and can effectively access conflict management and dispute resolution options.

APPENDIX

Part C Web Site Reviews

CADRE conducted a review of the web sites from each of the APR States we included in our analysis. Web sites are frequently used for public awareness and should contain information on formal and alternative dispute resolution practices in each State. Beginning from the Early Intervention home page for each State, we asked these questions [and noted these results]:

- Is there an obvious link to dispute resolution information from EI program home page? [No State had an obvious link to dispute resolution; only two States had a direct link to "procedural safeguards" or "parent rights."]
- Is there a "parent overview" of DR options? [11 States had a procedural safeguards notice available in some form; six of these had some description of dispute resolution options – in two cases, only mediation was mentioned.]
- Is there a form (online or downloadable) for filing written complaint? [A form was available on two States; two States offered example complaint letters.]
- Is there a form (online or downloadable) for filing a hearing request? [A form was available in three States; again, two States offered examples of letters requesting due process hearings.]
- Is there any parent oriented resolution process/meeting/agreement guidance (applies to States that have adopted Part B hearing procedures)? [Three States offer information about resolution sessions, two of them were Education Lead Agency States.]
- Is there a form (online or downloadable) for requesting mediation? [Four States offered a form; two had information on how to request mediation.]
- Are other upstream activities suggested or resources offered? [Although several States mention informal processes in their APRs, none have obvious information on such options available on their web sites.]
- What do searches of the web site return for due process hearings, complaints, mediation? [For some States, searches were the only way to find information on dispute resolution; for eight States there was nothing found by searching.]
- Using the web site, could a parent ask for mediation, request a DP hearing, or file a State written complaint without much assistance? [Web sites divided evenly here, with about a third of the States each with sufficient information, or maybe sufficient information, or lacking sufficient information for a parent to act.]

We suspect that, like many State agencies, Part C Lead Agencies often do not have much control over the form or content of their web pages because of larger State policy issues. Of the 19 web sites reviewed for this analysis, however, few could be said to offer dispute resolution related information in a parent-friendly form. In almost all States, a parent who did not already know about dispute resolution would likely be unable to locate information about available options.

CADRE suggests that a web site should have these characteristics with respect to dispute resolution:

- Dispute resolution information readily available for parents/stakeholders:
    - An obvious link to dispute resolution information from the Early Intervention program home page
    - "Parent-friendly overview" of DR options, including explanation of processes and timelines, near the top of a dispute resolution page
    - Online or downloadable forms for filing a written complaint, a due process hearing request, or for requesting mediation
    - Upstream/ADR processes and resources clearly described and their use encouraged
    - Support contacts (PTI, Lead Agency procedural safeguards/dispute resolution consultant, other) clearly listed
- Results of hearing decisions redacted, summarized, and published on the web. Public availability of this information is a requirement under IDEA, although inclusion of summaries and analyses across cases is not required.
- Results of complaints redacted, summarized, and published on the web. There is no requirement to publish complaint summaries, although at least one Part C State compiled information on complaints and parent concerns, shared it with their ICC and published these results.
- Information on mediation and ADR strategies. Collaborative attention to parent concerns and problem solving are a natural fit with the character of Part C programs. Creating and supporting mediation and other informal processes for expressing concerns, (e.g., informal complaints) are present in some States, although not reflected on Part C web sites.

INDICATOR 14: ACCURATE and TIMELY DATA
Prepared by DAC

INTRODUCTION

Indicator C14 measures the timeliness and accuracy of State-reported data (618 and SPP and APR). The data source for this indicator is State-selected data sources, including data from the State data system, as well as technical assistance and monitoring systems.

Measurement of this indicator was defined in the SPP and APR requirements as:

State-reported data, including 618 data, State performance plan, and annual performance reports, are: (a) Submitted on or before due dates (February 1 for child count, including race and ethnicity, settings and November 1 for exiting and dispute resolution, and February 1 for the APR); and (b) Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

The Data Accountability Center (DAC) reviewed a total of 56 FFY 2006 APRs. These included the 50 States, District of Columbia, and other jurisdictions eligible for and participating in the Part C program. (For purposes of this discussion, we will refer to all as States, unless otherwise noted.) Thirty-seven States reported that their data were 100% accurate. Fifteen States reported accuracy between 90 and 99%; 3 States reported accuracy between 80 and 89%; and 1 State did not submit a percentage. The majority of States (41 or 73%) used the rubric to calculate their data accuracy. Of those States that did not use the rubric, most described how accuracy was calculated.

The remainder of our analysis focused on four other elements: (1) States' descriptions of progress and/or slippage, (2) comparisons of State-reported 618 data to DAC's data submission records, (3) descriptions of how States ensured timely and accurate data, and (4) States' improvement activities.

Progress and/or Slippage

The majority of States (29 or 52%) did not report whether they had progress or slippage. Twelve States (21%) reported progress; 7 (13%) reported slippage; and 7 (13%) reported that they had maintained compliance.

States attributed progress to a variety of factors, including (listed from highest to lowest frequency):

- Providing technical assistance to local districts;
- Increasing knowledge of the OSEP requirements;
- Updating existing or establishing new data systems;
- Increased monitoring policies; and
- The introduction of the rubric.

States attributed slippage to:

- Late 618 data;

- Updating existing or establishing new data systems; and
- The introduction of the rubric.

Comparisons of State-Reported 618 Data to DAC's Data Submission Records

This was the first year that States had the option of using the rubric created by OSEP to determine data accuracy. Forty-one of the 56 States (73%) used the rubric. The other States used their own calculations to determine timeliness and accuracy.

- The majority, 45 States, (80%) reported the same data that DAC had in its records. These included States that provided a description of their calculation methods, if the rubric was not used.
- Five States (9%) had differences from DAC's data submission records on the timeliness of data. In all cases, the States reported having submitted their data on time, while records indicated that the States did not submit their data in a timely fashion.
- Three States (5%) had differences from DAC's data submission records when reporting about passing edit checks. In all cases, the States reported having passed the edit checks, while records indicated that the States did not pass initial edit checks.
- Three States (5%) had differences from DAC's data submission records when reporting about complete data. In all cases, the States reported having complete data, while records indicated that the States did not report complete data.
- One State did not provide enough information to make comparisons.

Description of Methods of Ensuring Timely and Accurate Data

The majority of States, 45 (80%), provided some description of how they ensured that their data were timely and accurate. Many States relied on their data systems to provide timely and accurate data. Twenty-four of these States (43%) had built-in edit checks and validations to ensure that the data were valid. Some States also used onsite monitoring, manual comparisons of data, and internal and external workgroups. States also provided various forms of technical assistance to local agencies and the Department of Education employees to ensure that their personnel knew the correct guidelines for the reported data.

Improvement Activities

One of the requirements of this indicator is the implementation of Improvement Activities that will increase compliance for this indicator. The activities described in the APR were analyzed using the codes developed by OSEP. The "Other" category was used. The letter "J1" was used for the development of materials, for example, if a State reported that it had created a manual to be used by its personnel. The letter "J2" was used for ongoing activities that did not reflect change or improvement. An example would a State continuing to conduct on-site monitoring or continuing to conduct local program self-assessment.

Among the 56 States and territories, 7 States (13%) did not report Improvement Activities in their FFY 2006 APR. The Improvement activities used are included in Table 1. One State listed 82 improvement activities. This State's reporting is not included in the calculations. Updating or establishing new data systems was the most widely reported activity, while conducting external/internal evaluations and building systems and infrastructures of technical assistance and support were the least reported.

Table 1: Summary of Improvement Activities

Improvement Activity Category	Number of States Reporting at Least One Activity from the Category	Percentage of States Reporting at Least One Activity from the Category
A. Improve data collection and reporting	38	68%
B. Improve systems administration and monitoring	34	61%
C. Build systems and infrastructures of TA and support	0	0%
D. Provide TA/training/professional development	34	61%
E. Clarify/examine/develop policies and procedures	9	16%
F. Program development	1	2%
G. Collaboration/coordination	12	21%
H. Evaluation	0	0%
I. Increase/Adjust FTE	7	13%
J1. Created technical assistance materials	13	23%
J2. Ongoing activities	2	4%

Among the States reporting Improvement Activities, the number of activities reported per State for this indicator ranged from 1 to 9. The average number of activities reported per State was five. Again, these calculations do not include the one State with 82 Improvement Activities.

Technical Assistance Provided to States

In FFY 2006, Westat provided universal technical assistance to all States. This was in the form of technical assistance documents posted on www.IDEAdata.org, assistance with the reporting of 618 data, and year-to-year change reports to help with data notes. Westat provided targeted technical assistance to four States (7%). NCSEAM provided targeted technical assistance to three States (5%).

Observations and Conclusions

It is important to note some of the difficulties that came up while trying to analyze these data. Some States did not use the rubric, which meant there had to be comparisons of their calculations to the ones used in the rubric. Some States also did not describe to what their progress or slippage was attributed or provide much description about how their programs ensure timely and accurate data, and a few States did not specify which activities they considered their improvement

activities in this SPP or APR. The lack of description of activities to describe how the accuracy of data was ensured was particularly evident for 616 data.

It is important to note that many States reported improved data collection methods. This was reported through the increased number of States that either updated or had a new data collection system. In some cases, these improvements caused an increase in timely and accurate data, while in other cases it attributed to the State's slippage.