

NECTAC REVIEW OF PART B INDICATOR #12

Part B INDICATOR #12: Percent of children referred by Part C prior to age 3 and who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays

Introduction

Indicator #12 is considered a compliance indicator with a performance target of 100%. Part B regulations specify that, in order for a state to be eligible for a grant under Part B it must have policies and procedures that ensure that, “Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part [Part B] experience a smooth and effective transition to those preschool programs in a manner consistent with 637(a) (9). By the third birthday of such a child an individualized education program has been developed and is being implemented for the child” [Section 612 (a) (9)]. In responding to this indicator states were asked, in addition to determining the state’s baseline performance, to provide the range in the number of days that occurred beyond the child’s third birthday before eligibility was determined and the reasons for these delays. This review and analysis of Part B indicator #12 is based on a review of Part B State Performance Plans (SPP) for 56 of 59 states and jurisdictions. Indicator #12 was not applicable to three jurisdictions in the Pacific Basin because those jurisdictions are not eligible to receive Part C funds under the IDEA.

Baseline Performance Data

Data Sources

Seventeen states did not provide a source for their baseline performance data. Of those that did, 28 states used data from their state data system and 8 used data from the monitoring of LEAs. Two states indicated the Part C Exit Table as the data source for baseline performance. In both cases the lead agency for Part C in the state is the Department of Education, making transition an intra-agency, rather than interagency, process. One of those states is a “birth mandate state”, so that children in Part C are already being served by a local school before the child’s third birthday. One state reported conducting a survey of LEAs to collect baseline data.

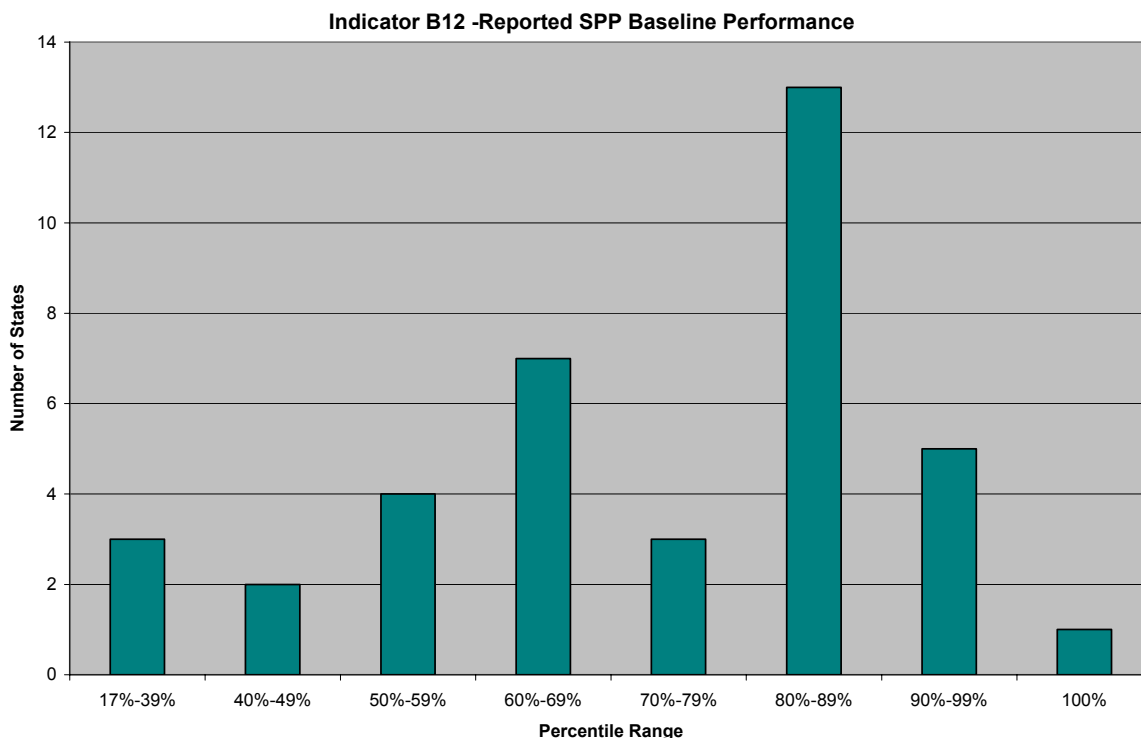
Baseline Performance

The table below shows the distribution of baseline performance for only 38 of 56 states/jurisdictions reporting baseline data that responded appropriately to indicator #12. Sixteen states were not able to provide data indicating the state’s baseline performance and 2 states’ data were not responsive to the indicator.

Table 1. Distribution of States' Baseline Performance

Percent of eligible children with an IEP implemented by the child's 3 rd birthday	Number of States in each percentile distribution
100%	1
90% to 99%	5
80% to 89%	13
70% to 79%	3
60% to 69%	7
50% to 59%	4
40% to 49%	2
17% to 39%	3
Baseline data not provided	16
Not responsive to indicator	2

Only one state was able to report full compliance with Indicator #12. Since this was a “birth mandate state” all children eligible for Part C are also eligible for the state’s special education and related services. Therefore, Part C eligible children are already receiving the equivalent of IEP services before their third birthdays. Only 6 states reported baseline performances at 90% or above. Thirty-three states were at 50% or above and 5 states were below 50%. However, the baseline performance of another 18 states is not yet known. The graph below displays states’ baseline performance for SPP Indicator #12 for the 38 states that reported baseline performance.



Ranges reported by states in the number of days beyond the third birthday that occurred before the eligibility of a child referred by Part C was determined

Twenty-nine states provided no information in response to OSEP's request. Another 12 states, while acknowledging OSEP's request, were unable to provide the information requested because such data is not currently gathered in the state's data system and/or its monitoring of LEAs. Only 15 states were able to respond to OSEP's request. The one state reporting full compliance had no range of days to report. Another state's response indicated that the eligibility of all the children referred from Part C had been determined by the child's third birthday, but for some whose birthday occurs during the summer an interagency agreement with Part C allows those children to remain in Part C until school starts. The distribution of ranges reported by the other 13 states is shown in Table 2 below.

Table 2. Range in #of days beyond 3rd birthday before eligibility was determined

Distribution of Ranges Reported by States	Number of States in Each Range
30 days or less	1
60 days or less	2
90 days or less	3
120 days or less	2
180 days or less	1
200 days or less	1
240 days or less	1
365 days or less	2
Total	13

Reasons for Eligibility Not being Determined by the Third Birthday

Forty-two states did not provide any information regarding the reasons for eligibility not being determined by the third birthday. Of those states, 22 states indicated that such data had not been collected (with 16 of those also not providing baseline performance data). Of the 14 states that provided reasons, 8 states identified family circumstances as a reason, and 11 identified system related circumstances. One state identified not receiving the child's referral form Part C until less than 30 days before the child's third birthday. The state reporting full compliance had no delays to report.

Variance in the Responses of States

OSEP's request regarding delays may have been interpreted differently among those states that were able to respond. OSEP said, "Indicate the range of days beyond the third birthday **when eligibility was determined** and reasons for the delays." While the language in Indicator #12 itself covers the entire process of eligibility determination, IEP development and IEP implementation, OSEP's request seems to be limited to just the first step in that process, the determination of eligibility. It is not clear whether state responses to the request are based on any delays associated with the entire process described in Indicator #12 or just on those delays encountered during eligibility determination.

Performance Targets

Since Indicator #12 is considered a compliance indicator, rigorous and measurable performance targets for all six years of the SPP are 100%.

Improvement Activities, Timelines, Resources

States' improvement activities, timelines and resources for Indicator #12 were reviewed in order to determine:

- What types of improvement activities are being used by states?
- What amount of specificity did states provide in their six-year improvement plan?
- What assertions of effectiveness, if any, did states provide?

Types of Improvement Activities

The table below shows the types of improvement activities states plan to use to address Indicator #12 and the number of states employing each type of activity.

Table 3. Types of Improvement Activities To Be Used By States

Types of Improvement Activities	Number of States
Improve data collection	48
Improve monitoring	32
Provide training	46
Provide technical assistance	31
Clarify policies and procedures	28
Interagency collaboration	20
Special program evaluation efforts	5
Develop/distribute information to public	5
Increase personnel	3

All but a very few states identified a need to improve data collection regarding Indicator #12, including additions and changes to both the types of data being collected regarding transition and the way data is collected. Many states

described plans to establish ways to collect data jointly with the state's Part C program and/or to share data being collected separately. Some states described plans to create a "tracking system" within their state data system, in order know when timelines are being met and when they are not. Some states plan to carry out data verification activities to better establish the accuracy of their data and some plan to include performance regarding this indicator in an LEA's performance "report card". In order to improve the monitoring of Indicator #12 some states have included or plan to add the monitoring of transition from Part C to its monitoring priorities. Many states are exploring monitoring transition jointly with their state's Part C program. Plans include revising monitoring protocols and steps to ensure the timely collection and reporting of data.

Providing training and technical assistance is also a major feature of state improvement plans. Typical targets for training and technical assistance include LEA special education coordinators, preschool teachers, and Head Start teachers. Many states proposed conducting joint training for Part B and Part C staff. Some states plan to target training and technical assistance on low performing LEAs. In addition to proposing training that covers transition requirements and procedures, some states plan to focus training on their new data collection and reporting procedures regarding transition, and also on incorporating evidence based practices into transition services.

Many states recognized the need to improve coordination and collaboration with the state's Part C Program, especially developing and/or up-dating interagency agreements regarding transition. In order to further clarify policies and procedures related to transition from Part C, including new IDEA requirements, some states plan to develop and disseminate new documents on transition policies. A few states are planning to disseminate information to the public about the transition from early intervention to preschool services, and to carry out special program evaluation efforts such as surveying parents about their transition experience and focused evaluation on timeline issues.

Level of Specificity

After reviewing the improvement activities, timelines and resources section of a state's response to Indicator #12, the state's improvement activities were assigned a specificity rating of high, moderate, or low. A plan that was rated high was characterized by improvement activities that reflected multiple approaches to achieving improvement that included most (if not all) of the types of improvement activities identified above. Improvement activities were usually delineated as a sequence of specific steps with accompanying timelines and resources, usually organized by year. Proposed activities were explained in some detail. A plan that was rated moderate contained a lesser number of activities and without as much detail, but did include timelines and resources. Sequencing of the activities across the six years was not as well specified. A plan that was rated low contained only a few activities; descriptions of proposed activities were vague

and lacking in detail; timelines and resources were not provided; and the activities typically did not cover all six years. The table below displays the results of the assignment of ratings.

Table 4. Level of Specificity in SPP Improvement Activities

Level of Specificity	Number of states
High	2
Moderate	8
Low	45

Assertions of Effectiveness

The review of Indicator #12 found no instances of a state making as assertion that a proposed improvement activity was selected because of demonstrated effectiveness.