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INDICATOR 1: TIMELY RECEIPT OF 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% with each state determining (defining) what constitutes timely services. The indicator refers to the percentage of children whose services are timely, not the percentage of services. For example, if the IFSP specifies that a child will receive three different services, all must be delivered within the defined timelines in order for this to be considered timely. If one or more of the services for a child are not delivered within the defined timeline, then the child would not be counted in the percentages of those receiving timely services.

In responding to this indicator, states could use data from monitoring or the state data system. In either case, the data is 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. The analysis of Part C Indicator 1 is based on a review of Annual Performance Reports (APRs), submitted by 54 states and jurisdictions, for the FFY 2009 reporting period (July 1, 2009 – June 30, 2010). Information on the definition of timely services is available for 55 states. For the purpose of this report, the term “state” is used for both states and jurisdictions.

States were required to provide the criteria used to determine which infants and toddlers did/did not receive IFSP services in a timely manner. States were also asked to account for the untimely receipt of services for infants and toddlers (i.e. what were the causes for delay).

States were allowed to count as timely those delays due to family circumstances. However, not all states collect and report delays attributable to family circumstances.

DATA SOURCES

In FFY 2009, 35 states reported using data collected from their state data system to report on Indicator 1. Information used from state data systems included information on all children determined to be eligible within a specified period of time for some states, while other states used representative sampling to arrive at their reporting number. Of these 35 states, 15 reported using a combination of data gathered from their state data system and their local monitoring system, which typically included sampling files for review, onsite visits, and reviews of self-assessment information. Eighteen states reported using local monitoring data either exclusively or in combination with other mechanisms (i.e., self-assessment information, parent surveys). One state did not report their data source.

Defining Timely Services

Information on how states defined timely services is available for 55 states. Of the 55 states and jurisdictions in this analysis, more states (n=41) are defining timeliness of services as “within 30 days” from parent consent (as shown in Table 1) than in previous years. The “timely services” definitions ranged from a low “within ten days” to a maximum of “within 45 days” from parent consent for services. States with variable timeframes allow a specified number of days from consent or a date specified on the IFSP.

For the five states whose requirements were shorter than 30 days, four showed meaningful progress (from one to nine percentage points) and provided services to 85% to 98% of children in a timely manner.

Table 1

Number of States and Definition of Timeliness			
Definition of “Timely Services”	Number of States		
	FFY 2007	FFY 2008	FFY 2009
30 days	33	40	41
Less than 30 days	5	4	5
45 days*	3	3	4
Date specified on IFSP	8	7	5
Variable	7	2	0

*In previous years’ reports, numbers in this row were reported as “more than 30 days”. All state definitions of timely services that were listed as more than 30 days in APR reports for FFY 2009 were defined as 45 days.

ACTUAL PERFORMANCE FOR FFY 2009

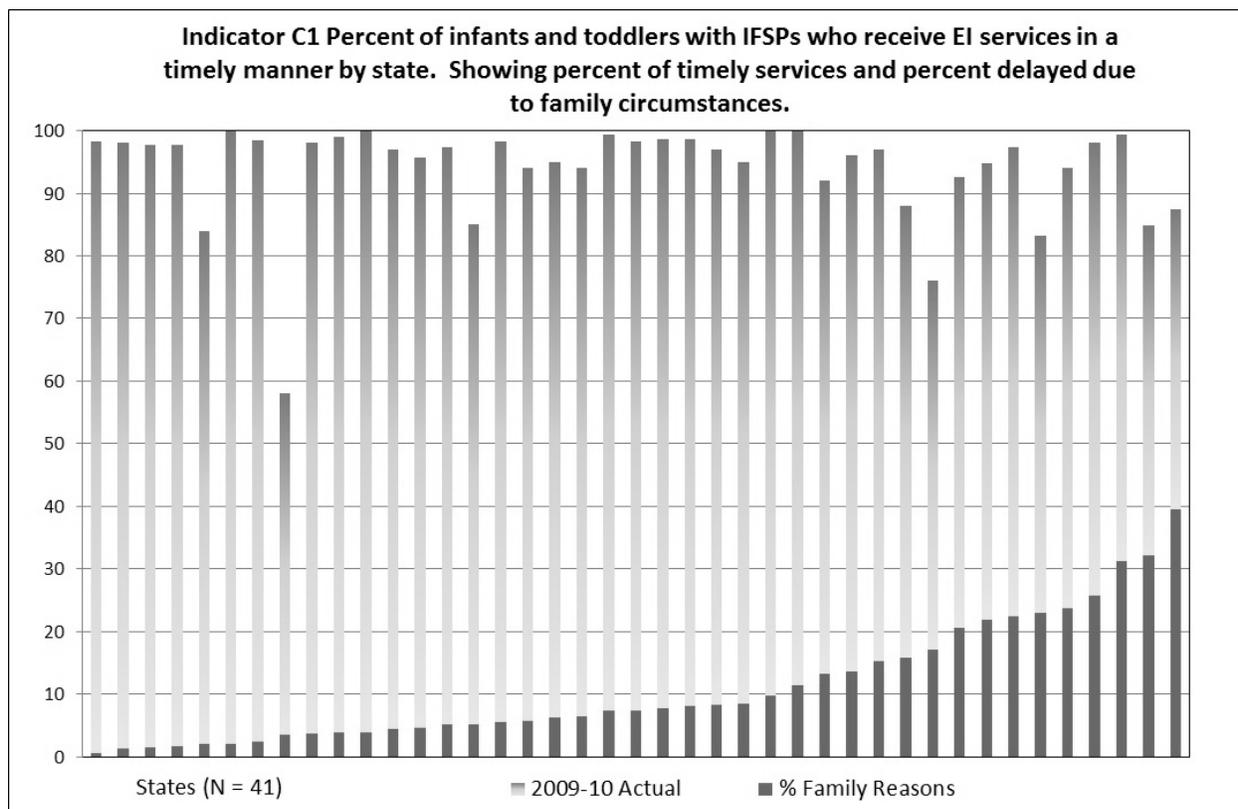
As reported in their FFY 2009 APR reports, seven of the 54 states met their target of providing timely services to 100% of infants and toddlers with IFSPs. On average, around 94% of the children in the nation received the services listed on their IFSPs in a timely manner. Forty-three of 54 states (80%) provided services to at least 90% of the children in a timely manner in accordance with their states’ definition.

Delays Attributable to Exceptional Family Circumstances

Although states were not required to report the number or percent of services with delays attributable to family circumstances, 41 states reported a range from <1% to 40%, with an average of 11%. Family reasons for delay included illness, family holidays, missed appointments, other scheduling conflicts, and extreme weather conditions or natural disasters where the length of delay was directly proportional to the duration and severity of the disruption.

Figure 1 illustrates the percent of all children with delays due to exceptional family circumstances from the least (0.58%) to the highest (40%) in the lower portion of each state's bar. The top portion of the bar shows each state's percent of children with no delays in meeting the states' definition of timely services. Both sections together illustrate each state's compliance with the 100% target.

Figure 1



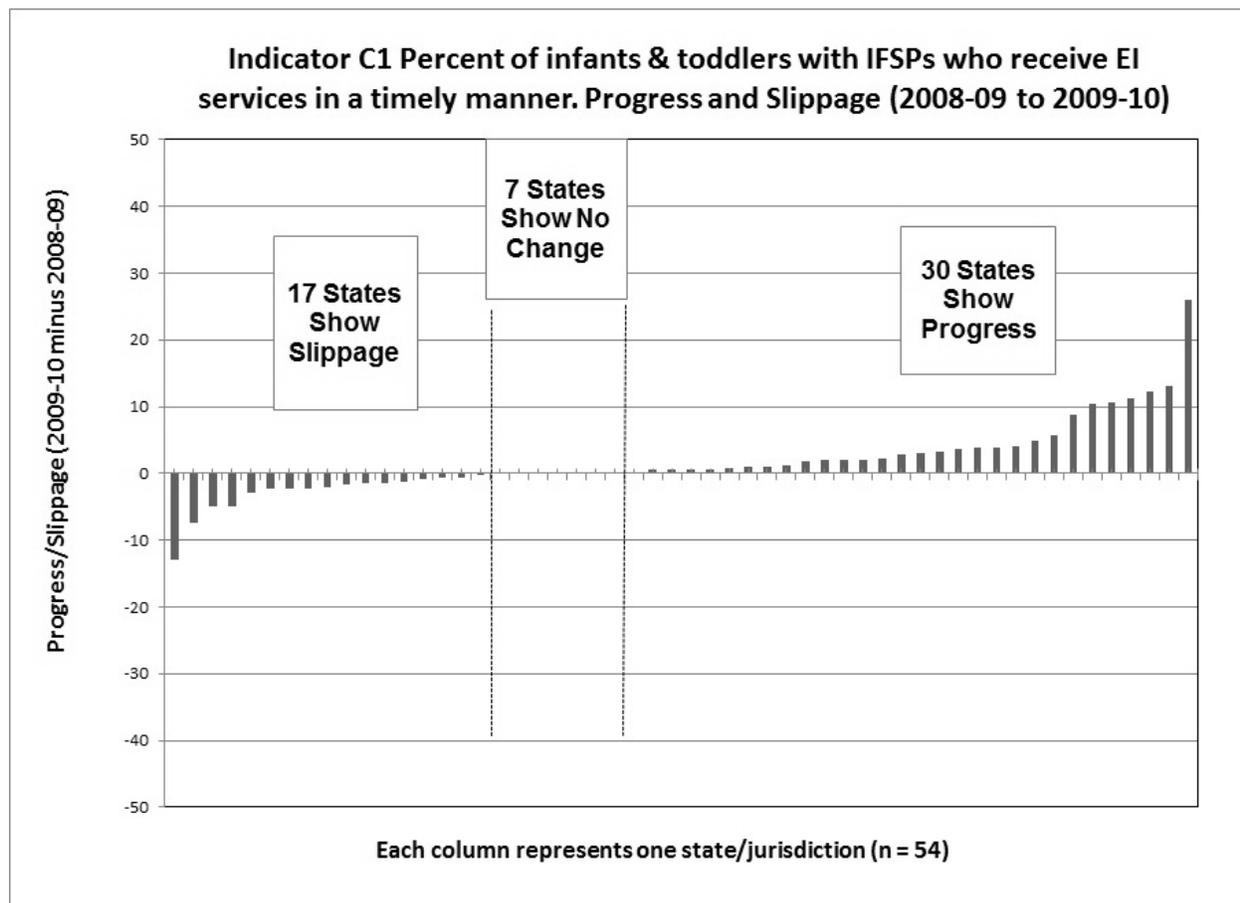
Additional analyses were conducted to look at patterns of timeliness related to child count, percent served, or Regional Resource Center/Regional Parent Technical Assistance Center (RRC/RPTAC) region. These analyses are not presented because there was so little variation in the data across states.

PROGRESS AND SLIPPAGE

Figure 2 shows progress and slippage for Timely Services. Since FFY 2008, 30 states made progress towards providing services in a timely manner. Of those states, 24 states made meaningful progress (>1%) in providing services in a timely manner. Seven states showed no change, but were between 94% and 100% compliant with the indicator.

Seventeen states showed slippage this year, as compared to nine states in FFY 2008. The mean slippage was 2.95% with a range of .3 to 13%. Of the 17 states showing slippage this year, 13 states demonstrated meaningful slippage (>1%). However, five of those states were at or above 95% and two more were at or above 90%.

Figure 2



Explanation of Progress

Many states attributed progress in timely services to improvements in data collection and monitoring systems. Data system improvements included modifications to existing systems to provide prompts and reminders that deadlines are approaching, addition of new fields to capture reasons for delay, or “flags” for identification of noncompliance. In addition to updates to existing systems, many states reported using reports generated from the data systems at a local, regional, and state level to monitor and correct data on a regular basis.

Improvements in reporting can also be attributable to states increasing the amount of training and technical assistance provided to local and regional staff on the definition of timely services and appropriate documentation for accuracy of data. Reports from the data systems were used in several states by state technical assistance providers to look

for trends and systemic issues leading to non-compliance, and in many states resulted in increased guidance and training opportunities for services coordinators on timely services.

States also engaged in program improvement activities that resulted in progress. System level changes included updating the definition of timely services and changing the structures at point of entry to streamline service delivery procedures. Local program changes occurred with state support through focused technical assistance and monitoring to correct persistent issues with noncompliance.

Explanation of Slippage

States that did not meet the 100% target for timely services were asked to account for the untimely receipt of services to infants and toddlers. All states experiencing slippage provided information about why services to children were not provided in a timely manner.

The most frequently cited reason for slippage in providing services in a timely manner continued to be personnel shortages. Staff vacancies (including high turnover in provider and leadership positions) and a lack of qualified professionals were cited as major issues in all areas of the country. A few states also reported having an insufficient number of staff to serve the growing number of children being referred and made eligible for early intervention services and limited resources to add to their staff due to hiring freezes, state fiscal climates, or new state legislation affecting early intervention programs.

Additional reasons for lack of progress were procedural or funding issues, including delays in billing and insurance authorization as well as budget cuts and hiring freezes. Reimbursement rates for early intervention services continue to make it difficult for some states to secure regular access to therapists with the expertise needed to provide early intervention services. Some states reported changes in data collection strategy (i.e., change from monitoring to state data system, or reporting all areas of the state rather than a particular region as in previous years) as the reason for the slippage in compliance in providing timely services.

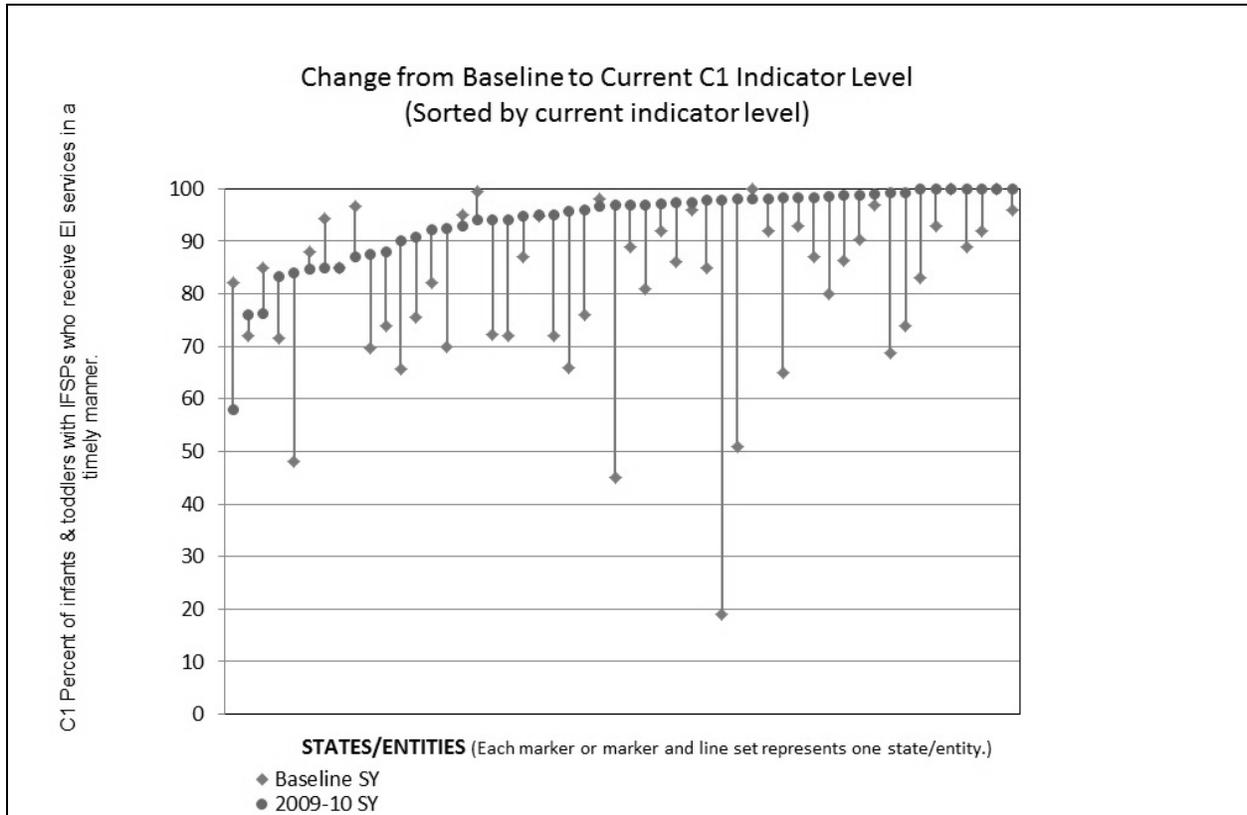
Finally, states report issues with inadequate data and documentation of delay of services. While updates and refinements to state data systems make them better able to capture the causes for delay, some states reported that issues specific to a local program, such as lack of documentation, inefficient local procedures, or inability to meet the timelines impacted overall state performance.

Comparison of Baseline to Actual Performance

In FFY 2009, the national average for percentage of children who receive services on their IFSPs in a timely manner is 94%, compared to 92% reported in FFY 2008 and 82% in FFY 2004. There continues to be steady progress made by states towards

achieving 100% compliance with this indicator. Although many states did not reach the required 100% compliance target, the trajectory of performance from baseline to FFY 2009 (see Figure 3) shows sustained progress in meeting the target for timely services.

Figure 3



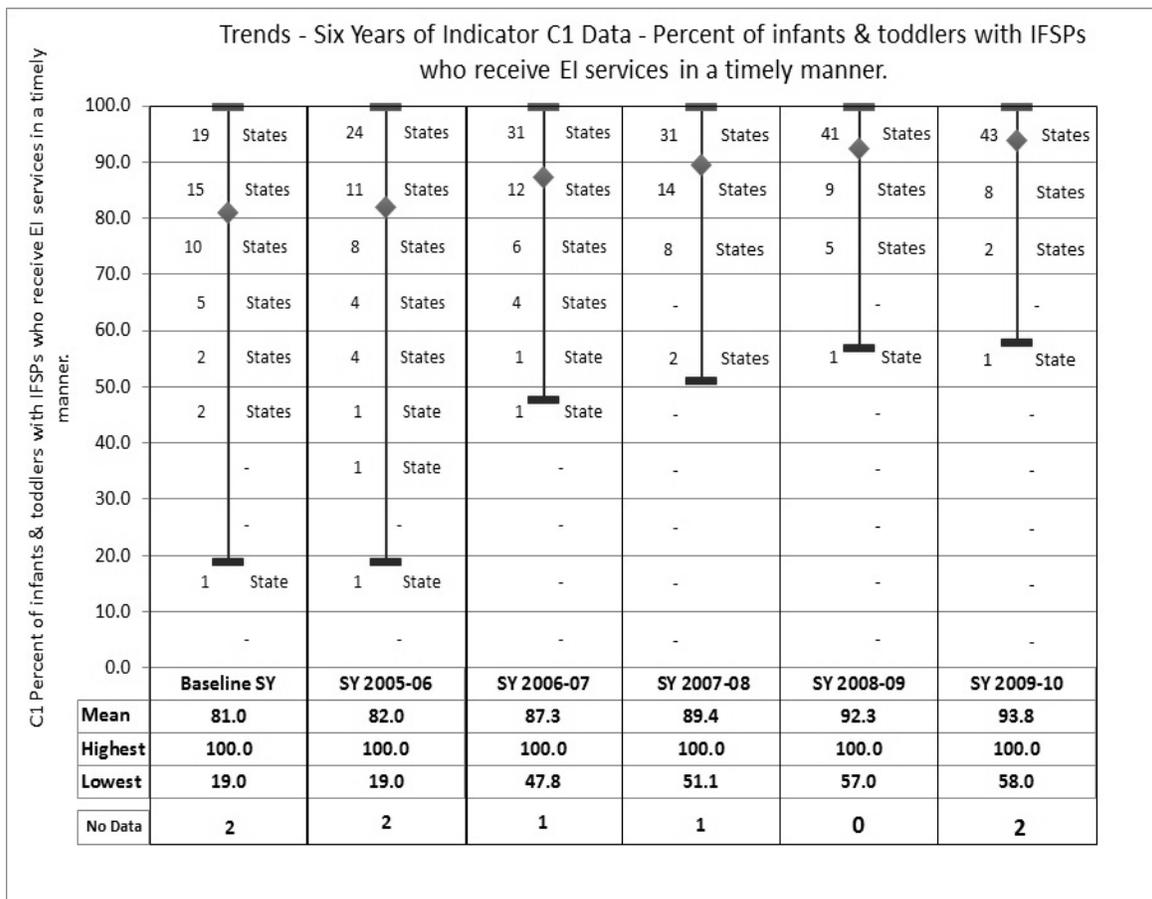
Of particular interest are the following observations:

- Forty states have improved their performance from baseline to FFY 2009 and two states have maintained their target performance of 100%.
- Thirteen states have shown continuous strong performance at 90% or above, with high baselines and high performance in FFY 2009.
- Fifteen states have improved their performance by more than 20 performance points since baseline. Of these 14 performed at 90% or higher in FFY 2009.
- For the six states whose current performance is below baseline, the range of slippage was from 2% - 24%. Four of the 6 states reported slippage of 9% and greater. Only one state whose current performance is below baseline is performing above 90%.
- The state with the lowest baseline performance demonstrated the greatest improvement by FFY 2009, from 19% to 97.8%, an increase of 78.8 percentage points.
- Although the states' trajectories varied, the overall data supports a national trend toward improvement over time.

Trends over Time

Figure 4 illustrates trend data for Timely Services. States continue to show progress towards providing timely services for all children in their Part C systems. As displayed in Figure 4, 43 of 54 states reported that they are able to serve at least 90% of their children in a timely manner, which represents an increase of seven percentage points from FFY 2008, when 41 of 56 states reported 90% or above. Only one state reported serving less than 60% of children in a timely manner in FFY 2009.

Figure 4*



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

IMPROVEMENT ACTIVITIES

Many of the improvement activities listed in the FFY 2009 APR reports were similar to those listed in previous years, yet are long term efforts that will take time to have an effect on the states' progress towards compliance. There was a shift in the focus of improvement activities away from work with individual provider agencies to fix compliance and towards state activities (such as improving accuracy and reliability of data and statewide training) during this FFY.

Data Collection and Reporting

Improved data collection and reporting was the focus of the majority of the states' improvement activities. States modified data systems, tools, and procedures to better identify local compliance and to assist programs in collecting and tracking data. Activities addressed documentation of reasons for delays and capturing the start dates of all services. Plans to improve data collection included:

- Developing and expanding comprehensive data systems to capture, analyze, and report performance data
- Adding and using reporting functions to data systems by including real time data and information to be used by local and regional staff to correct data entry issues and to monitor compliance on a continual and frequent basis (i.e. weekly, monthly, quarterly)
- Making modifications to existing data systems by adding new fields to capture reasons for delays, creating new administrative reports, and generating and tracking reminders
- Investigating and/or changing data collection method, primarily from monitoring to a web-based data collection

Increasing Personnel Recruitment

Strategies for increasing personnel recruitment and use were major activities for many states. Personnel shortages were cited frequently as a reason for delay in providing services in a timely manner. There were a number of efforts to recruit and retain providers. Some states were able to secure funds to hire additional providers (especially therapists), contract with new vendors, and increase provider rates in order to pay more competitive salaries. Strategies included:

- Using staff hired by the state to cover rural areas and other areas of critical shortage
- Sharing staff across regions to balance provider availability more equitably across the state
- Developing provider databases to track availability and identify areas where gaps in available providers exist
- Increasing the amount and availability of training related to the indicator, both at a local and statewide level
- Advocating and securing rate increases to entice providers to engage in early intervention service provision

Systems Administration and Monitoring

States continued to expend energies towards rigorous monitoring including requiring corrective action plans or improvement plans for programs that were out of compliance with the state's definition of timely services. States assisted local programs to examine the causes for delays and developed strategies to eliminate barriers to timely services. For continued noncompliance, sanctions were applied. Some notable improvement strategies included:

- Focused TA and periodic consultation - required activities for programs demonstrating consistently poor performance in the indicator including regular meetings and phone calls, training, and monitoring of compliance with the indicator
- Updated training and technical assistance materials - including procedures manuals and training on timely services and service coordinator responsibilities to enhance provider understanding of timely service provision
- Community collaboration and communication - increasing the scope of cooperation between community programs and agencies to strengthen understanding of the requirement for timely service provision, including developing memoranda of understanding, participating in team meetings across agencies, and participating in joint training

Service Delivery Models

Reviewing or redesigning models of service delivery was mentioned as an activity aimed at addressing continued personnel shortages, especially in rural areas. States are taking steps to shift away from discipline specific to a more integrated approach to providing services in a timely manner; and are engaging national experts to provide training about services in natural environment. States most often listed the primary service provider, primary coach, transdisciplinary, or another team-based approach as an evidence-based service delivery approach they are investigating or actively promoting.

Use of ARRA Funds

Several states reported using ARRA funds for improvement activities to address compliance with the indicator. The most common uses of ARRA funds included:

- Implementing or improving data systems and tracking
- Recruitment and retention activities, including offering incentives to programs to promote retention and paying for direct service time to ensure adequate provider availability
- Statewide training, module development, and development of mentor networks to support staff development (particularly related to changing the service delivery approach)
- Systems improvement activities

CONCLUSION

States continue to make gains and positive progress towards meeting the requirements of providing services to children in a timely manner. There are a variety of long term efforts that are successfully addressing barriers to providing timely services that appear to be working. With continued support and oversight, progress will likely continue with more states getting closer to the 100% target for this compliance indicator and the goal of providing services to all infants and toddlers with IFSPs in a timely manner.

INDICATOR 2: SETTINGS

Prepared by NECTAC

Indicator 2: Percent of infants and toddlers with IFSP's who primarily receive early intervention services in the home or community-based settings.

INTRODUCTION

This summary of Indicator 2 is based on a review of FFY 2009 APRs for 55 states. For the purposes of this report, the term "state" is used for both states and territories.

Indicator 2 documents state performance regarding the extent to which early intervention services for eligible children are being provided in "natural environments." Indicator 2 is considered a results indicator.

DATA SOURCES

OSEP instructed states 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. The 618 data tables used for this collection period were revised in 2006. 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 code settings that are "non-natural environments", such as provider locations, hospitals, residential schools, and programs for children with delays or developmental disabilities. The instructions for the APR have been revised to match the settings descriptions in the data tables.

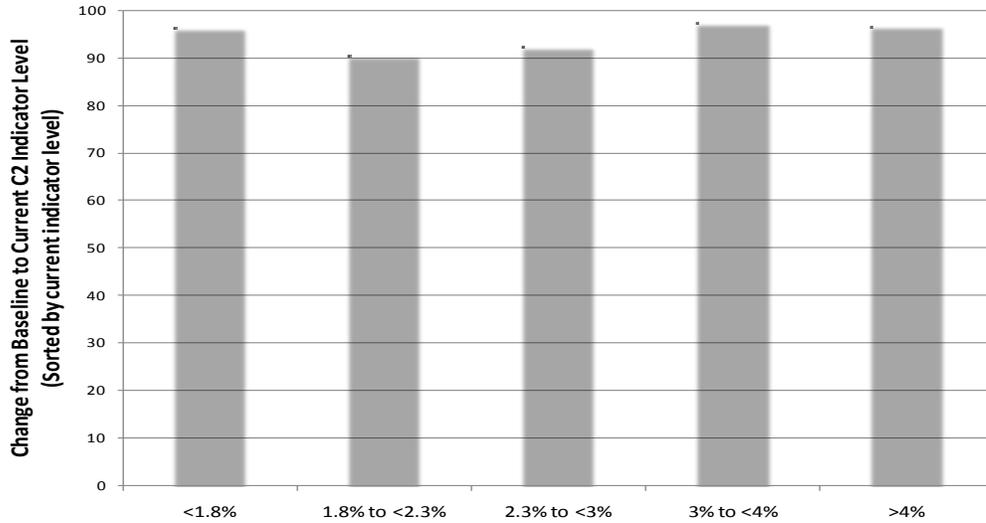
ACTUAL PERFORMANCE FOR FFY 2009

The average performance reported across states for FFY 2009 was 94.5% of children served in home or community settings. Twenty-five states (45%) were at or above 99%, 13 additional states (24%) reported between 95-99%, and eight states (15%) reported between 90-95%.

Data were analyzed to examine patterns in the percent of children receiving early intervention services in the home or community-based settings based on the number of children served, percent served, and RRC/RPTAC region. No differences were found based on number of children served. As shown in Figure 1, the analysis showed a slight tendency for states serving a higher percentage of children to have higher percentages of children in natural environments.

Figure 1

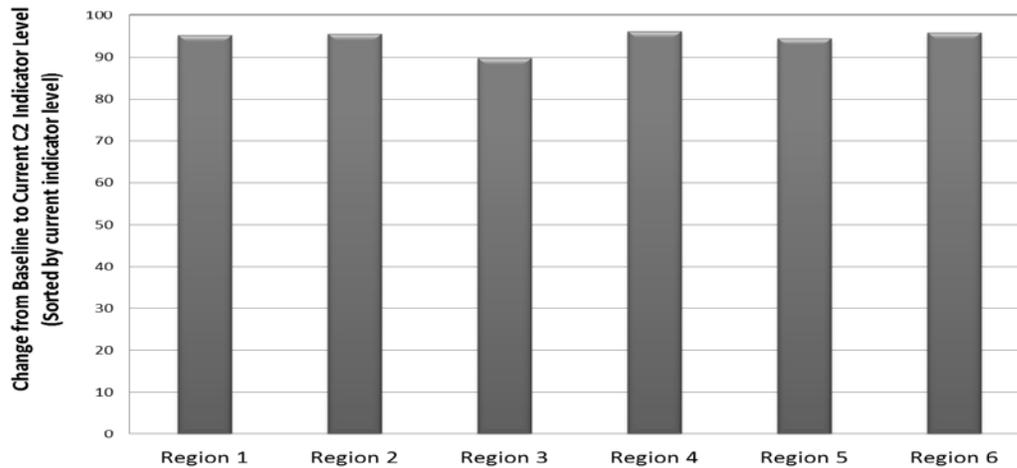
Indicator C2: Percent of infants and toddlers who receive services in the home or community-based settings. (By Percent Served in EI Programs)



As seen in Figure 2, there is also slight variation among RRC/RPTAC regions on this Indicator.

Figure 2

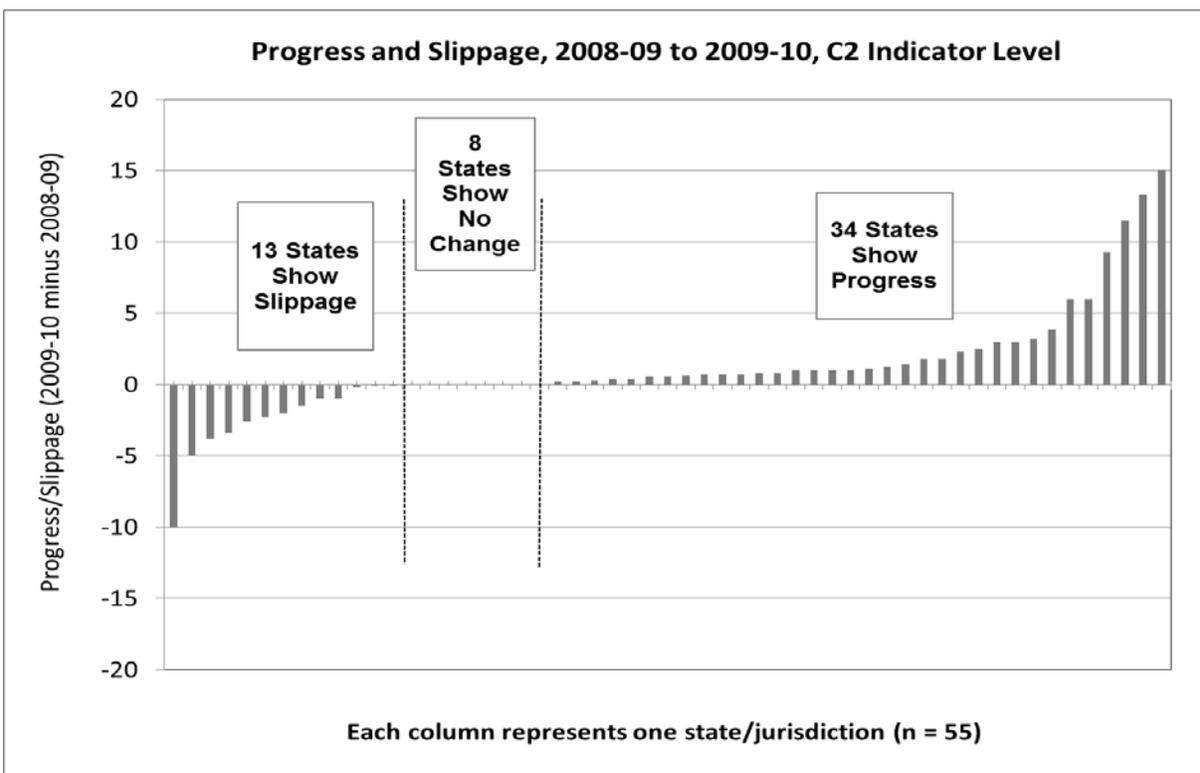
Indicator C2: Percent of infants and toddlers who receive services in the home or community-based settings. (By RRC/RPTAC Region)



PROGRESS AND SLIPPAGE

Progress and slippage for all states is shown in Figure 3. Thirty-four states made progress, 13 states demonstrated slippage, and eight states showed no change. While the numbers are identical to last year, the individual states in the categories vary from FFY 2008.

Figure 3



Of the 34 states reporting progress, 13 states made progress between .20% and 1%. Nine states made progress between 1 - 2%, and six states made progress between 2.3%- 3.8%. Eight states made progress above 6%, with the four highest states making 9.3%, 11.5%, 13.3%, and 15% improvement in actual data.

Five of the six states making the most progress gave specific explanations for progress including: working with the Data Accountability Center (DAC) to improve local program data collection and use; improving the service system design including changes to personnel providing special instruction and service coordination; and improving data entry regarding location of services.

Other states reporting progress in FFY 2009 attributed their progress to on-going, long-term activities such as monitoring, training and targeted TA to improve performance, and improved data collection.

There were 13 states with slippage. Of these, five remained above 95% and two were between 90% and 95%. Three of the 13 states reported slippage of less than 1%, and

six states reported slippage from 1% - 3%. The four states experiencing the most slippage reported decreases of 3.4%, 3.89%, 5.0%, and 10%.

Reasons given for slippage included shortage of personnel in a variety of disciplines, a reluctance of providers to travel to homes and community-based settings, and providers and parents having difficulty adapting to the change in service delivery model. One state mentioned difficulty in recruiting therapists for one area of the state. Another state indicated their slight slippage may be due to family preferences about settings, such as providing services in group settings for 2-3 year olds as a strategy to support transition to preschool.

Comparison of Services in Natural Environments: FFY 2005 - FFY 2009

Figure 4, comparing baseline to FFY 2009 actual data, shows that most states (48 of 55) have increased the percentages of children in home or community settings since establishing their baselines in FFY 2005. Seven states reported lower percentages than their baselines. However, three of these seven states remained above 95%.

Figure 4

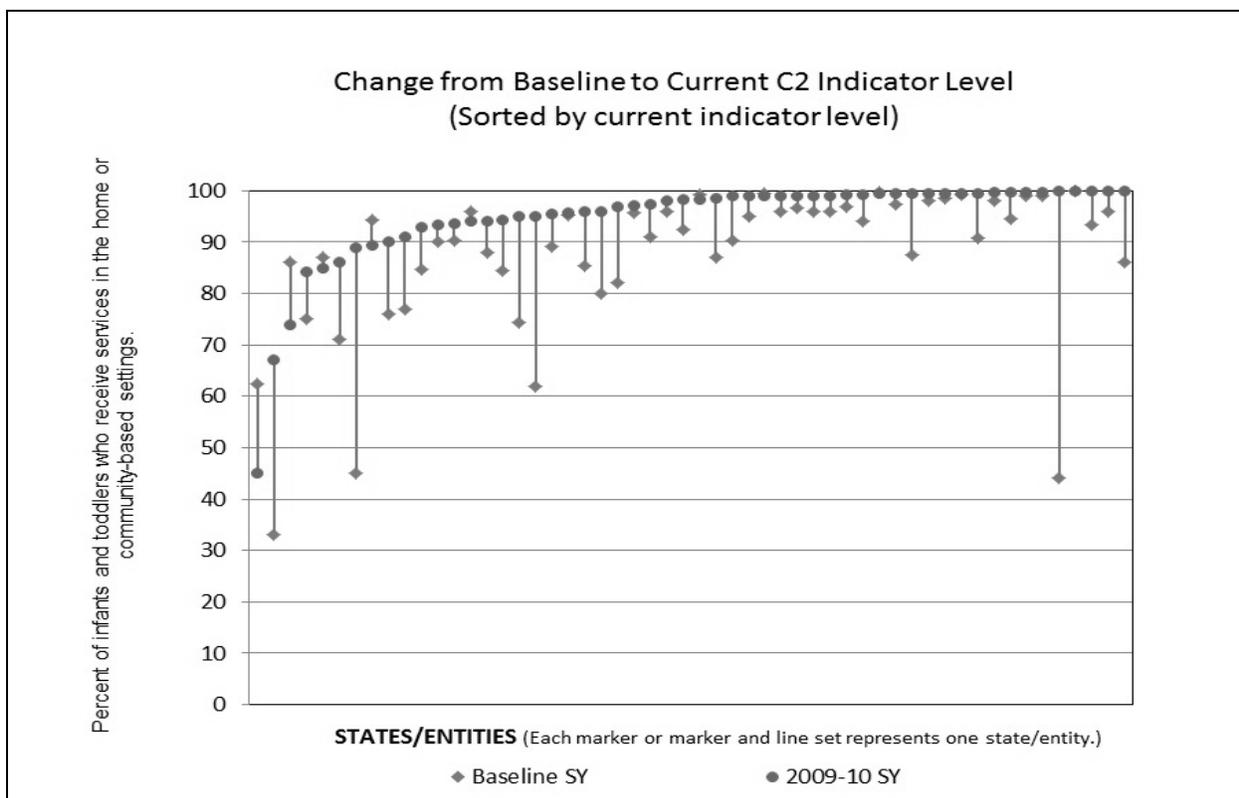
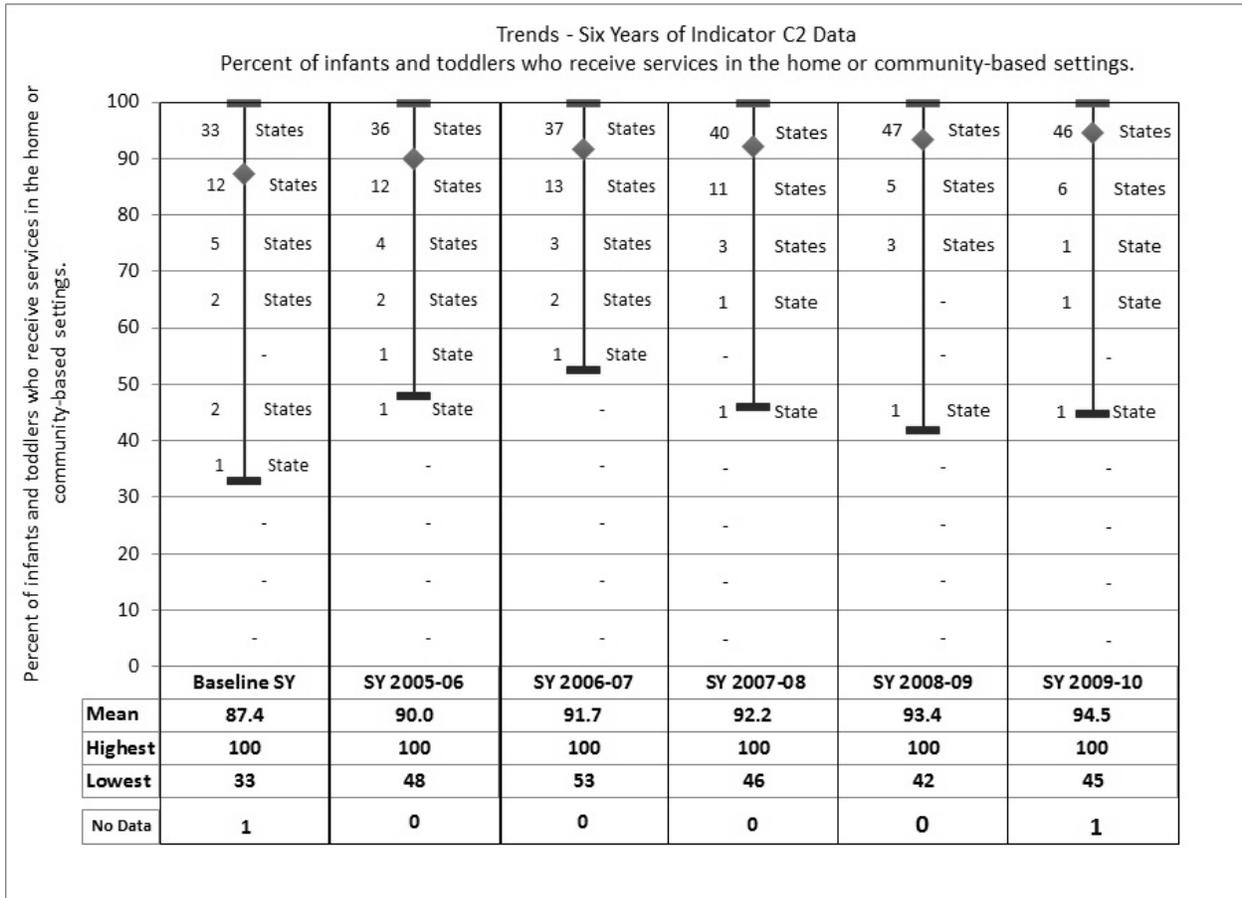


Figure 5 compares trend data over six reporting years. The mean of actual performance over time shows a small but steady increase each year, from 90% in FFY 2005 to 94.5% in FFY 2009. Many states started with a baseline above 90% and remain within the 90-100% range. There has been an upward trend of states previously

reporting within the 80% - 90% range moving into the 90 - 100% range for the past two years. Only three states report below 80% in FFY 2009 with actual data at 74%, 67%, and 45%. Two of these three states experienced slippage and one made a 2% increase from last year.

Figure 5



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

There has been some variation over the years in terms of which states fall into the bottom range. One state originally reported in mid-range for baseline (60% - 70%) has now fallen to 45% and has remained the lowest performing state since FFY 2006. The other two states below 60% in FFY 2005 have risen from 45% to 89% and from 55% to 93.4%, respectively. The state with the lowest baseline (33%) is at 67% for this reporting period.

IMPROVEMENT ACTIVITIES

For this reporting period, 12 states have used ARRA funds to support improvement activities. Examples of specific activities supported with ARRA funds to support services in natural environments include the following:

- Developing guidelines and training materials to serve children with autism
- Expanding pre-service and in-service training around topics related to best practices of service delivery by providing funding to three universities to develop training materials
- Contracting with outside entity to evaluate the state's Part C system to improve services in natural environments and service delivery
- Contracting with national experts to do a system capacity study
- Supporting six Special Quest teams to improve community collaboration
- Supporting eight TA positions across the state to do training and ongoing support for the Routine Based Interview (RBI) and Embedded Interventions
- Developing three pilots to use the Primary Service Provider Coaching model
- Funding a full time position in each Local Education Agency to focus on provider recruitment
- Allocating ARRA funds to local programs to help increase capacity for services and retain providers
- Purchasing a web-based data and centralized billing system

Many of states' improvement activities for this indicator also addressed Indicator 1 (timely services) and Indicator 7 (45-day timeline). States are providing training and TA to service coordinators and services providers, and are creating on-line training materials and procedural guidance documents. There are activities focusing on enhancing or redesigning their system of services to support best practices as well as activities related to compliance and correction of identified non-compliance.

Some states have focused on increasing inclusive opportunities in child care and in other community activities. There are also activities related to reimbursement rate increases, changes in Medicaid rate structures, and financial incentives provided to contracted private therapy providers who serve children in natural environments rather than private clinics.

Many of these broadly described activities are "on-going" in nature indicating that systemic change is a long-term process. States were asked to extend SPP targets and add improvement activities through FFY 2012. While most states extended the activities they are currently working on, 14 states added one or more new activities to occur over the next several years.

Below are examples of featured improvement activities that states described to address a particular issue for this indicator:

- Strengthened contract language to include the emphasis on routine based interventions in natural environments and the role of the provider in using coaching practices
- Created a collaborative of faculty members representing various disciplines and universities dedicated to the training and professional development of EI personnel to support a Primary Service Provider model
- Developed a certificate in Early Childhood Exceptionalities through the technical college system so that child care providers will be able to work with young children with disabilities
- Implemented strategies to assist local programs to write appropriate justification statements on the IFSP
- Offered financial incentives in service providers' contracts who work in natural environments to reimburse for travel time, teaming, and "no shows"
- Created an EI leadership academy with a month long focus for future EI leaders
- Created a family-friendly website for families to connect to the regional family support team, other families, and community, state, and national resources
- Implemented new Medicaid Service program which includes an increased rate for EI therapy providers and additional reimbursement for special instruction and provider participation in assessments, service planning, and IFSP team meetings

CONCLUSIONS

As previously stated, Indicator 2 is a results indicator. While there are currently a large number of states (n=46) reporting over 90% of services provided in the natural environment, with 38 states over 95%, there is not an expectation that 100% of all services must be provided in the natural environment. States report they individualize services to meet the specific needs of each child. There may be variation each year that reflects the needs of eligible children in each state. Five states reported in FFY 2009 that all children received 100% of services in the home or community settings categories.

Many states began with high baselines and actual data for this indicator. They continue to engage in a variety of comprehensive activities that help them to remain high-performing and able to offer quality services in home and community settings. A number of states with mid-range performance have made steady increases in their percentages served. This group of states has engaged in both specific and general improvement activities, such as: better data collection, monitoring, providing more training and TA about service in natural environments, and finding incentives for staff and programs to prioritize serving children in home or community settings.

States continue to identify the same issues as in years past in implementing services in natural environments. These include personnel shortages of therapy providers, personnel not willing to drive long distances or work in family homes, poor quality of services, treatment centers delivering the only available services in some rural areas, financial/budget challenges to reimburse providers in natural environments, increasing

numbers of medically fragile children who need more specialized services, and increasing numbers of children with autism and children with complex needs.

There are a high number of states in all performance categories involved in exploring, implementing, and sustaining a statewide or regional change in the service delivery approach. While not all states are reporting this in their APR, NECTAC work indicates that 32 states are engaging in this comprehensive work. Many of these states have been involved in the Community of Practice-Service Delivery Approaches workgroup with NECTAC and RRCP staff to explore systems change and the various approaches to service delivery.

INDICATOR 3: INFANT & TODDLER OUTCOMES

Prepared by ECO

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.

INTRODUCTION

This summary is based on information reported by 54 states and jurisdictions in their FFY 2009 APRs submitted to OSEP February, 2011. This year, for the first time, states and jurisdictions compared actual data to targets using the APR format. Only information specifically reported in the 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.

DATA SOURCES:

Child Outcomes Measurement Approach

States and jurisdictions are using various approaches to measure child outcomes, as presented in Table 1. When details of those approaches were not included in APRs, we used the information described in the most current SPP, so 56 states are represented in Table 1.

Table 1

Child Outcomes Measurement Approaches (N=56 States)	
Type of Approach	Number of States (%)
7-point COSF	41 (73%)
One statewide tool	7 (13%)
Publishers' online analysis	2 (4%)
Other	6 (11%)

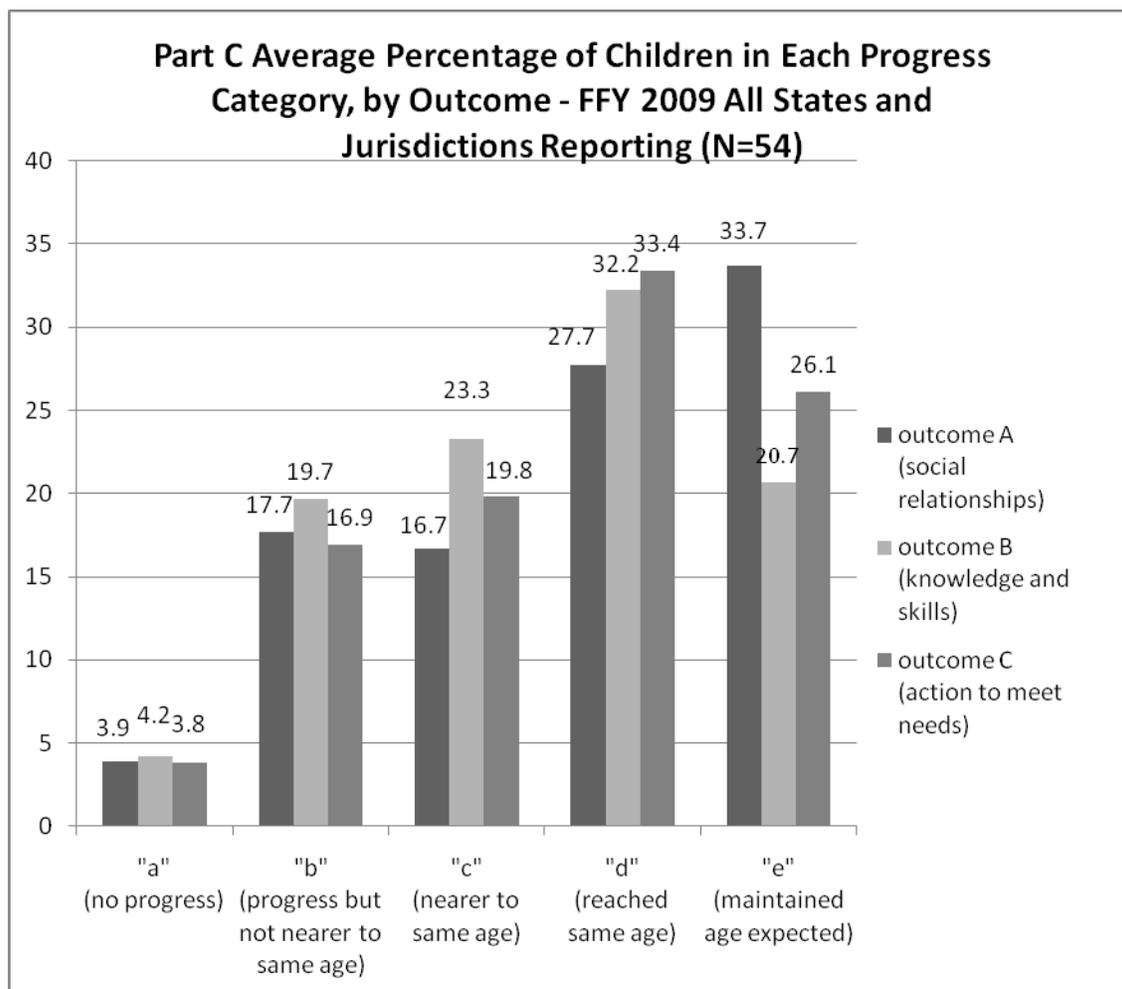
Of the 56 states and jurisdictions, 41 (73%) are using the ECO Child Outcomes Summary Form (COSF). Seven states (13%) are using one assessment tool statewide. Of those, four are using the Battelle Developmental Inventory (BDI)/Battelle Developmental Inventory, Second Edition (BDI-2), two are using the Assessment, Planning, and Evaluation System (AEPS), and one is using the Oregon. Two states (4%) are using publishers' online analysis and reporting systems. States using the publishers' online system reported using one or more of these formal assessments: Ounce, High Scope, Creative Curriculum, or AEPSi. Finally, six states (11%) developed other approaches to measuring child outcomes: a combination of publishers' online analysis and COSF; a chart by chart physical extraction by the lead agency to compare the 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 Early Learning Guidelines/Early Learning Standards and OSEP categories; a state developed methodology calculating percent delay based on assessment scores entered into a database by providers; a state developed process for calculating developmental age compared to chronological age; and a state-developed summary tool. Two states reported upcoming changes in approaches for FFY 2010: one state reported they are switching from using the publishers' online analysis to the COSF, and one state reported they will switch from their state-developed approach to the COSF.

ACTUAL PERFORMANCE FOR FFY 2009

Of the 56 states and jurisdictions, 54 submitted progress data for children exiting in the reporting period. Analyses of the progress categories and summary statement data reported in FFY 2009 are presented in Figures 1 and 2. This analysis has been designed using the state as the unit of analysis (averages across states) where each state is weighted equally to provide a general view of the data patterns. The number of children reported by states ranged from 22 to 10,274.

Figure 1 is based on the percentages states reported in each of the five progress categories for each of the three outcome areas: (a) percentage of children who did not improve functioning, (b) percentage of children who made progress but not sufficient to reach a level nearer to their same age peers, (c) percentage of children who made progress sufficient to reach a level nearer to their same age peers, (d) percentage of children who made progress sufficient to reach a level comparable to their same age peers, and (e) percentage of children who maintained a level comparable to their same age peers.

Figure 1

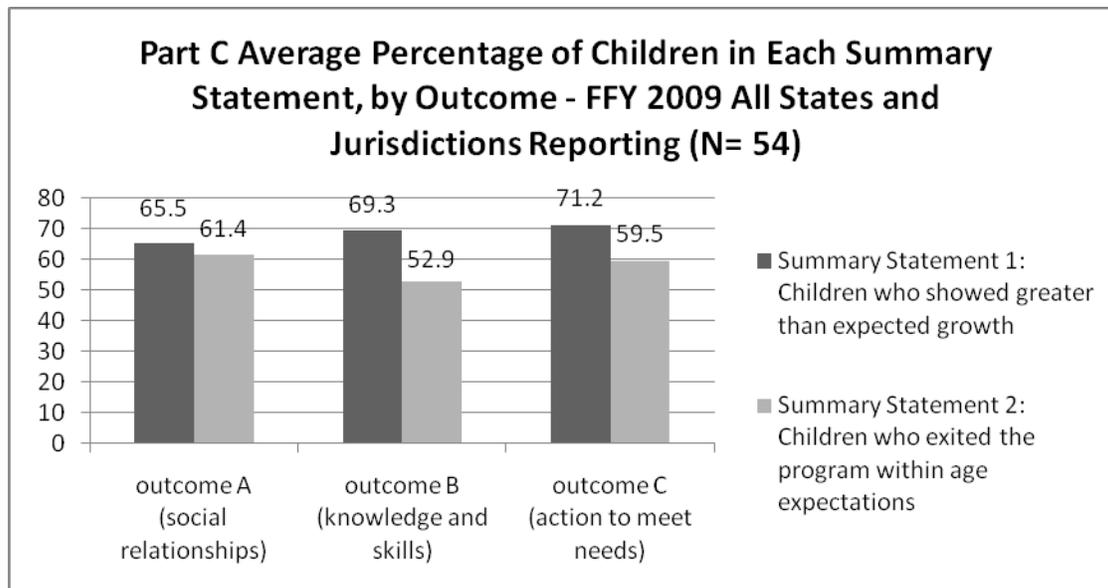


For all the progress categories, there was a wide range of percentages reported by states. By far, the lowest percentages were reported in progress category 'a' (ranging from 3.8 to 4.2%) with generally increasing percentages in category 'b' (ranging from 16.9 to 19.7%), category 'c' (ranging from 16.7 to 23.3%), and category 'd' (ranging from 27.7 to 33.4%). For category 'e,' the percentage is higher for Outcome A (social relationships) but lower for Outcomes B (knowledge and skills) and C (action to meet needs). Looking by outcome area, the patterns vary. For Outcome A (social relationships), the pattern shows a clear increase from 'a' to 'e' with 'b' and 'c' approximately equal. However, for Outcomes B (knowledge and skills) and C (action to meet needs), the percentages increase from category 'a' to category 'd,' but drop lower for 'e.' Fewer children were reported to be maintaining age expectations in Outcomes B (knowledge and skills) and C (action to meet needs), as compared to Outcome A (social relationships).

Figure 2 shows the FFY 2009 Summary Statement data. Summary Statement 1 is the percentage of children who entered the program below age expectations in each outcome who substantially increased their rate of growth by the time they turned 3 years

of age or exited the program $[(c+d/a+b+c+d) \text{ times } 100]$. Summary Statement 2 is the percent of children who were functioning within age expectations in each outcome by the time they turned 3 years of age or exited the program $[(d+e/a+b+c+d+e) \text{ times } 100]$.

Figure 2

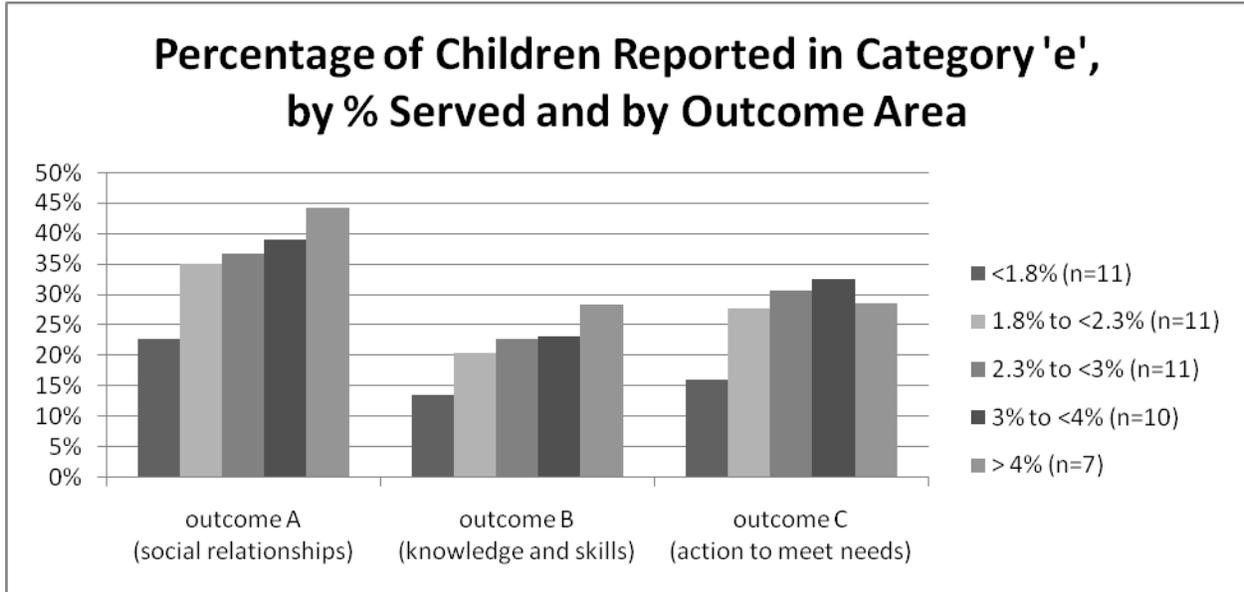


The average percentage of children reported in Summary Statement 1, children who showed greater than expected growth, ranged from 65.5% for Outcome A (social relationships) to 71.2% for Outcome C (action to meet needs), and was consistently higher than average percentages of children reported in Summary Statement 2, the children who exited the program within age expectations in all three outcome areas (ranging from 52.9 - 61.4%). The lowest percentage of children who showed greater than expected growth was in Outcome A (social relationships - 65.5%) while the lowest percentage of children exiting within age expectations was in Outcome B (knowledge and skills - 52.9%). The highest percentage of children who showed greater than expected growth was in Outcome C (action to meet needs - 71.2%) while the highest percentage of children exiting within age expectations was in Outcome A (social relationships - 61.4%).

Analysis by Percentage of Children Served

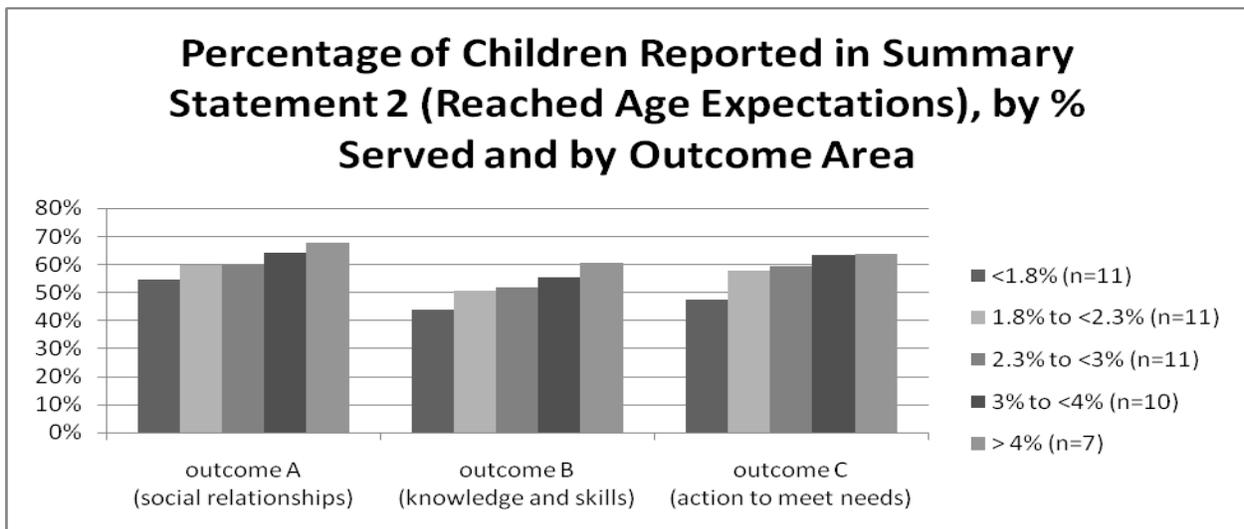
Analyses were done to examine whether there were differences among the progress categories according to the state's percentage of children served. Little variation was seen among progress categories 'a', 'b', 'c', or 'd'. However, a comparison of progress data in category 'e' (maintained age expected skills) by percentage of children served had interesting results, as presented in Figure 3. The percentage of children in category 'e' in all three outcome areas increased as the percentage of children served increased (with the exception of slight reduced percentage in outcome 3, >4%).

Figure 3



Similar analyses were done to look at patterns in the Summary Statements by percentage of children served. Little variation was seen for Summary Statement 1, but a comparison of Summary Statement 2 by percentage of children served had interesting results. Figure 4 shows a relationship between the percentage of children closing the gap and the percentage of children served in a state.

Figure 4



Additional analyses looked at differences among the a-e reporting categories and Summary Statements by geographic region and state size, and little variation was seen across these variables.

PROGRESS AND SLIPPAGE

The overall Summary Statement data for FFY 2009 showed a mix of progress and slippage across the two summary statements and three outcomes, as shown in Tables 2 and 3. States are categorized as having made meaningful progress or slippage as follows: progress if they increased >1% over FFY 2008; slippage if they decreased >1% from FFY 2008; and no change if they changed <1% in either direction. For Summary Statement 1, children who showed greater than expected growth, 35-43% of states made progress across the three outcome areas (see Table 2). For Summary Statement 2, children who exited with program within age expectations, 24-31% of states made progress across the three outcome areas (see Table 3). For Summary Statement 2, at least half of the states reported slippage across the three outcome areas.

Table 2

Progress and Slippage for Summary Statement 1 (Children Who Increased their Rate of Growth)			
	Number and percent of states and jurisdictions that made progress	Number and percent of states and jurisdictions that had slippage	Number and percent of states and jurisdictions with < 1% change
Outcome A (social relationships)	19 (35%)	24 (44%)	11 (20%)
Outcome B (knowledge and skills)	21 (39%)	29 (54%)	4 (7%)
Outcome C (action to meet needs)	23 (43%)	22 (41%)	9 (17%)

Table 3

Progress and Slippage for Summary Statement 2 (Children Who Were Functioning Within Age Expectations at Exit)			
	Number and percent of states and jurisdictions that made progress	Number and percent of states and jurisdictions that had slippage	Number and percent of states and jurisdictions with < 1% change
Outcome A (social relationships)	17 (31%)	27 (50%)	10 (19%)
Outcome B (knowledge and skills)	17 (31%)	28 (52%)	9 (17%)
Outcome C (action to meet needs)	13 (24%)	36 (67%)	5 (9%)

States provided a variety of explanations for the progress and/or slippage in their data. The overwhelming majority of states identified improved data quality that is more representative of the population of children served as a key explanation of their change in data. Better quality data was most commonly accomplished through monitoring and

TA efforts where issues of data quality were identified and addressed, improving the knowledge and skills of those collecting the data. In some cases, data analysis or pattern checking were instrumental strategies in identifying data quality issues. In some states, outliers were identified and received follow up TA. A few states, those using publishers' online analysis, improved their process for translating assessment data into the OSEP categories. Finally, a few states reported that their data were more representative compared to baseline, because of having more kids in the data, or having more of a 'full cohort' of kids in the data. Overall, it was clear that data quality was addressed in most states, and data quality is still a key focus for states.

Other explanations of progress or slippage related to: better program quality due to TA and implementation of quality practices at the local level; state implementation of a new process for data collection; changes in eligibility (or sometimes they just said the data were explained by their eligibility); and delay in the implementation of data quality improvement activities.

Trends over Time

Trend data for the 'a' – 'e' progress categories in all three outcome areas for the last three years are reported in Tables 4, 5, and 6 below. The national averages have been notably stable across the years, even though some individual states have had more substantial changes. Patterns for FFY 2009 data are very similar to both FFY 2008 and FFY 2007 patterns. By far the lowest percentages have been in category 'a' and percentages generally increased in categories 'b' through 'e.' For Outcomes A and C, the average of state percentages of children in categories 'b' and 'c' were very similar. Likewise, the average percentages for Outcome C categories 'd' and 'e' were only slightly different. This year, Outcome B again had a pattern where percentages in category 'd' are notably higher than category 'e.' While Outcome C had a lower percentage in 'e' than 'd,' the difference was only slight.

For Outcome A, shown in Table 4, there has been a steady but small decrease in 'a' (children who make no progress) and a decrease in 'e' (children who maintain age expectations). At the same time, there has been an increase in 'd' (children who catch up to age expectations). Average percentages for 'b' and 'c' have stayed approximately the same.

Table 4

Average Percentage of Children in Each Progress Category for Outcome A					
	'a'	'b'	'c'	'd'	'e'
FFY 2009	4%	18%	17%	28%	34%
FFY 2008	5%	17%	16%	26%	37%
FFY 2007	6%	17%	16%	24%	38%
<i>Note: Percentages may not all add up to 100% due to rounding</i>					

Similar patterns can be seen in Table 5 for Outcome B, where there has been a steady but small decrease in 'a' (children who make no progress) and a decrease in 'e'

(children who maintain age expectations). There has been a small increase in 'c' (children narrowing the gap) and 'd' (children who catch up to age expectations). Average percentages for 'b' have stayed approximately the same.

Table 5

Average Percentage of Children in Each Progress Category for Outcome B					
	'a'	'b'	'c'	'd'	'e'
FFY 2009	4%	20%	23%	32%	21%
FFY 2008	4%	19%	22%	31%	24%
FFY 2007	6%	19%	21%	30%	25%
<i>Note: Percentages may not all add up to 100% due to rounding</i>					

A slightly different pattern can be seen in Table 6 for Outcome C, as category 'a' (children who make no progress) and 'b' (children who make progress but not nearer to same age peers) have stayed approximately the same across the three years. Categories 'c' (children who are narrowing the gap) and 'd' (children who have closed the gap) have had small increases, and category 'e' (children who maintain age expectations) has decreased.

Table 6

Average Percentage of Children in Each Progress Category for Outcome C					
	'a'	'b'	'c'	'd'	'e'
FFY 2009	4%	17%	20%	33%	26%
FFY 2008	4%	16%	17%	32%	31%
FFY 2007	4%	17%	17%	29%	33%
<i>Note: Percentages may not all add up to 100% due to rounding</i>					

A comparison of overall Summary Statement data from FFY 2008 to FFY 2009 is shown in Tables 7 and 8. Small increases for all three outcome areas are seen in Table 7 for Summary Statement 1 (children who showed greater than expected growth) and small decreases for Summary Statement 2 (children who exited at age expectations) are shown in Table 8.

Table 7

FFY 2008 and FFY 2009 – Summary Statement 1: Children who change trajectory; Average percent of children reported by states		
	FFY 2008 N= 56	FFY 2009 N= 54
Outcome A (social relationships)	63%	66%
Outcome B (knowledge and skills)	68%	69%
Outcome C (action to meet needs)	69%	71%

Table 8

FFY 2008 and FFY 2009 – Summary Statement 2: Children who exited at age expectations; Average percent of children reported by states		
	FFY 2008 (N= 56)	FFY 2009 (N= 54)
Outcome A (social relationships)	63%	61%
Outcome B (knowledge and skills)	54%	53%
Outcome C (action to meet needs)	62%	60%

Over the last three years, the number of children in the data has steadily increased, as shown in Table 9. The number of children included in the FFY 2009 data ranged from 22 to 10,274 children. This year, more than one third (37%) of states reported progress data for at least 2,000 children, twice as many states as last year. Another 19% of states now have progress data for 1,000-1,999 children. More than half of states now have at least 1,000 children in their progress data. All five of the states with less than 100 children in their progress data are jurisdictions with smaller populations overall.

Table 9

Total Number of Children States Included in Progress Data			
Number of children reported	Number of States and Jurisdictions		
	FFY 2007 (N=56)	FFY 2008 (N=56)	FFY 2009 (N=54)
99 or less	13	6	5
100-499	25	16	9
500-999	6	13	10
1,000-1,999	9	11	10
2,000+	3	10	20
	Range: 5- 6,452	Range: 11- 7,998	Range: 22- 10,274
<i>Note: Ns for all 3 outcomes did not always match. Percentages do not always add up to 100% due to rounding.</i>			

Because states vary tremendously in size, a second analysis (Table 10) was used to show the number of children states included in their progress data as a portion of the total number of children exiting the program. The table shows an increase in the percentage of children included in the progress data from FFY 2008 to FFY 2009. This year, 45% of states have half or more of their children exiting in the progress data compared to only 27% last year.

Table 10

Percentage of Children Exiting Part C Included in Child Outcomes Progress Data		
Percent of Children	Number of States (%)	
	FFY 2008	FFY 2009
<10%	10* (18%)	5* (9%)
10 - <20%	4 (7%)	5 (9%)
20 - <30%	8 (14%)	6 (11%)
30 - <40%	11 (20%)	9 (17%)
40 - <50%	8 (14%)	5 (9%)
50 - <60%	8 (14%)	11 (20%)
60 - <70%	4 (7%)	10 (19%)
70- <80%	2 (4%)	1 (2%)
80% or more	1 (2%)	2 (4%)
	N=56	N=54
<i>Note: Part C Exiting data was used to calculate percentages. Two states did not report data for FFY 2009. *Three states are sampling.</i>		

Trends in Nationally Representative Data

Collecting data on outcomes for young children with disabilities is a complex undertaking and a new activity for states. States are at various stages in implementing procedures for measuring child outcomes data, and not all states were able to report high quality data for FFY 2009. Therefore, the ECO Center conducted more sophisticated analyses to calculate averages that better represent the national picture by weighting the data by child count (so that bigger states are weighted more heavily than smaller states).

The following analyses compare data from ‘all states’ with data from states considered ‘best quality’. This approach was undertaken with the assumption that the states with poor quality data introduce error into the national estimate. In the following additional analyses, the ‘all states’ data are based on 48 states and DC (two states did not report data and jurisdictions were not included in the analysis). Criteria used for including states in the ‘best quality’ data included: a sufficient percentage of children included in the state’s data (eliminating states with less than 28% of children in the data); patterns in the ‘a’ or ‘e’ categories (states with >10% reported in category “a” or >65% in category “e” were eliminated); and data collection methods (unclear methodologies were eliminated). Using these criteria, 29 states were included in FFY 2009 data analysis and 19 states were included in FFY 2008. For both years, the states were weighted to be nationally representative.

Figure 5 compares Summary Statements 1 and 2 for Outcome A (social relationships) using weighted data from all states and using weighted data from states that met the criteria for quality data. The data show several things: (1) the differences between

national numbers based on all states and those based on states with the best data are small; (2) the data are relatively stable from FFY 2008 to FFY 2009 under both methods, and most importantly, (3) the evidence is strong that a high percentage of children who received early intervention changed growth trajectories and a high percentage exited the program at age expectations.

Figure 5

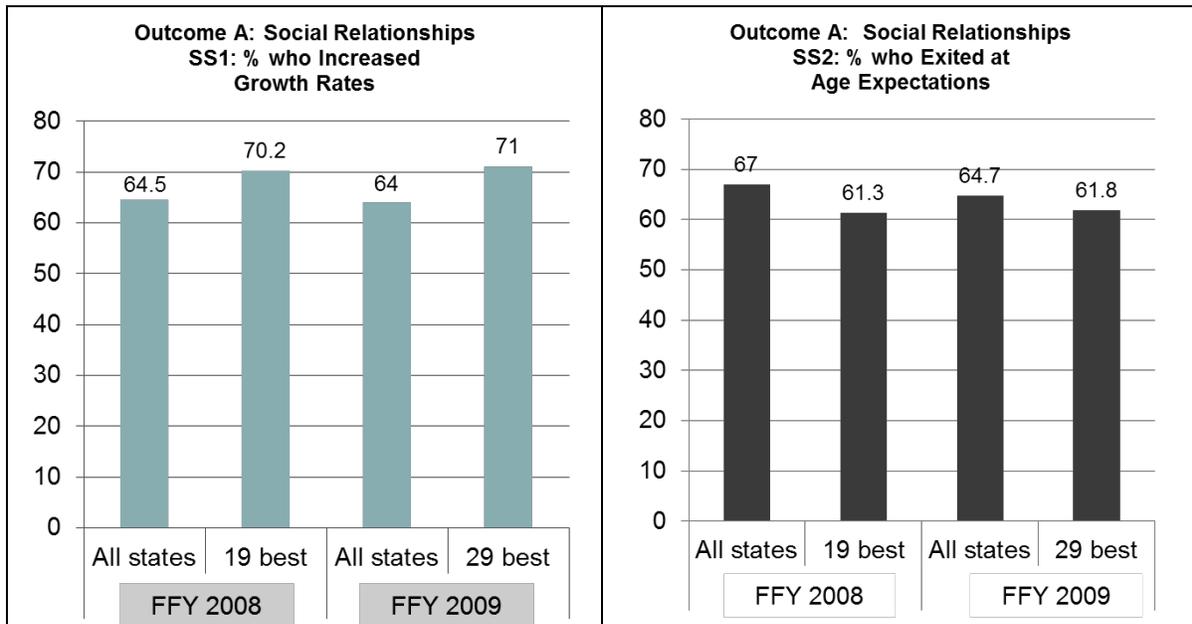


Figure 6 shows the national data for Outcome B (knowledge and skills). Outcome B has the same pattern as seen with Outcome A: for Summary Statement 1, the 'best quality' data show slightly higher means than the 'all states' category; and for Summary Statement 2 the pattern is reversed, with the 'best quality' means slightly lower than the 'all states' data.

Figure 6

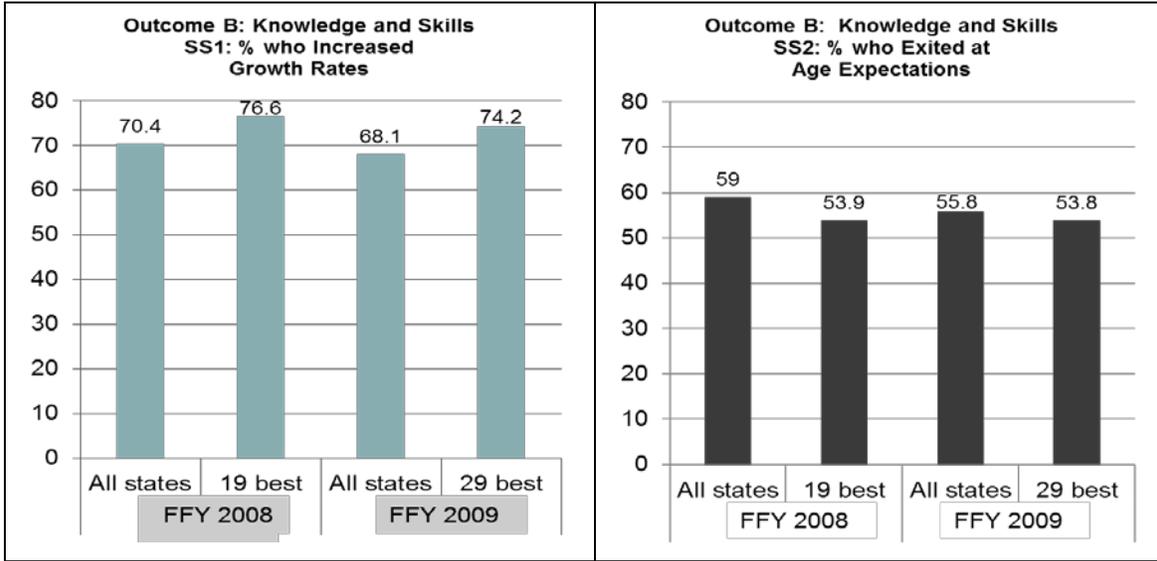
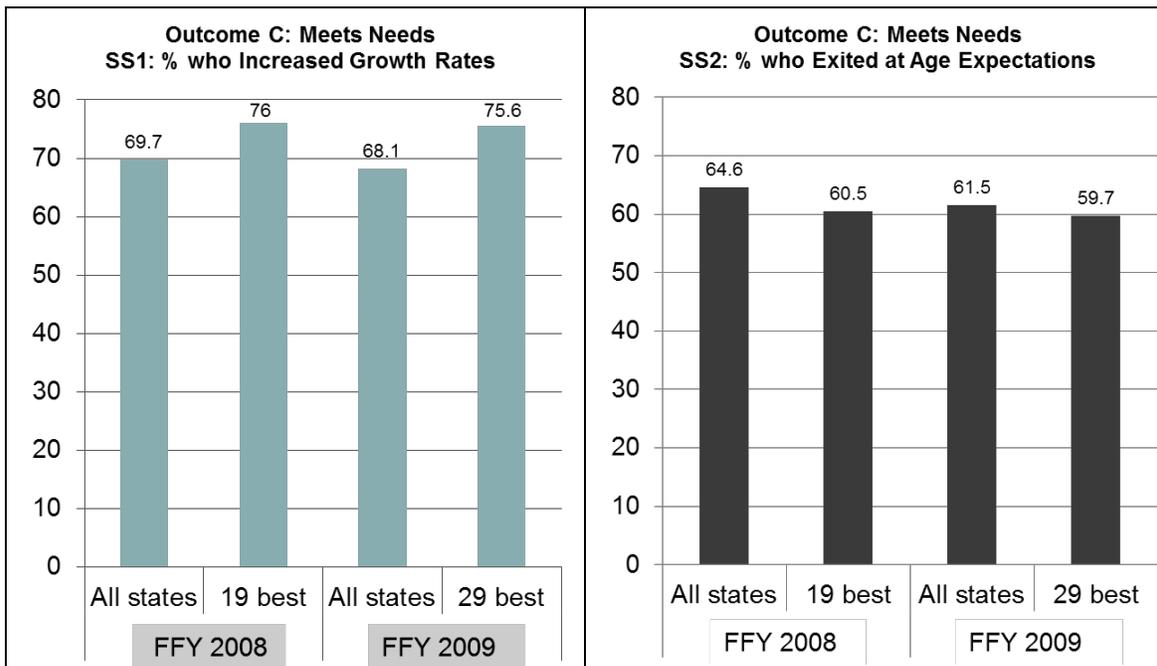


Figure 7 shows the national data for Outcome C (meets needs). Outcome C has the same pattern as seen with Outcomes A and B. The data based on all states is similar to data based on states with the highest quality data: the data are relatively stable from FFY 2008 to FFY 2009, a high percentage of children changed growth trajectories, and a high percentage of children exited the program at age expectations.

Figure 7



IMPROVEMENT ACTIVITIES

Looking across improvement activities for 54 states and jurisdictions, most activities were similar to reported activities last year and related to one of four areas: (1) conducting professional development activities; (2) implementing monitoring procedures to increase the quality of the data; (3) improving data analysis, pattern checking, and data collection procedures to ensure the quality of the data and begin using the data for program improvement; and (4) beginning to go beyond improving the data collection and reporting systems towards focusing on implementing quality practices to improve outcomes for children.

Professional Development

By far the most common type of improvement activity described in state APRs relates to conducting professional development activities to ensure administrators and providers have the competencies for implementing their outcomes measurement systems. Increasingly, states are providing TA to local programs on data analysis and use of the outcomes data. Frequently, TA to local programs is a result of identifying issues through monitoring and/or identification of outliers through data analysis.

States continue to use technology to enhance professional development - developing online training modules, videos to illustrate skills, and webinars. Additionally, some states are integrating the orientation and training on outcomes data collection into the overall orientation and training for Part C for new staff. Frequent topics of TA include the overall data collection and reporting process (e.g. COSF process), conducting quality assessments, child development, and understanding functional skills. Some featured improvement activities related to professional development for improving the data collection system include:

- Developed and disseminated online training module on the child outcomes measurement system
- Training on integrating the COSF process into existing IFSP process
- Embedded training on outcomes process into Part C orientation
- Regional agencies have orientation and initial training program that includes training on child outcomes data collection and reporting
- Ongoing TA including quarterly calls to problem-solve specific issues
- Training in the area of typical child development
- Discussions and training provided to regions with atypical data patterns or identified errors
- One program with outlying data received TA to address both data quality and program quality
- Training locals on analysis of COSF data
- Revising the Part C manual to include section on outcomes procedures

Monitoring to Increase Data Quality

A second, very common, type of improvement activity described in state APRs relates to monitoring to increase data quality. Many states are increasing their focus on data quality, and implementing strategies such as reviewing individual assessment or COSF data for quality, supporting local programs in conducting data reviews, and building the child outcomes data into overall monitoring procedures. Some featured improvement activities related to monitoring include:

- Outcome system included in state's overall monitoring process. Data were analyzed and the state contacted programs with unexpected results to determine the reason and appropriate corrective action. Onsite record reviews conducted by state TA staff to assure consistency and accuracy of data and provide feedback to local providers.
- Selected child outcomes as one part of focused monitoring. Identified noncompliance with outcomes data where staff were not collecting and entering outcomes data. Ranked programs based on child and family outcomes data and outliers were selected for onsite visits the next year
- Monitored all regions through data verification reports, file reviews, TA, support, and monitoring of improvement plans.
- Reviewed COSFs for accuracy and completeness as part of ongoing monitoring.
- Reviewed COSFs for errors to identify recurring trends leading to insufficient data to support ratings. Child outcomes taskforce met quarterly to review decisions, discuss modifications, and review random sample of COSFs from each region.
- Supported county administrators in reviewing random samples of COSFs for quality and completeness.

Increasing Data Quality

A third, increasingly more common, type of improvement activity described in state APRs relates to increasing data quality through analyzing data, pattern checking, and improving data collection. Many states are increasing their focus on data quality, and conducting extensive data analysis and pattern checking to help identify missing data, unusual patterns that are 'red flags' in the data, and outlier local programs. States also report ongoing improvements to data collection activities.

Some featured improvement activities related to identifying missing data include:

- State looked at child outcomes data (monthly, quarterly, and/or annually) to ensure all children entering and exiting the program with at least 6 months of service had entry and exit outcome data
- Data programmers match the data about children entering and exiting the program to the child outcomes data to identify missing data
- Quarterly and annual reports are sent to regions identifying missing data and regions are expected to provide the data or provide an explanation

- Posted 'participation rates' for local programs to the web to identify programs with low participation rates (i.e. high missing data) and requiring programs with low rates to provide a plan to improve data collection
- Created a policy and procedure to ensure data are collected for children who leave unexpectedly

Some featured improvement activities related to data analysis and pattern checking include:

- Analyzed data patterns and anomalies in each region; discussed potential reasons for differences in patterns; conducted root cause analysis and discussed strategies to improve data quality and services in each region.
- Analyzed by various variables including eligibility status, length of time in services, Medicaid enrollment, age at referral, and family outcomes.
- Working closely to investigate local processes, examine statewide data, explore patterns, and promote data quality. Follow-up with local programs identified as outliers.
- Web-based system allows regions to view reports and correct data errors on a regular basis.
- Data verification webpage allows providers to view summaries of data, determine whether their program is an outlier, and make adjustments to local procedures as needed.
- Child outcomes workgroup meets regularly to analyze state and program data, separating by age at time of referral, disability/eligibility category, time in EI, demographics, and Part B eligibility in order to target TA for improved data validity and program improvement.
- A comprehensive spreadsheet of statewide data by program was developed and is updated quarterly. It is available for easy download to all providers for review and analysis.
- FFY 2009 data was analyzed and compared to FFY 2008 and FFY 2007 to determine changes in patterns and trends and to focus efforts to improve data quality and consistency.

States also reported improvement activities related to improving data collection, including:

- Piloted a 'new' COSF form with embedded decision tree to see if it would increase consistency
- Updated COSF to ensure information collected is accurate and reliable
- Revising COSF to integrate into IFSP
- Narrowed the list of approved tools to improve data quality
- State revised policy to require using the Decision Tree for COSF ratings
- Revised data collection procedures to require at least three data sources be used when determining outcomes ratings

- Working on a standard for age expectations to ensure consistency across the state
- Develop and implement a procedure for sharing data across Part C and Section 619

Quality Practices to Improve Outcomes

As mentioned above, a number of states have begun to report improvement activities for this indicator that go beyond improving the data collection and reporting system and directly relate to improving outcomes for children. A few featured examples of improvement activities related to implementing quality early intervention practices to improve child outcomes include:

- EI providers and care givers received in-depth training and coaching on evidence-based practices to promote social emotional development from TACSEI
- Training and TA provided on team-based model, service coordination, and participation based practices
- Statewide meeting for service coordinators on services in natural environments including overcoming barriers to providing services in natural environments and family-centered intervention
- Collaboration with CSEFEL to expand statewide efforts to implement program-wide positive behavioral interventions and supports
- Developed training to enhance providers' understanding of early literacy interventions
- Competency-based training program on family-centered service coordination provided for new service coordinators.
- Training on routines based intervention team leaders to improve quality of service and ultimately child outcomes
- Trainings conducted on environmental interventions, play sequences, and behavioral interventions for children with Autism Spectrum Disorder
- Local systems received multimedia library of training materials on SpecialQuest, enhancing and sustaining inclusive services, family leadership skills, and integrated, collaborative service delivery.

CONCLUSION

Although collecting and reporting child outcomes data for young children with disabilities is a complex undertaking, states are increasingly able to report high quality data for this indicator. The numbers are very stable across the two years, suggesting that the national estimates based on states with the highest quality data are credible estimates. Most states are implementing a series of improvement activities that focus on ensuring high quality data including professional development activities and different types of data analysis and monitoring activities. Some states are also beginning to use their data to make decisions about program improvement, thus beginning to implement improvement activities focused on implementing evidence-based practices.

INDICATOR 4: FAMILY OUTCOMES

Prepared by ECO

INTRODUCTION

Indicator 4 of Part C measures the 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.

DATA SOURCES AND MEASUREMENT APPROACHES

The data used for this report are based on information reported by 55 states and jurisdictions in their February 2011 APRs for FFY 2009. States and jurisdictions will be called "states" for the remainder of this report. In cases where methods data were not reported this year, existing data from last year's report were used or the state's SPP was checked for details on their approach. Although information on survey tools is available for all states, not all states submitted data for all other variables. Analyses where sample sizes differ are noted.

Family Survey Tools

States reported using three main survey approaches to collect data for this indicator. Of the 55 states, 25 used the NCSEAM Family Survey (45%), 24 used the ECO Family Outcomes Survey (44%), and six states (11%) used a state-developed survey. In some cases, a state tailored the NCSEAM or ECO survey by removing questions not required for reporting, adding survey questions specific to their state, and/or making wording and formatting changes. Among those reporting using the ECO tool, three states reported using the revised version of the Family Outcomes Survey (FOS-R).

Family Populations Included in Surveys

Forty-four states (80%) reported using a census approach, and eleven states (20%) reported using a sampling approach when surveying families. Across both census and sampling approaches, the majority of states surveyed families regardless of the length of time their child was in services (n=31, 55%). Twenty-four states surveyed families who had a minimum amount of time in services. Of these, 22 states specified families who had greater than six months of services; one used 9 months or more; and one 12 months or more.

With regard to timing, the majority of states surveyed families at a designated point in time or during a specific time period (n=36, 65%). Another approach was timing the survey administration to child participation in the program (n=17 states). This includes administering the survey at exit or transition, at IFSP meetings, or a combination of

those. Of the remaining two states, one surveyed families in programs according to their monitoring schedule, and one staggered the timing by region/district.

ACTUAL PERFORMANCE FOR FFY 2009

Fifty-five states reported actual target data for FFY 2009. Table 1 presents 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.

Table 1

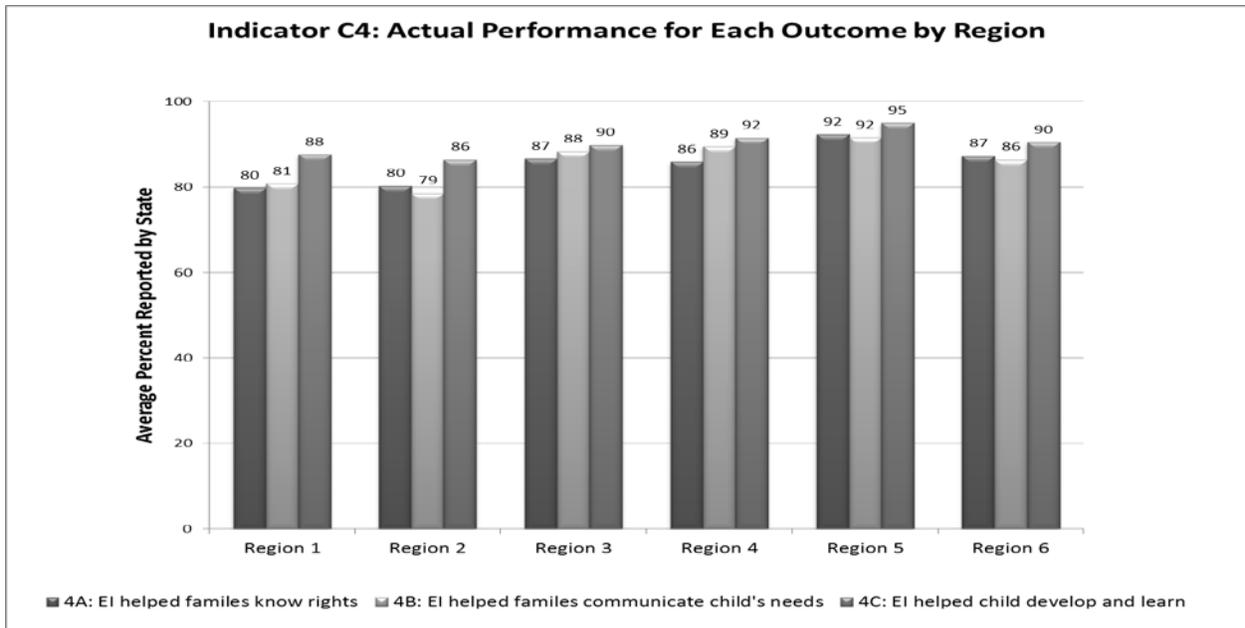
Means and Ranges for Actual Data: FFY 2009			
Sub-Indicator	4A: Know their rights	4B: Communicate children’s needs	4C: Help children develop and learn
Mean	85.5% of families	86.0% of families	90.2% of families
Range	48.0% - 100%	53.0% - 99.2%	59.5% - 100%

Actual Performance by Region, State Size, and Percent Served

Figures 1-3 show the average performance among states grouped according to RRC/RPTAC region, number of children served (approximating state size), and percent of the state population served by Part C.

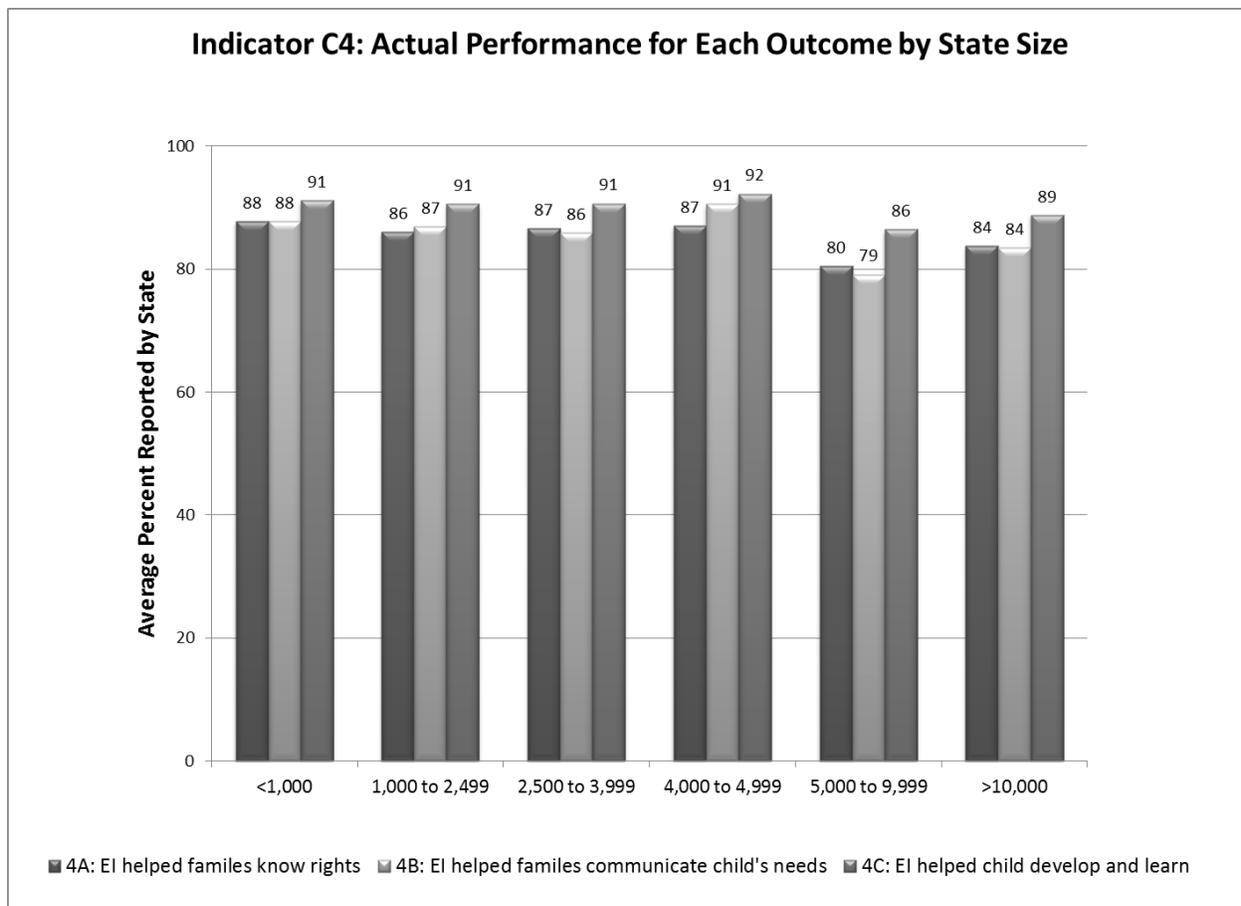
Figure 1 shows some differences when comparing actual results across regions. Region 5 appears somewhat higher across the three sub-indicators, while Regions 1 and 2 show lower means for 4A (parents know their rights) and 4B (parents communicate their child’s needs).

Figure 1



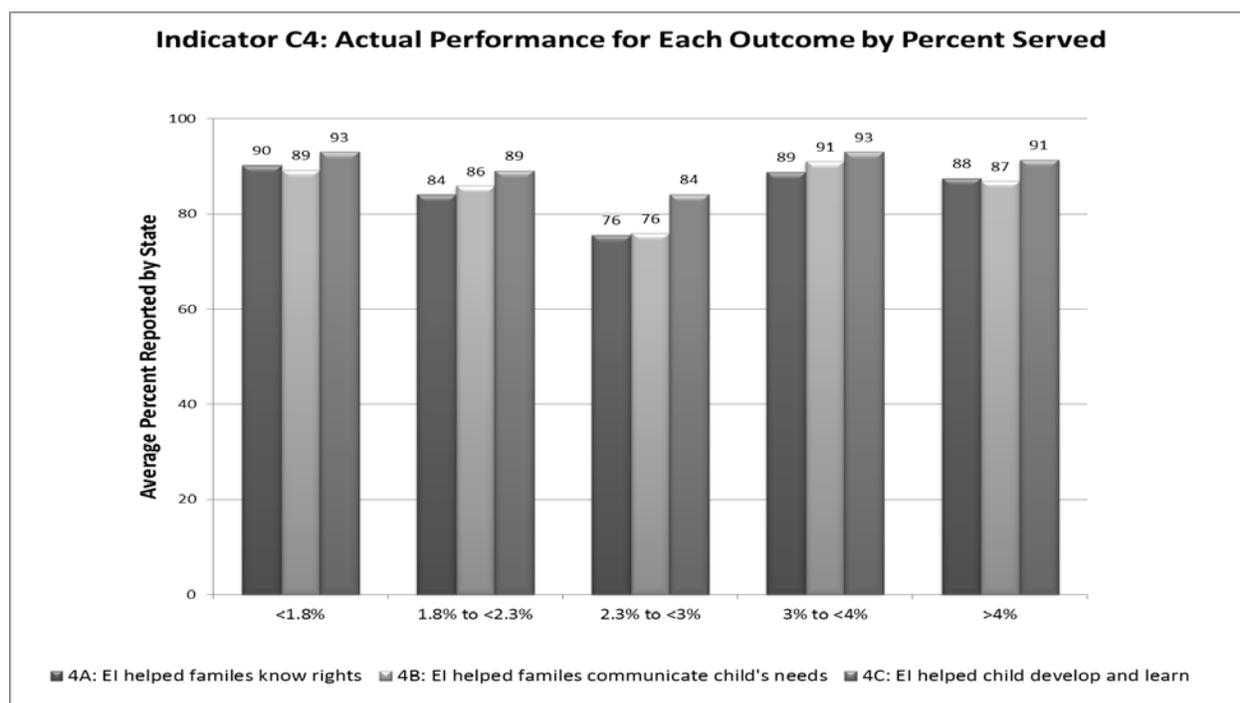
Results appear more consistent when looking at families' perceptions by the size of the state (Figure 2). For Indicator 4A (early intervention helped the family know their rights), means are somewhat lower for the two categories of larger states: the small and mid-size states range from 86 - 88%, and the means in the larger states are 80 and 84%. A similar pattern is seen for sub-indicators 4B (early intervention helped families communicate their child's needs) and 4C (early intervention helping their children develop and learn), with somewhat lower means for the groups with the states serving the largest number of children.

Figure 2



More substantial differences are seen when comparing actual results by percent of the population served by Part C (Figure 3). There is variability in the means across the categories, with the middle grouping (states serving 2.3% to <3%) having a much lower mean for all three sub-indicators. The differences do not appear to be related to the survey type used. All percent-served groupings appeared to be balanced with respect to states using the ECO and NCSEAM surveys. While not all groups included states using a state-developed survey, these were also distributed among groups.

Figure 3



Actual Performance by Survey Type

Figure 4 shows FFY 2009 data according to survey type. Overall, states using the ECO and state-developed surveys reported slightly higher scores than for the NCSEAM survey.

Regardless of the tool used, states used a variety of standards to determine whether families had achieved each of the three family outcomes reported in this indicator. Among the 25 states using the NCSEAM survey, 15 states reported using the standard scoring methodology of Rasch analysis to indicate a positive response. Six additional states reported using modified methods of analysis, including ratings based on level of agreement with items or percentage points awarded based on the level of agreement. The remaining four states using the NCSEAM survey did not report their criteria for a positive response.

Of the 24 states using the ECO Family Outcomes Survey for this indicator, 18 states (16 using the original version and two using the revised ECO survey) reported using the scoring standard recommended by ECO. Three states adapted the ECO response scale using criteria of “agree” or higher or a frequency scale, and the remaining three states did not report their scoring criteria.

Among the six states that used a state-developed survey, three used criteria of “agree” or higher, and three used some other cutoff (one used “strongly” or “very strongly”, and the other two had mixed formats among their survey questions).

Figure 4

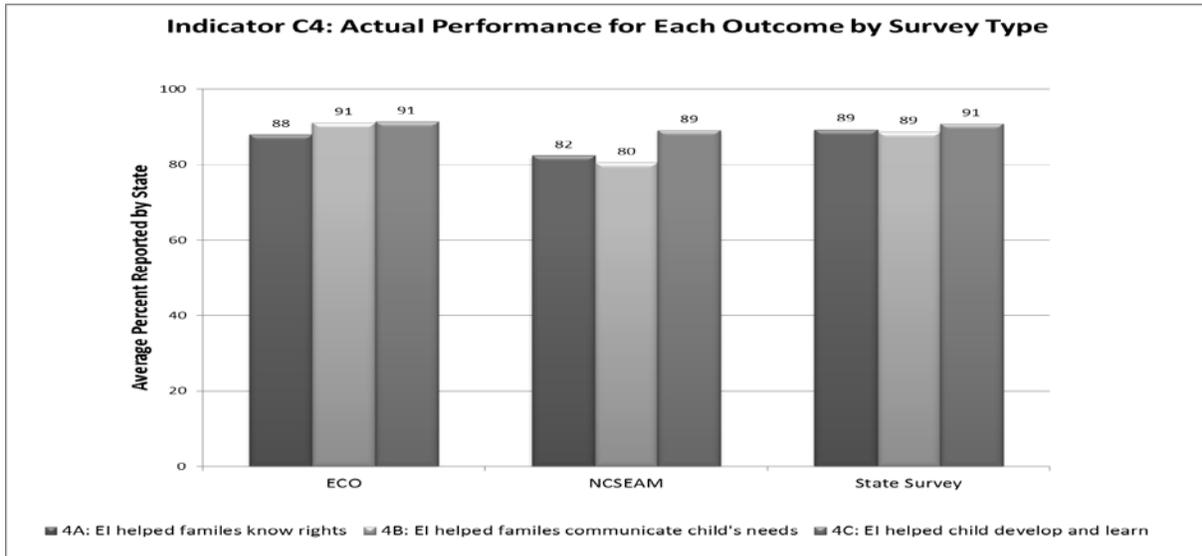
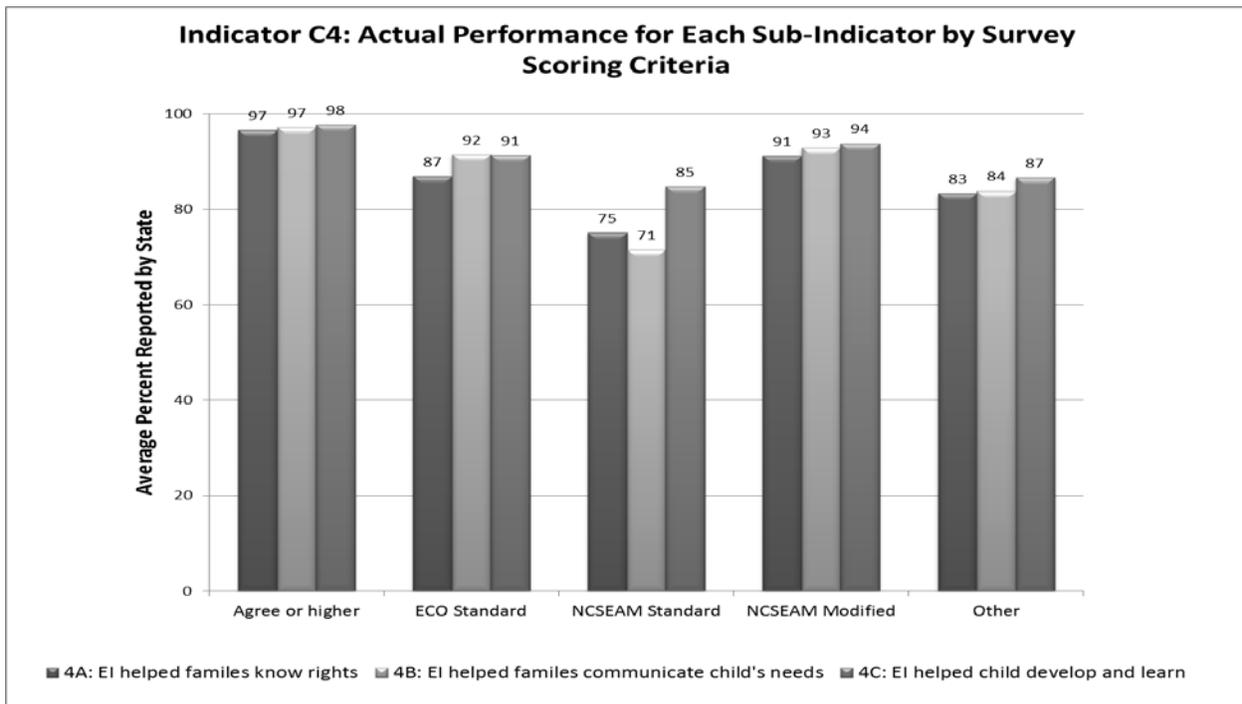


Figure 5 displays the FFY 2009 data according to the various criteria for positive response used by states. The first category, “Agree or higher” includes states using both the ECO survey and a state-developed survey. Similarly, the “Other” category includes states using other scoring for both the ECO and state-developed surveys. There is substantial variability across these groupings based on the cutoff scores. However, these are likely due to differences in the measurement processes rather than to differential state performance per se.

Figure 5



Response Rates

The average of states' response rates was 36%, based on 49 states (6 states did not report their response rate). Response rates ranged from 5.8% to 100%. There was some variation among response rates based on survey type. Response rates were highest for states using the ECO survey (41%), and comparable for states using the NCSEAM survey (31%), and state-developed surveys (31%). Mean response rates were slightly higher for census (37%) versus sampling (32%) approaches.

Analysis of the method of survey distribution reveals that hand delivering surveys yielded the highest response rate at 46%. States reporting using multiple methods to distribute surveys had an average return rate of 37%, while those reporting using mail distributions averaged a 27% return rate.

Response rates also differed according to the methods used for families to return completed surveys. The four states that collected surveys in person had a mean return rate of 76%. States using a variety of methods (e.g. offering families an option of completing the survey online, mailing it in, or handing it back to a provider) had a mean response rate of 36%. States reporting using a mail-only return method averaged 28% of surveys returned.

Representative Data

A total of 44 states (80%) reported on the criteria they used to determine whether or not their family survey data were representative of the population they serve. Table 2 shows the frequency with which the different criteria were reported by states. This is a duplicative count of categories (e.g. some states used more than one criterion to determine representativeness). Eleven states did not report their criteria.

Table 2

Criteria Used to Evaluate Representativeness Across States (n=55)		
Criteria	States (n)	States (%)
Race/ ethnicity	41	75%
Geography (district, county, region)	17	31%
Gender	14	25%
Child's age (at survey, at referral)	13	24%
Disability type/ eligibility category	6	11%
Length of time in services	6	11%
Income (i.e. receipt of Medicaid)	3	5%

A majority of states (n=41) reported using race/ethnicity categories to evaluate representativeness. Geographic characteristics included region, service district, urban/rural, county, or program size. States also looked at characteristics of the child such as age of the child (at time of survey, at entry, or referral), gender, disability or eligibility category, and receipt of Medicaid. A few states also assessed representativeness based on the length of time the child had been in services.

In determining whether data were representative, 41 states (75%) reported the source of data used for comparison. The main data sources were Part C population/618 data (25 states, 45%) and program population data (13 states, 24%). Three states used other methods - two used sampling matrices and one a sampling calculator. Fourteen states did not report on their comparison data.

States differed on how they assessed whether their data were representative of the population they serve. The majority of states (n=50, 91%) drew some conclusions about their data, while the remaining five did not. Of the states that did make conclusions, nine reported varied results regarding representativeness, i.e. data were representative on some criteria but not others, or for some subgroups but not others. The remaining 41 states reported that their data were representative of their state. States varied as to whether they reported response rates or percentages of the response pool by subgroup. Twenty-six states provided data on response rates among subgroups, including one state that did not draw a conclusion about representativeness.

PROGRESS AND SLIPPAGE

When comparing actual performance data from FFY 2008 to FFY 2009, the overall trend showed progress for each of the three family outcome measures; the mean percentages for all three sub-indicators increased slightly from last year. Indicator 4A (families know their rights) increased from 84.3% to 85.5%; Indicator 4B (families communicate their children's needs) increased from 85.2% to 86.0%; and Indicator 4C (families help their child develop and learn) increased from 89.5% to 90.2%.

Figures 6, 7, and 8 show the number of states reporting progress or slippage among the three sub-indicators from FFY 2008 to FFY 2009. Each column represents one state. Across all three sub-indicators, the majority of states made progress.

Figure 6

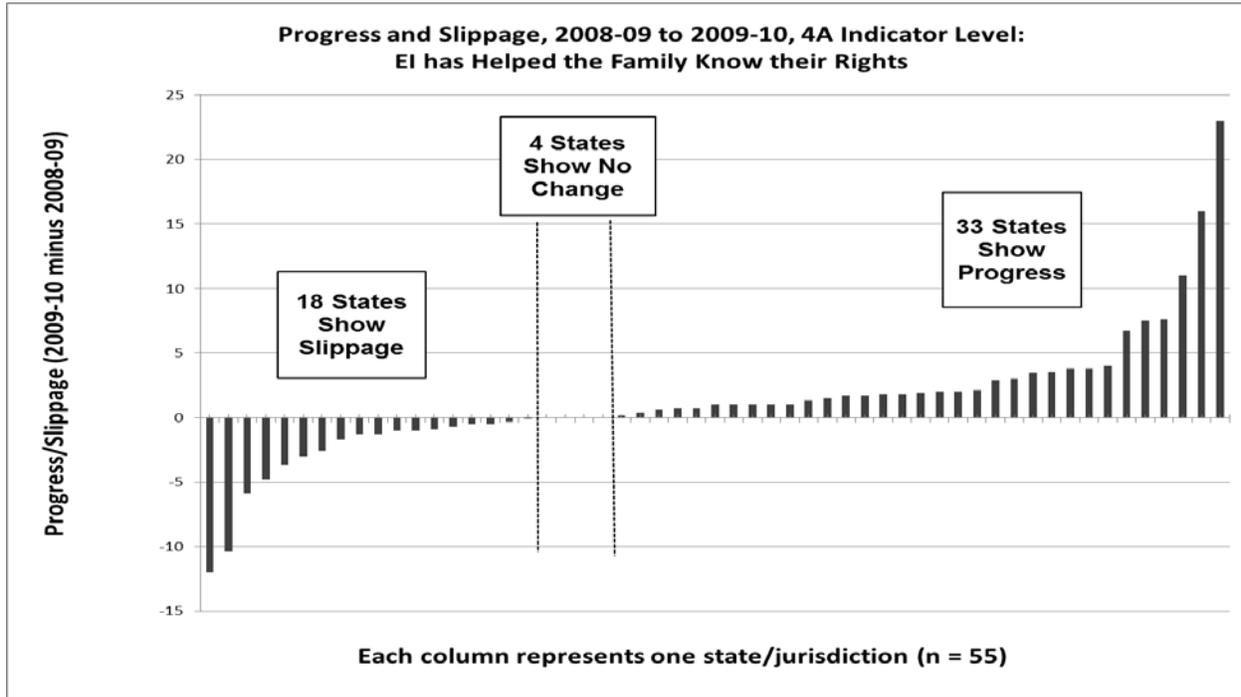


Figure 7

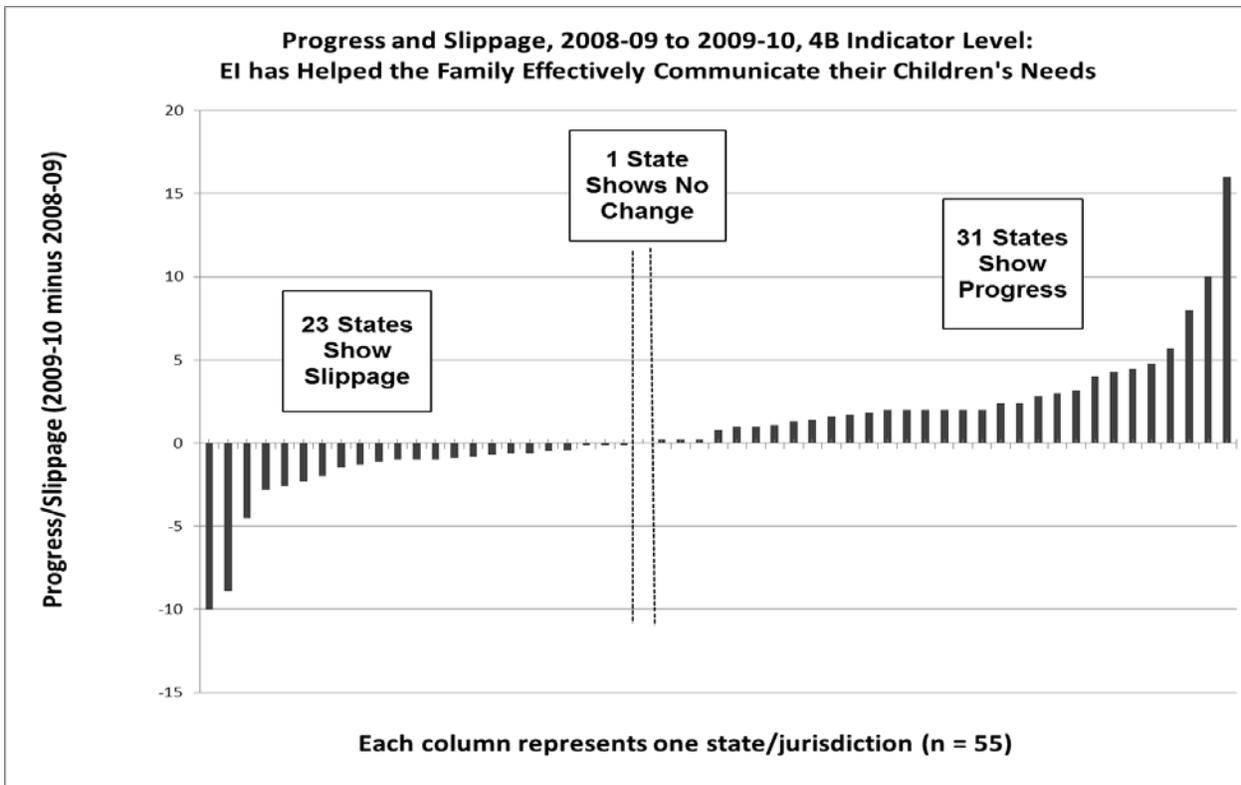
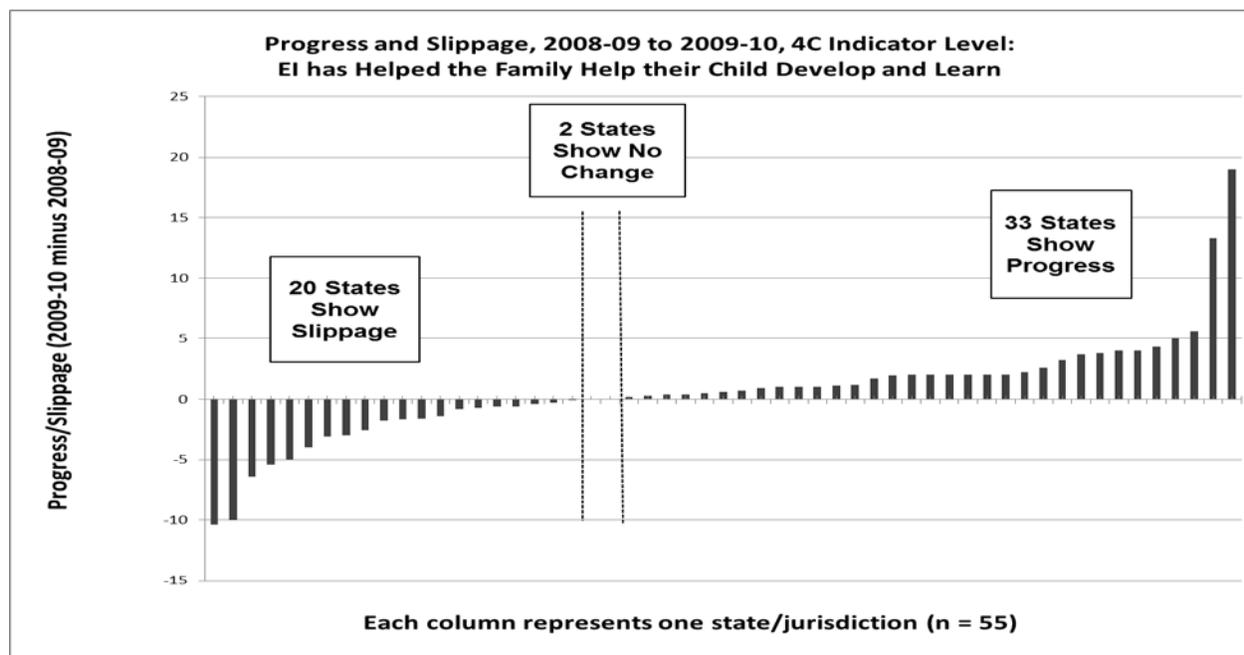


Figure 8



Due to some states making very small changes between years, additional analysis was done to regroup states that changed by more than one percentage point in either direction. This analysis shows that for Indicator 4A (families knowing their rights), 24 states made progress of greater than 1%, 21 states made little to no change (differed +/- 1%), and ten states slipped more than one percentage point. For Indicator 4B (families effectively communicate their child's needs), 25 states made progress of greater than 1%, 20 states made little to no change (differed +/- 1%), and ten states slipped more than one percentage point. For Indicator 4C (families helping their child develop and learn), 22 states made progress of greater than 1%, 20 states made little to no change (differed +/- 1%), and 13 states slipped more than one percentage point.

Explanation of Progress and Slippage

The majority of states (n=33, 60%) specified reasons for progress or slippage from last year's data. The following were reported as reasons for progress among the sub-indicator areas:

- Provider and family trainings (nine states) on such topics as: explanation of parents' rights, language delays, orientations for new staff, family centered practices, family empowerment, family survey processes and procedures, and parent leadership training
- Change in survey instrument, formatting of survey, or data collection issues (five states)
- Focus on family-centered approach throughout the state (three states)
- Changes due to more accurate results through increased response rates and improved representativeness (three states)

- Program practices including monitoring and increasing collaboration with parent organizations and community agencies (three states)

States that reported explanations for slippage attributed it to:

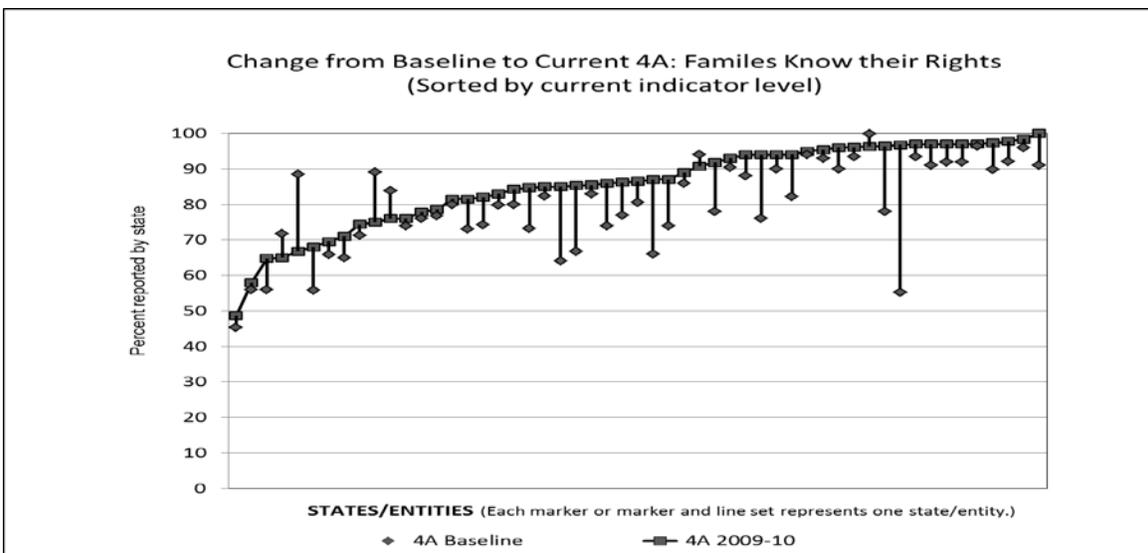
- Delays in services and provider payments
- Errors or delays in the data collection process
- Increases in family cost of participation leading to decreased services

Comparison of Baseline to Actual Performance

Figures 9, 10, and 11 display changes from baseline to current performance for the three sub-indicators. Each bar represents an individual state’s trajectory from baseline to current. In most cases the baseline data are from FFY 2005, although a few states submitted baseline data or revised baseline data after FFY 2005. For Indicators 4A and 4C, there are 53 states with both baseline and current data; for Indicator 4B, data are based on the 52 states with data for both time points.

Among all three sub-indicators, the majority of states have had a positive trajectory from baseline to FFY 2009. Figure 9 shows the trajectories for Indicator 4A (families know rights). Among the 53 states with both baseline and current data, 47 states (89%) increased from baseline to current, while six states decreased (11%). Among the 47 states that increased over baseline, 12 made gains of over ten percentage points and the remaining 35 states made gains between 1% and 9%. Of the six states that decreased, only two had decreases of more than 10 percentage points.

Figure 9



For Indicator 4B, there were of the 52 states with baseline and current data (see Figure 10). Of these, 43 states (83%) increased from baseline to current, while nine states

decreased (17%). Among the 43 states that increased over baseline, 14 made gains of over ten percentage points and the remaining 29 states made gains between 1% and 9%. Of the six states that decreased, only two had decreases of more than 10 percentage points.

Figure 10

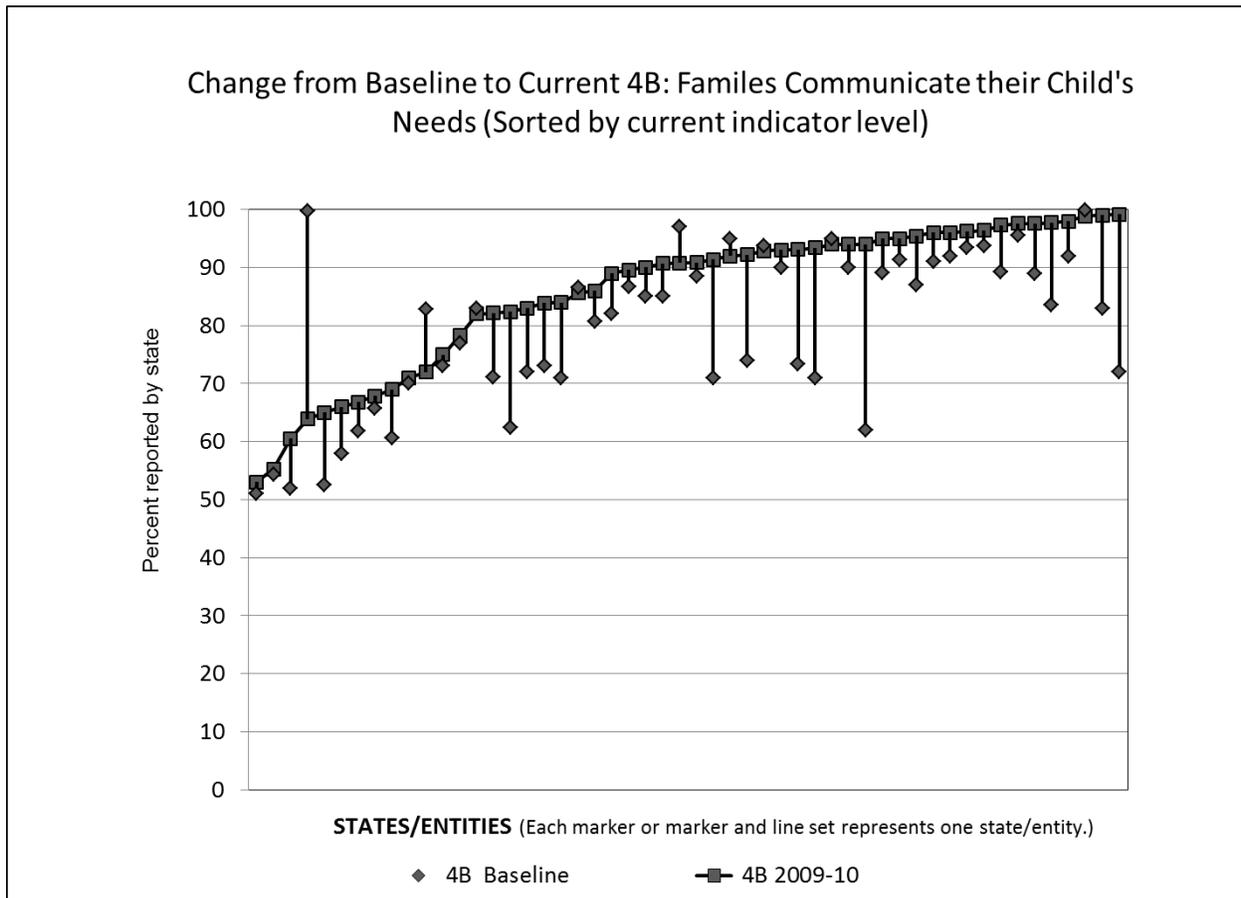
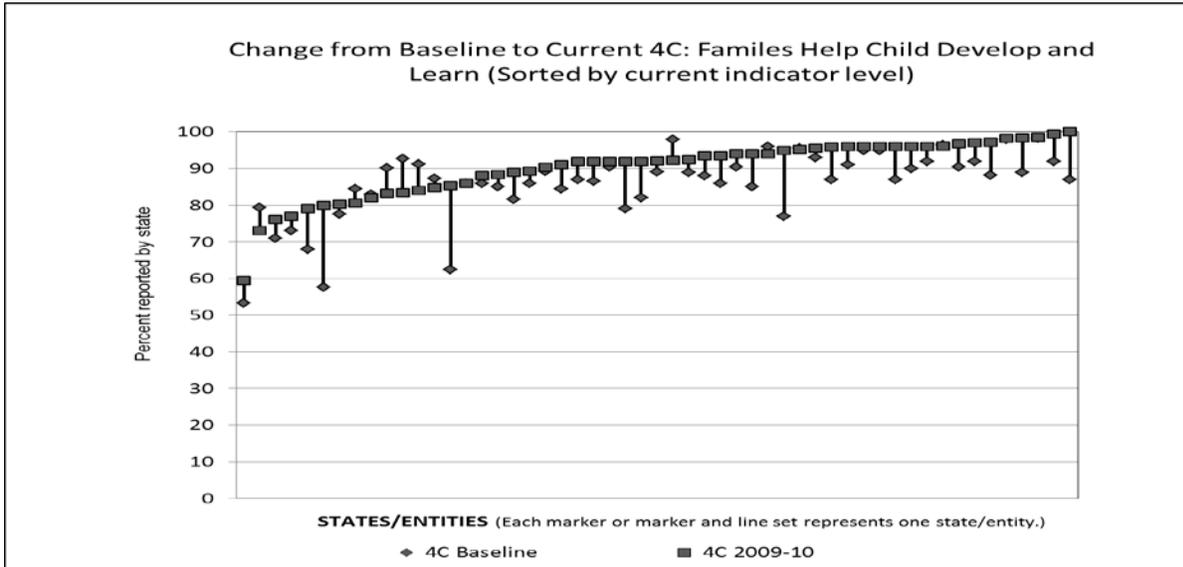


Figure 11 shows trajectory data for Indicator 4C, helping the child develop and learn. Among the 53 states with both baseline and current data for Indicator 4C, 41 states (77%) increased from baseline to current, 11 states decreased (21%), and one state stayed the same. Among the 41 states that increased over baseline, seven made gains of ten percentage points or more, and the remaining 35 states made less than ten points of progress. Of the 11 states that decreased, none decreased more than 10 percentage points.

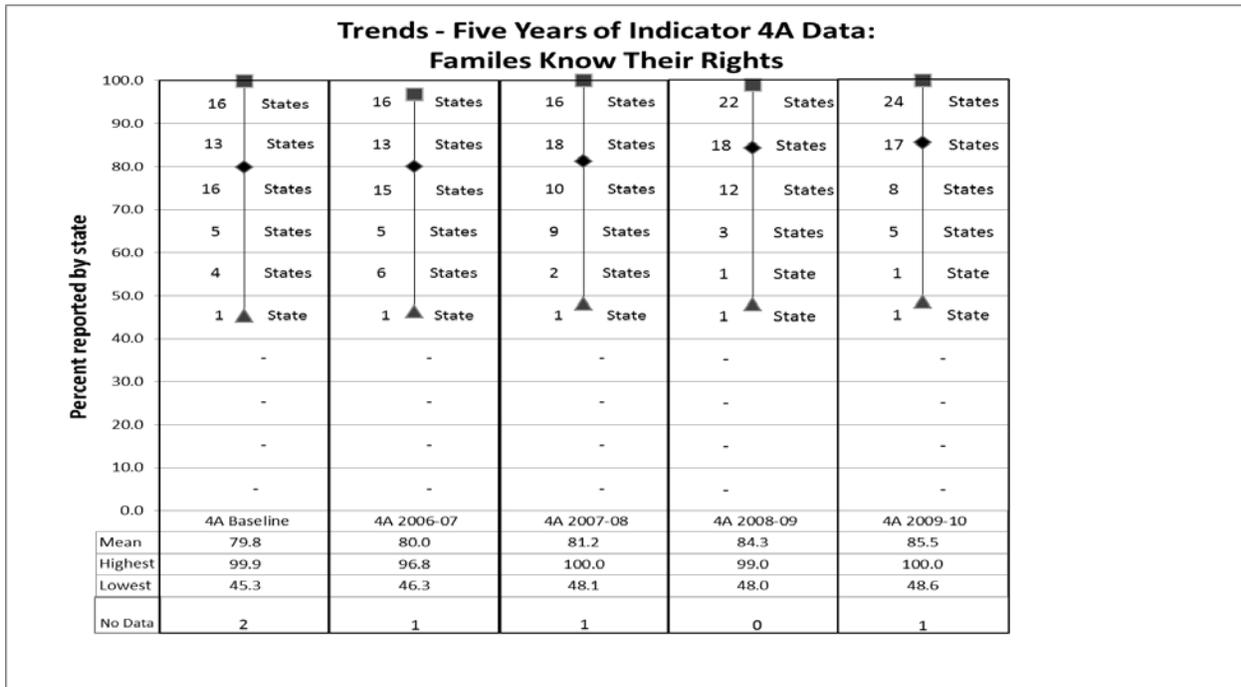
Figure 11



Trends over Time

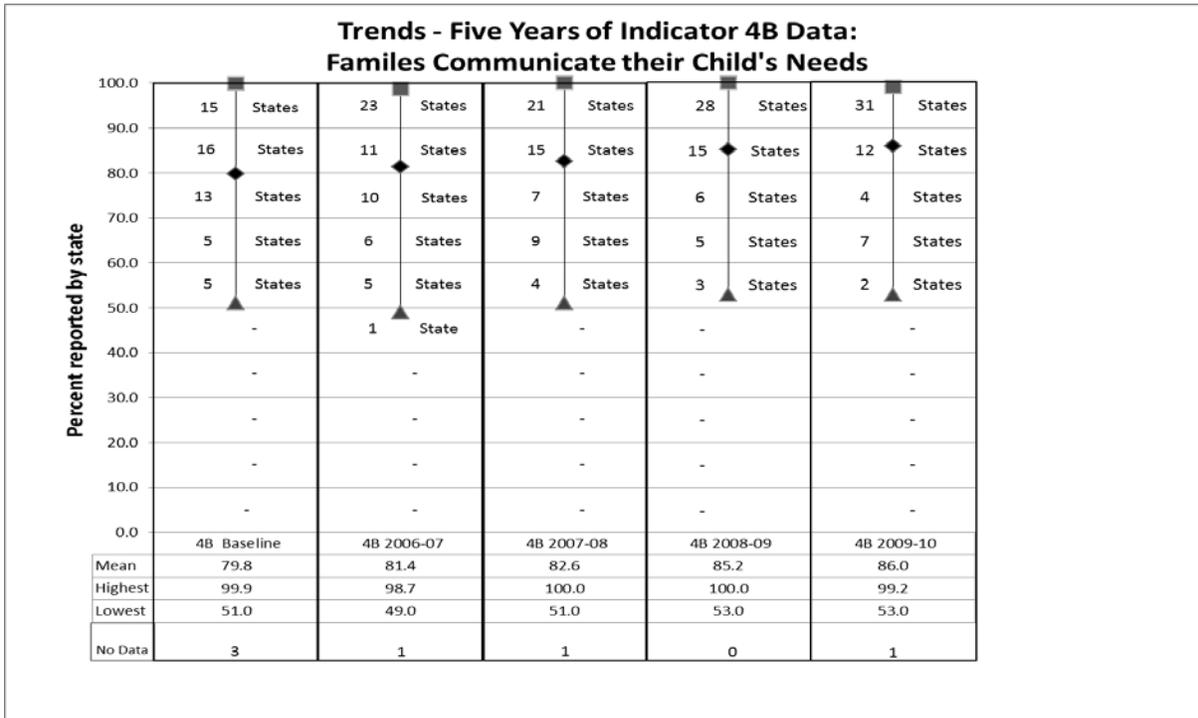
Figures 12, 13, and 14 show trends in Indicator 4 data since baseline. Across all three sub-indicators, there has been an overall upward trend in the means across years, as well as higher proportions of states falling into the 90-100% performance range since baseline.

Figure 12



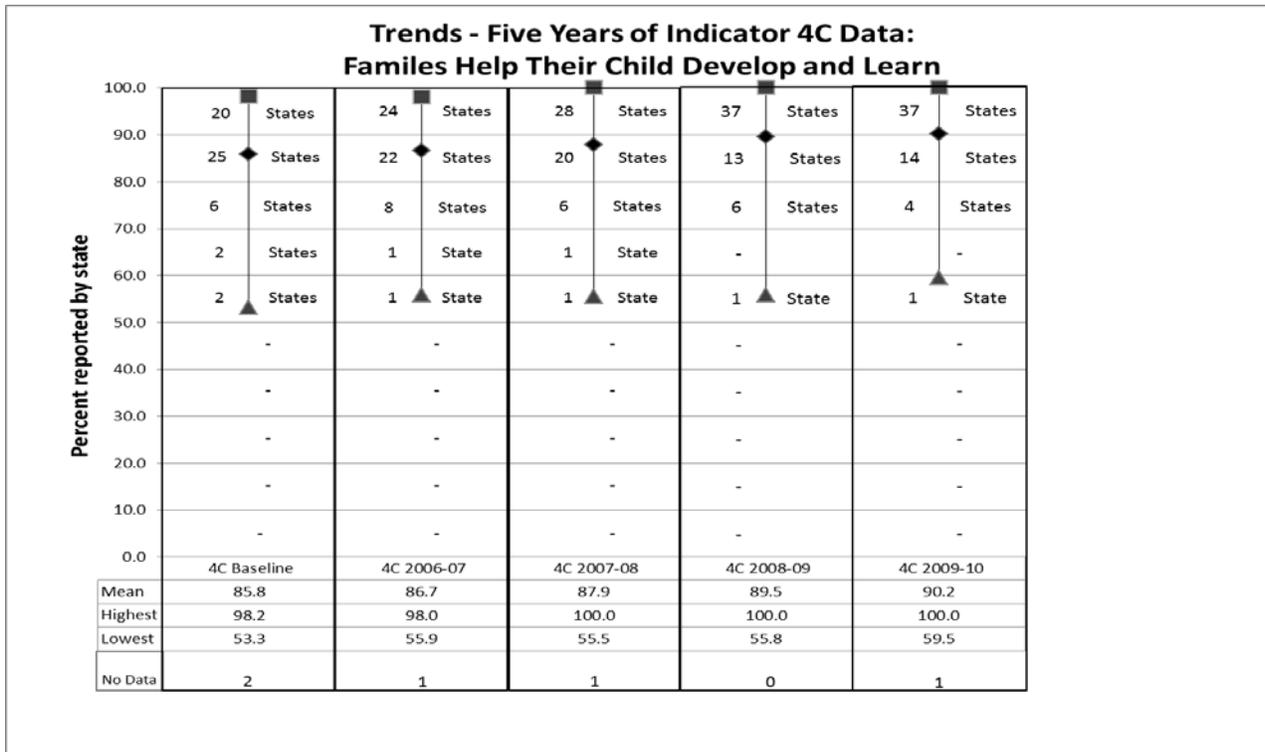
*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols and several instances of corrected historical data.

Figure 13



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols and several instances of corrected historical data.

Figure 14



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols and several instances of corrected historical data.

IMPROVEMENT ACTIVITIES

States reported a multitude of activities for improving family outcomes, including revising their policies, procedures, monitoring system, data analysis, improvement planning process, personnel development structure, training activities, program design, family leadership development, and communication with families about family-centered practice and family outcomes. They also reported changes to their survey instrument to make it clearer for families, and changes in the way they distributed the survey to increase return rates and the representativeness of respondents. Improvement activities are reported by level of the system: state level, professional development level, local administrative level, practice level, and family level.

State Level Improvement Activities

Policies and Procedures

Several states made changes in their policies, procedures, or IFSP forms with the intent of improving family outcomes. Of particular note are:

- Adoption of a single Part C Procedures Manual by state lead agency, Service Coordination Agency, and regional grantees to assure consistency, including definitions, requirements, examples and non-examples, if-then tables, and procedural step tables to clarify procedural expectations
- Revisions to IFSP form with family-friendly language and included family outcomes on new IFSP form as a prompt to service coordinators to discuss outcomes when identifying and prioritizing family needs when developing IFSP goals
- Awarded funding to LEAs to design and implement a Family Involvement Plan with input from families and community partners

State Monitoring

A number of states reported making changes to their state monitoring system to put a greater focus on improving family outcomes. Improvement activities include:

- Monitored IFSP family goals and child records to determine whether families are involved in eligibility determination, program planning, service delivery, and evaluation of their children
- Reviewed forms and progress notes to ensure that family friendly language is used rather than jargon
- Revised annual comprehensive desk audit to check for documentation that the family survey was provided at annual IFSP meeting
- Used parent forums, family interviews, or anonymous provider surveys to validate data from family surveys

Use of Family Outcome Data

States reported using family outcome data in a variety of ways. Examples include:

- Used survey results to design TA to programs to improve family-centered practice, and to inform parent training topics and parent newsletter topics
- Used family outcome data in conjunction with training data to evaluate the effectiveness of competency based training modules
- Linked family outcome results with child outcome results

Collaboration

States mentioned their collaboration with other organizations as an opportunity to promote family supports and outcomes. Most notable are:

- Ongoing contracts with state chapters of the American Academy of Pediatrics and the Academy of Family Physicians with specific liaisons to the lead agency regarding the family-centered approach of early intervention
- Enhanced collaboration with state family-focus projects, such as PTI, family outcomes committees, and/or network of Family Resource Specialists to maximize their impact on achieving Part C family outcomes

Survey Distribution

States reported improvement activities related to survey promotion, distribution, follow-up, and collection, such as:

- Changed mode of delivery, to include multiple ways for families to respond
- Used prompts to increase return rate or representativeness: flyers in both English and Spanish alerting families that the survey was coming, providing FAQs in English & Spanish about the family outcome survey, sending a second mailing of survey to previously underrepresented population groups, and outreach by parent callers to Spanish-speaking families
- Monitored the number and proportion of surveys completed each month and followed up to increase response rates
- Imposed minimum survey response requirements for programs or districts
- Revised, added or deleted survey questions, switched the order of questions, or changed the survey scale to make the survey easier to understand and/or shorter

Professional Development Level Improvement Activities

States reported improvement activities related to professional development that fell into several categories: structure/standards, state/regional face-to-face training, district/local training activities, individualized professional development opportunities, focused TA, and training materials.

Structure/Policies/Standards

- Contracts with universities at pre-service level to collaborate on statewide planning and implementation of a primary service provider method of service delivery
- Personnel standards for continuing education (EI providers, service coordinators) and core competencies revised to integrate content on family outcomes

State/Regional Face-to-Face Training

- Part C Leadership Academy for local system managers and program directors included a strong focus on family-centered services and systems
- Pre-conference workshops for local EI coordinators focused on family survey data, family outcomes initiatives, and round table discussions on family outcomes
- Training specifically focused on evidence-based practices such as CSEFEL, CELL, SKI-HI curriculum, Primary Service Provider Model, and Family Service Coordination; or focused on specific disabilities such as autism, infant mental health, hearing/visual impairment, or assistive technology

District/Local Training Activities

- In-depth training to regional teams with a structured follow-up process on evidence-based practices of teaming, coaching, and natural learning environments
- Monthly meetings or conference calls for service coordinators, providers, and family resource specialists to share local initiatives in support of families and discuss family outcome survey results

Individualized Professional Development Opportunities

- Development of an independent study module on procedural safeguards
- Mentoring by programs with good survey results to programs needing improvement

Focused Technical Assistance

- TA support from universities to local EI programs to increase proficiency in family-centered practices associated with Primary Service Provider teaming method of service delivery
- TA to local sites on methods of facilitating parental involvement through team leader meetings

Training Materials

- Creation of a You Tube video on program features that support improved family outcomes
- Maintenance of an up-to-date resource information database, library database, and a library/resource center by PTI for use by EI/ECSE staff, parents, and others
- Development of training DVDs, adult-learning activities, and training materials for use by trainers at local trainings
- Development of CSPD materials that promote philosophy emphasizing family education and empowerment and evidence-based content

Local Administrative Level Improvement Activities

States also reported on improvement activities implemented by administrators of local programs, for the most part around analyzing and using family outcome data as the basis for creating and implementing improvement plans. Some of the strategies used by local administrators include:

- Reviewed data in small groups with service coordinators to discuss interpretation and use of data and determine strategies for improvement, in particular effectively explaining family rights
- Worked closely with local ICCs and community stakeholders to develop data-driven improvement activities based on survey results and annual self-assessment on the three family outcome areas
- Created a blog of local EI directors and coordinators to share information and increase communication about family outcomes

Practice Level Improvement Activities

States reported activities at the practice level intended to improve family outcomes. Improvement activities reported by states follow:

- Concerted effort to address parental rights and safeguards using a protocol with a script and tips for effective communication during a family's introduction to and initial time in the EI program
- Taught families to prepare for meetings and appointments; developed a packet of information for families about community resources; and talked with families about any concerns or needed resources to ensure that families know how to effectively communicate their children's needs
- EI providers held parent forums which included a slide show of their children and discussion of their children's outcomes and how they relate to family outcomes

Family Level Improvement Activities

Family Leadership Development

Several states described activities that were undertaken to ensure that family members know how to be involved in state and local councils and committees and to take on leadership roles in promoting positive family experiences and outcomes. Some specific examples include:

- Families trained to produce multimedia life stories which promote family leadership and are utilized in staff workshops with the goal of impacting family outcomes
- Parents trained through contracts with PTI to become IFSP Partners to be matched with parents requesting assistance in the IFSP process; to become Collaborative Mediation Partners to be matched with parents who request assistance; and to become a full-time Parent Participation Coordinator

Family Training Opportunities and Activities

States reported numerous training opportunities for families and parent-to-parent networks regarding EI and the role of parents. They include:

- Families new to the Part C system participated in monthly orientation activities and were invited to join a blog about early intervention
- Parent participation in informal play groups held by Family Resource Specialists was used as opportunities for training in advocacy, procedural safeguards, communication, and development
- Families participated in interactive activities to showcase developmentally appropriate practices, such as Gymboree, Library Story Time, Head Start Fitness Fair, and Power of Play conference
- Families participated in education opportunities including seminar series, statewide training sessions, courses on child development, communication, and other pertinent topics
- A parent training program for children with language delays resulted in higher ratings on the family outcome related to helping your child develop and learn

Information about EI Programs and Family-Centered Services

States reported many ways that they equip families with knowledge about the EI system, service options, who to contact, their rights, opportunities to become involved, and ideas of what parents should know and be able to do to support their child during the various developmental stages. States reported distributing information via a family newsletter, parent website page, FAQs on the Part C program, video on making the most of their experience in EI, guidebook with information about support groups for families of young children with disabilities, and fact sheets in English and Spanish on becoming your child's best advocate.

CONCLUSION

The family outcomes data have continued to show improvements at the national level. States are increasingly addressing improving response rates and participation of families representing their states. Many states are still focusing on improving the quality of their data through adaptations to their survey methodologies. However, states are also reporting on how they are using the family data to inform program practices and develop program improvement activities

INDICATOR 5: CHILD FIND BIRTH TO ONE

Prepared by NECTAC

Indicator 5: Percent of infants and toddlers birth to one with IFSPs compared to national data.

INTRODUCTION

The summary of the analysis of Indicator 5 is based on a review of APRs for FFY 2009 of 54 states. For the purposes of this report, the term “state” is used for both states and jurisdictions.

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, each state reports performance in its early identification of eligible children. Indicator 5 is considered a results indicator.

DATA SOURCES

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 one, who were identified and served on a state-determined date (generally December 1), and to calculate the percentage of the state’s birth to one population which that number represents. For Indicator 5, OSEP provided states with Table 8-20 “Percentage of infants and toddlers receiving early intervention services under IDEA, Part C, by age and state: 2009”.

ACTUAL PERFORMANCE FOR FFY 2009

According to Table 8-20, the national percentage (based on 50 states and DC) of children birth to one receiving early intervention was 1.03%. This figure is a slight decrease from the 2008 percentage of 1.04%. For FFY 2009, actual performance data for Indicator 5 (n = 54 states) shows that 26 states reported data above the national percentage of 1.03%. The remaining 28 states reported that their percentage of children served is below the national percentage.

The percentages served birth to age one were analyzed by number of children served (a proxy for state population) and RRC/PTAC Region. Figure 1 shows percent served birth to one by number of children served, revealing a slight trend for states to serve smaller percentages of children with increasing state size, until the 10,000 mark, with the largest states serving the highest percentages of children.

Figure 1

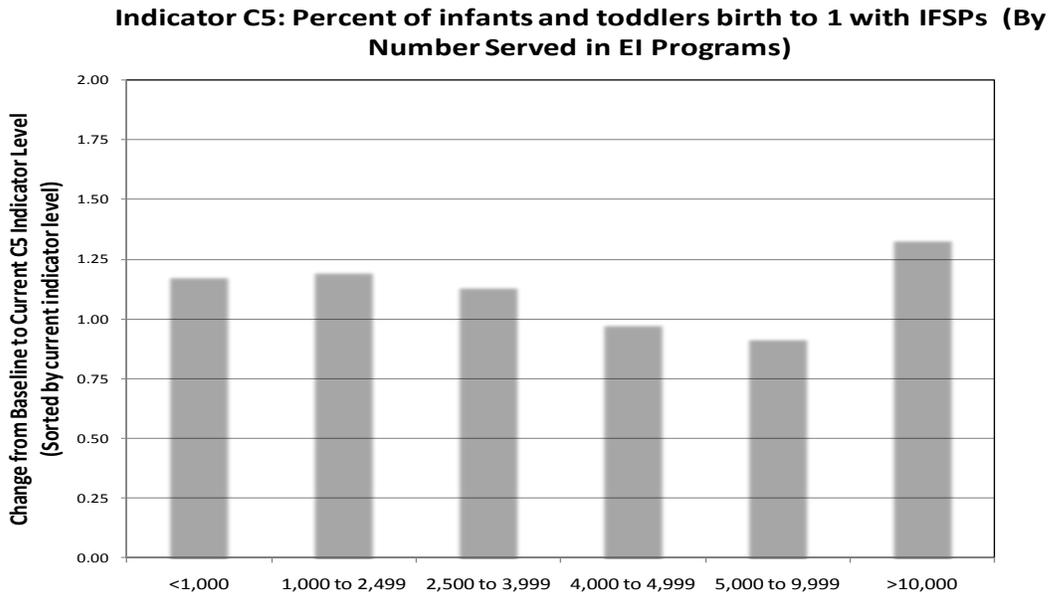
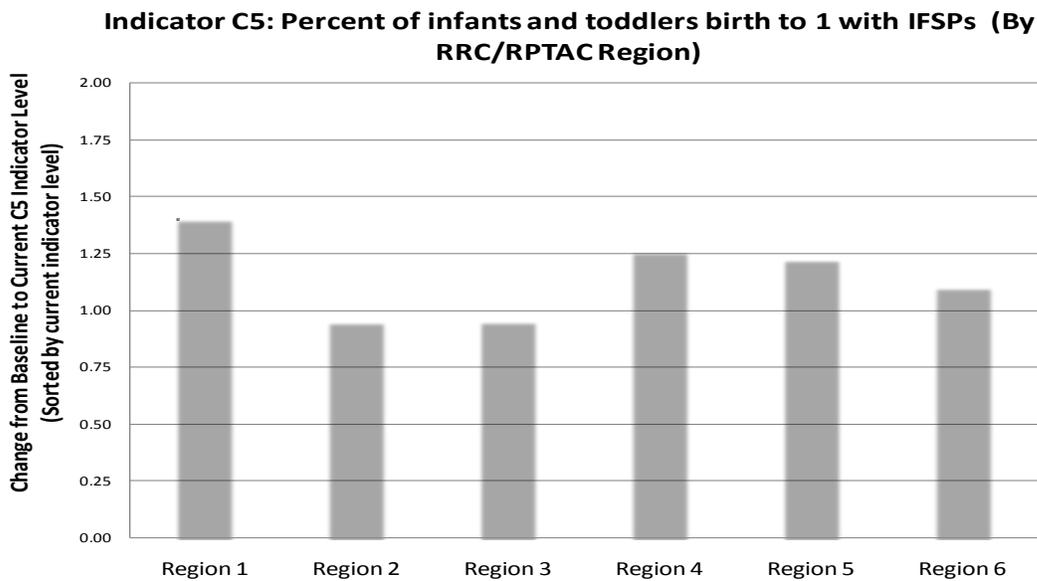


Figure 2 shows patterns of percent of birth to one year olds served by RRC/PTAC regions. Regions 2 and 3 are shown to serve, on average, the lowest percentage of children under one year of age.

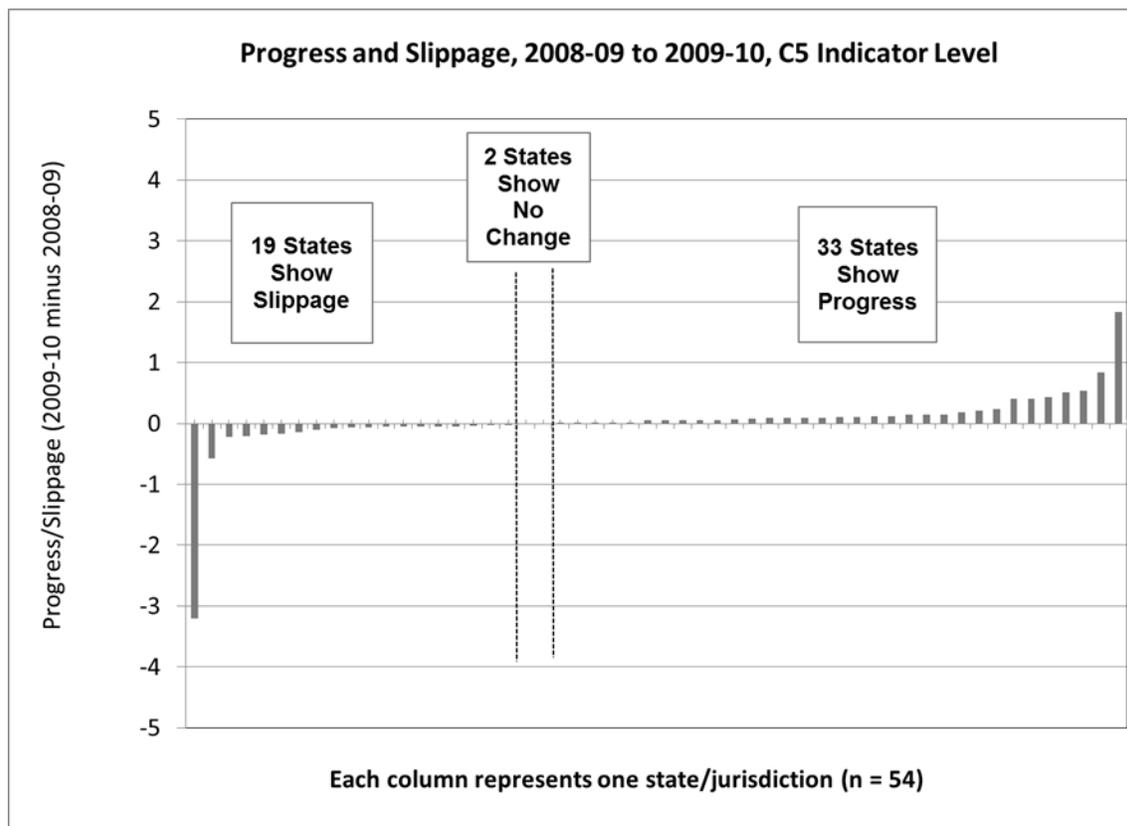
Figure 2



PROGRESS AND SLIPPAGE

The data comparing states' actual performance in FFY 2009 on Indicator 5 to actual performance in FFY 2008 is shown in Figure 3.

Figure 3



The analysis depicted in Figure 3 revealed that 33 states showed progress, 19 states reported slippage, and two states reported no change in performance. Of the 33 states making progress, 17 showed meaningful change (>.1%). Of the 19 reporting slippage, 10 had .1% or greater change, with the largest decrease at -3.21%.

Explanation of Progress

Frequently mentioned explanations for progress included: the implementation or intensification of successful child find and public awareness activities; continued collaboration with partner agencies to increase the number of appropriate referrals of potentially eligible infants and toddlers; and concerted efforts to target specific areas of need after analyzing referral sources.

Explanation of Slippage

Several states attributed the slippage in their data to their state's economic downturn and reduced fiscal resources that impeded their ability to readily identify and serve

infants and toddlers who might qualify for early intervention services. Some states that had recently narrowed their eligibility criteria reported slippage in their data. Additional reasons for slippage included: families' shifting priorities because of the economy; a decrease in the state's birth rate; and policy clarification regarding appropriate exiting from Part C services when a child's and family's goals are achieved. Several states noted that they required local or regional programs to submit a public awareness, action, or improvement plan when they were unable to achieve the state target for this indicator.

Reported Success in Meeting Performance Targets

Table 1 illustrates the number of states that successfully met their targeted percent of infants, birth to one, with IFSPs in FFYs 2006 - 2009.

Table 1

Number of States Meeting Targets for Four Reporting Years			
FFY	Number of States		
	Met Target	Did Not Meet Target	Total
2009	17	37	54
2008	18	38	56
2007	24	32	56
2006	26	28	54

Of the 17 states that met their FFY 2009 targets, 11 demonstrated progress from the previous year, four showed slippage, and two reported no change in their data from FFY 2008 to FFY 2009. The amount of progress states' reported ranged from serving 0.1% to 0.8% additional children. Of the 37 states that did not meet their FFY 2009 targets, 17 states demonstrated progress, and 11 states experienced slippage from the previous year's actual performance data. Nine states showed no change and did not meet their FFY 2009 projected targets.

Table 1 shows that fewer states are meeting their targets with each succeeding APR. While a majority of states continue to make progress on Indicator 5, they are not identifying and serving the percentages of children that they anticipated when they established their baselines and targets.

Trends over Time

As Figure 4 illustrates, of the 54 states reporting data for FFY 2009, 25 showed an increase from baseline to actual FFY 2009 performance in the percentage of infants and toddlers birth to one with IFSPs, and 15 showed a decrease from baseline to actual FFY 2009 data. The remaining 14 states' data showed no change from baseline to FFY 2009, although there were fluctuations in the data for these states over time.

Figure 4

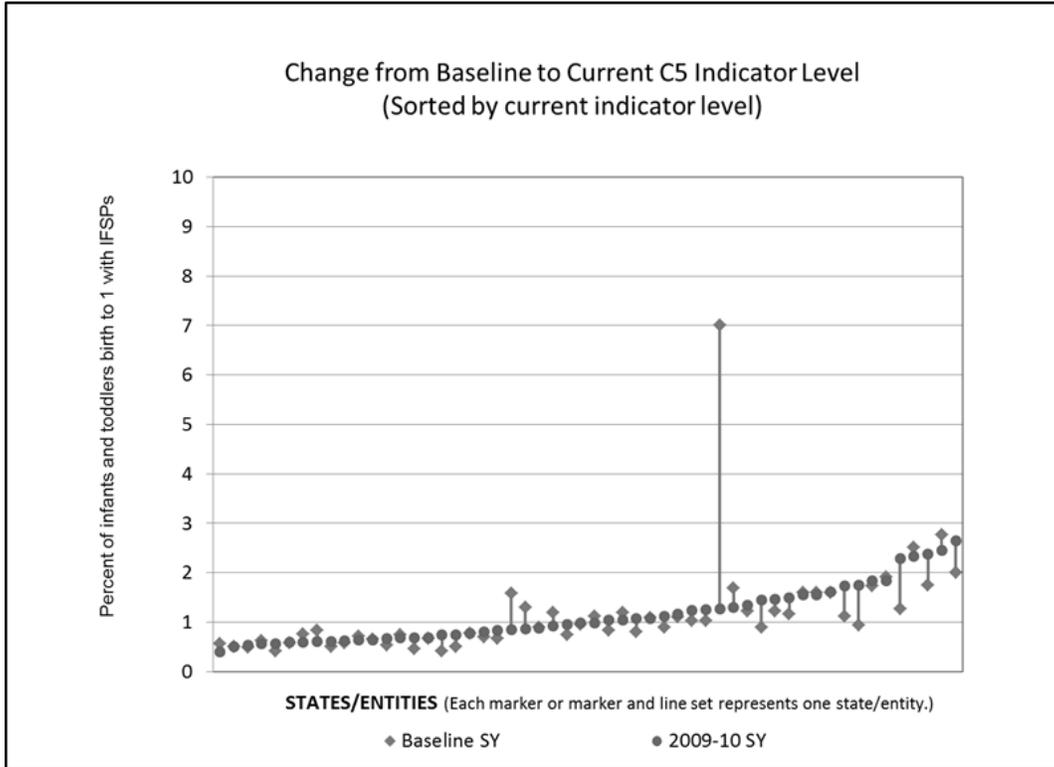
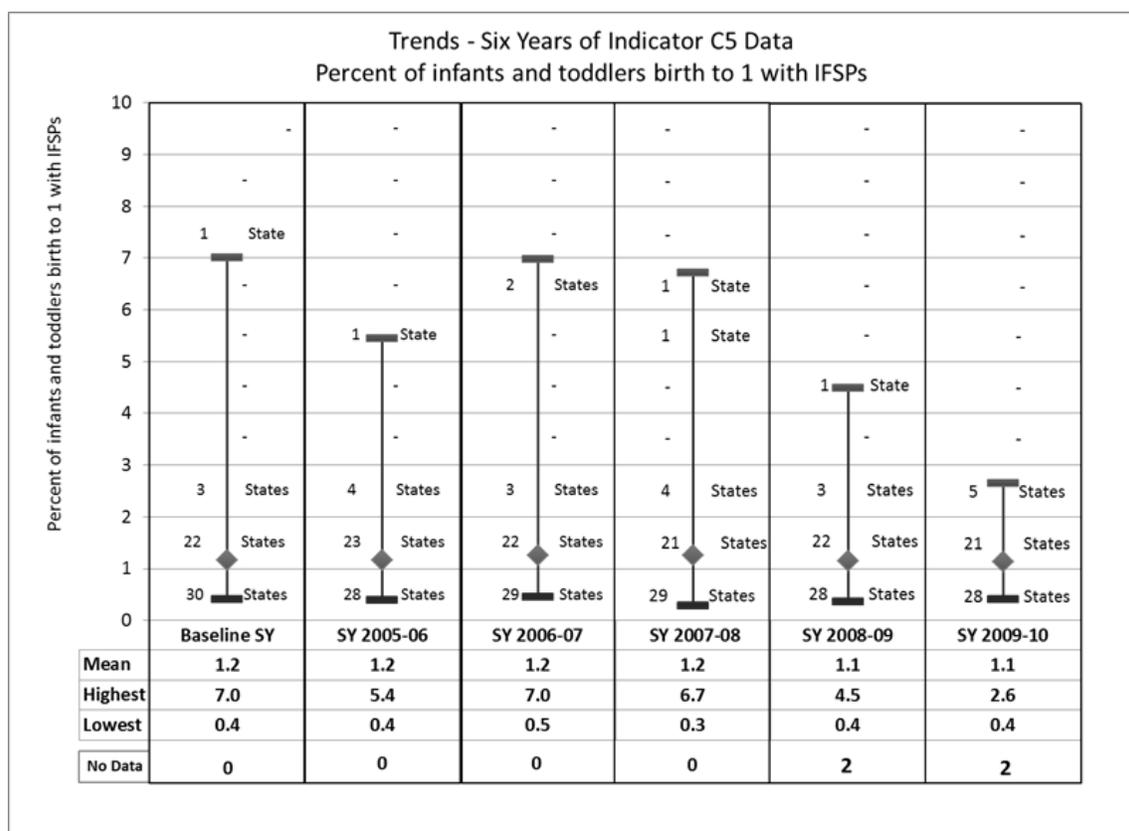


Figure 5 shows trends in the distribution of performance over the last six reporting years. Data for calculating the mean in Figure 5 are based upon data from both states and jurisdictions and, therefore, are different from the national average that states compared themselves against, which was calculated for 50 states and DC. When looking at the six year trend, there has been little significant change in the mean for actual data. That is, the mean percentage of infants birth to age one identified and served by states has decreased from 1.2% to 1.1% over the years. However, as illustrated in Figure 5, the range in percentage of children identified and served has decreased over time. While the lowest percentage (0.4%) was the same in FFY 2009 as when baseline data were gathered, the highest percentage reported has decreased from 7.0% to 2.6%. These data reflect some of the impact of changes in states' eligibility criteria.

Figure 5



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

For FFY 2009, two states reported that they had changed their eligibility criteria for developmental delay. Two additional states indicated that they had changed their established conditions which automatically qualified an infant or toddler for Part C services, while another state reported that it had considered changing its eligibility criteria but did not adopt the changes. An additional six states reported that they have pending, proposed, or planned changes in their eligibility, either for established conditions or for developmental delay. As in past years, some, but not all, states established new baselines and/or targets when they changed their eligibility criteria.

In FFY 2007, only one state indicated that budget shortfalls had an impact on their Part C program's ability to identify and serve infants and toddlers. Last year (FFY 2008), nine states mentioned budget issues in relationship to Indicator 5; for FFY 2009, 13 states cited the impact of fiscal constraints on their Indicator 5 performance. Several states reported that they had to reduce or eliminate child find and/or public awareness activities during FFY 2009 due to limited budgets. States also indicated that the capacity of the Part C program to identify and provide services to infants and toddlers was affected. As in FFY 2008, a few states reported that they used ARRA funds to address some of their fiscal challenges.

As in past years, some states expressed one of two continuing concerns: a) that the US census figures used for this indicator do not truly reflect their state's population, or b) that point-in-time data do not accurately represent the number of infants and toddlers served by the Part C program over the course of any FFY.

IMPROVEMENT ACTIVITIES

Most states continued to report on improvement activities that were multi-year or ongoing efforts to improve the percentages of young children they identify and serve. Approximately half of the states suggested some link between issues related to poor performance and activities or strategies they believed would improve future performance. Several states who reported issues related to the economy reported that they have used ARRA dollars to help fund their child find efforts.

In addition, most states mentioned at least a limited effort to evaluate their current improvement activities. For example, one state reported that they were identifying public awareness and child find activities that have been effective, while another is revising its improvement activities to ensure that their impact is measurable. A different state reported that the age of referral for infants and toddlers has decreased by approximately five months over the past two years, a measurable impact of its improvement activities. Yet another state reported that its analysis of data from multiple sources has led it to develop additional, more targeted improvement activities.

Analysis of Referral Sources

Many states reported analyzing their referral sources and targeting specific improvement activities to specific sources, such as physicians. At least three states are examining referrals for the group of children who are referred but found ineligible or who are found eligible but whose families decline services.

Collaborative Efforts

As in past APRs, states continued to emphasize collaborative efforts – including developing and implementing joint training, interagency agreements, common referral forms for multiple agencies, and methods for data sharing – particularly related to their state's NICU, CAPTA, and EHDI programs and to screening initiatives. In some states, universal screening initiatives, often related to a child's medical home, are being implemented, while in other states screening is aimed at specific populations of children, such as those with autism. In at least one state, collaborative planning with the State Medicaid agency has led to increased provider reimbursement rates for therapists, new reimbursement for special instructors, and reimbursement for provider participation in assessment for service planning and IFSP team meetings. A number of states highlighted involvement of their local, regional, or state ICCs in child find efforts, including setting future targets, suggesting improved technical assistance, participating in data analysis, and implementing outreach efforts.

Use of Technology

States report an increasing use of technology related to their child find and public awareness activities. States continue to use and update their websites to communicate with families, referral sources, and providers. Some states are converting their online directories to searchable data bases. Others report that they have begun to receive referrals via e-mail and fax. In addition, a few states have begun to rely on social networking (e.g., Twitter accounts, blogs, and Facebook pages) to increase awareness of their early intervention programs and to facilitate information sharing among stakeholders.

CONCLUSION

Data analysis reveals that the percentage of infants and toddlers identified and served nationally by Part C programs has remained fairly static since the implementation of the State Performance Plans and Annual Performance Reports. States attribute this to a variety of causes, with more reporting the impact of their states' budget crisis in FFY 2009 than in previous years. In their APRs, states are demonstrating that they understand the link between problems that they identify and the improvement activities that they describe. They are drilling down in their data, evaluating their current improvement activities, and keeping only those that have proven effective. Through these efforts, they hope to achieve better results by identifying and serving a higher percentage of infants and toddlers who qualify for their Part C services.

INDICATOR 6: CHILD FIND BIRTH TO THREE

Prepared by NECTAC

Indicator 6: Percent of infants and toddlers birth to three with IFSPs compared to national data.

INTRODUCTION

The summary of the analysis of Indicator 6 is based on a review of APRs for FFY 2009 of 54 states. For the purposes of this report, the term “state” is used for both states and jurisdictions.

Indicator 6 is intended to show a state’s performance in the identification of eligible infants and toddlers birth through age two. Indicator 6 is considered a results indicator.

DATA SOURCES

The measurement specifies that states must use data collected and reported under Section 618 (Annual Report of Children Served) regarding the number of infants and toddlers, birth through age two, who were identified and served on a state-determined date (generally December 1), and to calculate the percentage of the state’s birth through age two population which that number represents. For Indicator 6, OSEP provided states with Section 618 Table 8-20 “Percentage of infants and toddlers receiving early intervention services under IDEA, Part C, by age and state: 2009”.

ACTUAL PERFORMANCE FOR FFY 2009

According to Table 8-20, the national percentage (based on 50 states and DC) of children birth through age two receiving early intervention was 2.67%. This figure is an increase over the 2008 percentage of 2.66%. For FFY 2009, actual performance data for Indicator 6 (n = 54 states) shows that 24 states reported data above the national percentage of 2.67%. The remaining 30 states reported that their percentage of children served is below the national percentage.

The percentages served birth to age three were analyzed by number of children served (a proxy for state population) and RRC/PTAC Region. Figure 1 shows percent served birth to three by number of children served. The figure displays a pattern of larger percentages of children being served in higher population states.

Figure 1

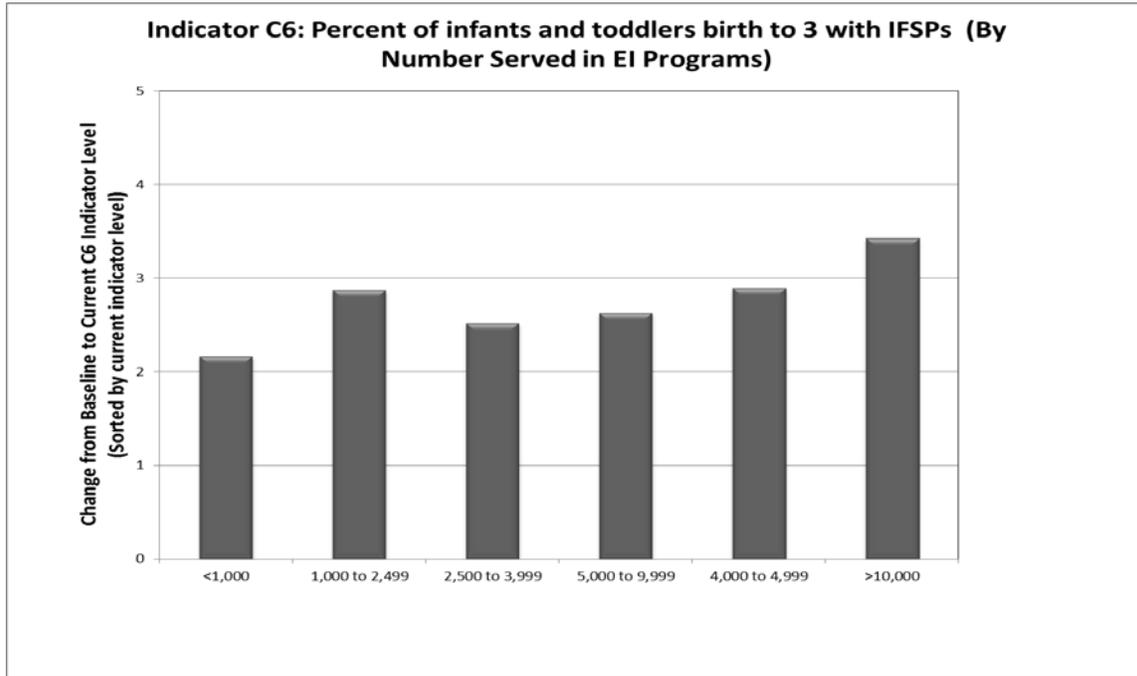
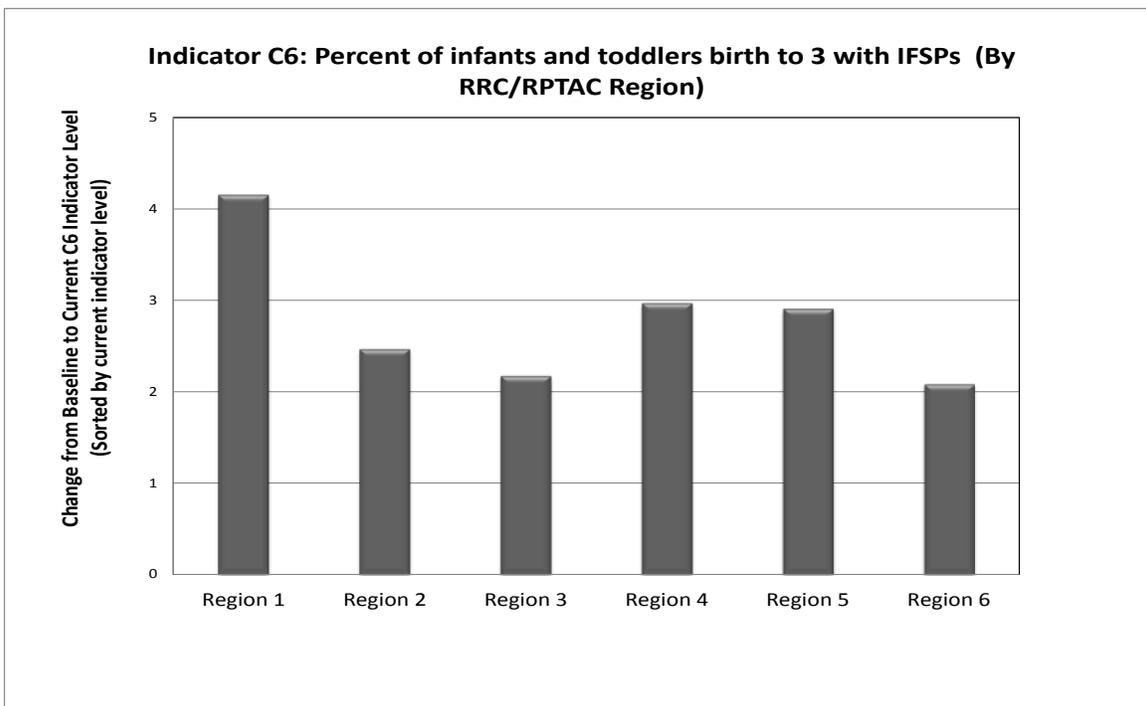


Figure 2 shows patterns of percent of birth to three year olds served by RRC/PTAC regions. Regions 1, 4, and 5 are shown to serve, on average, the highest percentage of children birth to age three.

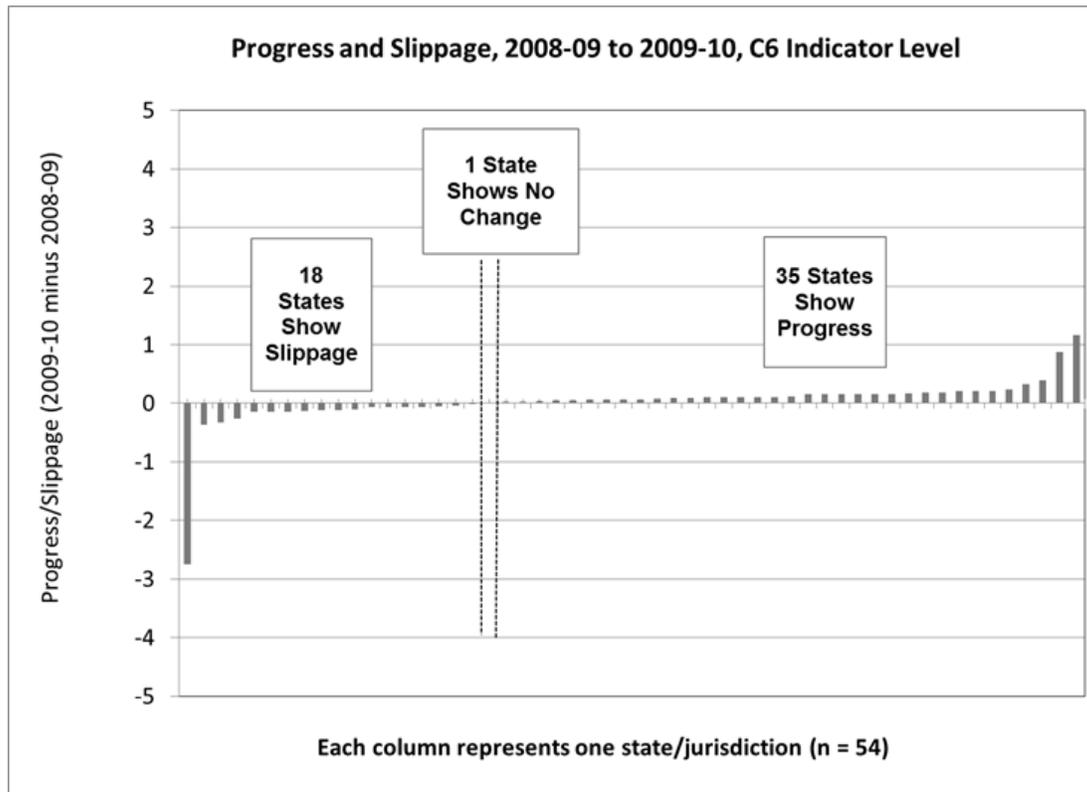
Figure 2



PROGRESS AND SLIPPAGE

The data comparing states' actual performance in FFY 2009 on Indicator 6 to actual performance in FFY 2008 is shown in Figure 3.

Figure 3



The analysis revealed that 35 states showed progress, 18 states reported slippage, and one state reported no change in performance. Of the 35 states making progress, 23 showed meaningful change (>.1%). Of the 18 reporting slippage, 13 had 0.1% or greater change, with the largest decrease at -3.58%.

Explanation of Progress

Frequently mentioned explanations for progress included: the implementation or intensification of successful child find and public awareness activities; continued collaboration with partner agencies to increase the number of appropriate referrals of potentially eligible infants and toddlers; and concerted efforts to target specific areas of need after analyzing referral sources.

Explanation of Slippage

Several states attributed the slippage in their data to their state's economic downturn and reduced fiscal resources that impeded their ability to readily identify and serve infants and toddlers who might qualify for early intervention services. Some states that had recently narrowed their eligibility criteria reported slippage in their data. Additional reasons for slippage included: families' shifting priorities because of the economy; a decrease in the state's birth rate; and policy clarification regarding appropriate exiting from Part C services when a child's and family's goals are achieved. Several states noted that they required local or regional programs to submit a public awareness, action, or improvement plan when they were unable to achieve the state target for this indicator.

Reported Success in Meeting Performance Targets

Table 1 illustrates the number of states that successfully met their targeted percent of infants and toddlers, birth to three, with IFSPs in FFYs 2006-2009.

Table 1

FFY	Number of States Meeting Targets for Four Reporting Years		
	Number of States		
	Met Target	Did Not Meet Target	Total
2009	30	24	54
2008	31	25	56
2007	24	32	56
2006	26	28	54

Of the 30 states that met their FFY 2009 targets, 22 demonstrated progress from the previous year, five showed slippage, and three reported no change in their data from FFY 2008 to FFY 2009. The amount of progress states' reported ranged from serving 0.1% to 1.2% additional children. Of the 24 states that did not meet their FFY 2009 targets, eight states demonstrated progress, and 11 states experienced slippage from the previous year's actual performance data. Five states showed no change and did not meet their FFY 2009 projected targets.

Trends over Time

As Figure 4 illustrates, of the 54 states reporting data for FFY 2009, 39 showed an increase from baseline to actual FFY 2009 performance in the percentage of infants and toddlers birth to age three with IFSPs. Eleven states showed a decrease from baseline to actual FFY 2009 data. Four states' data showed no change from baseline to FFY 2009, although there were fluctuations in the data for these states over time.

Figure 4

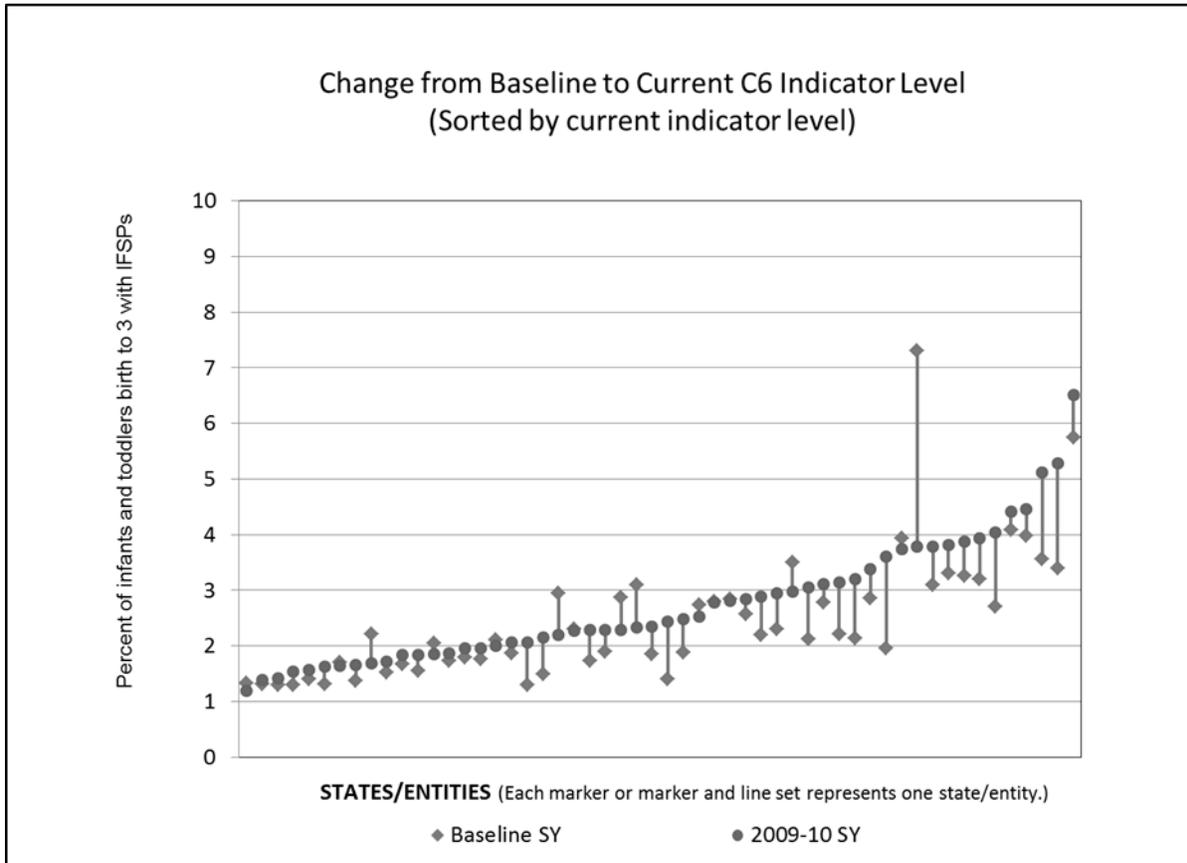
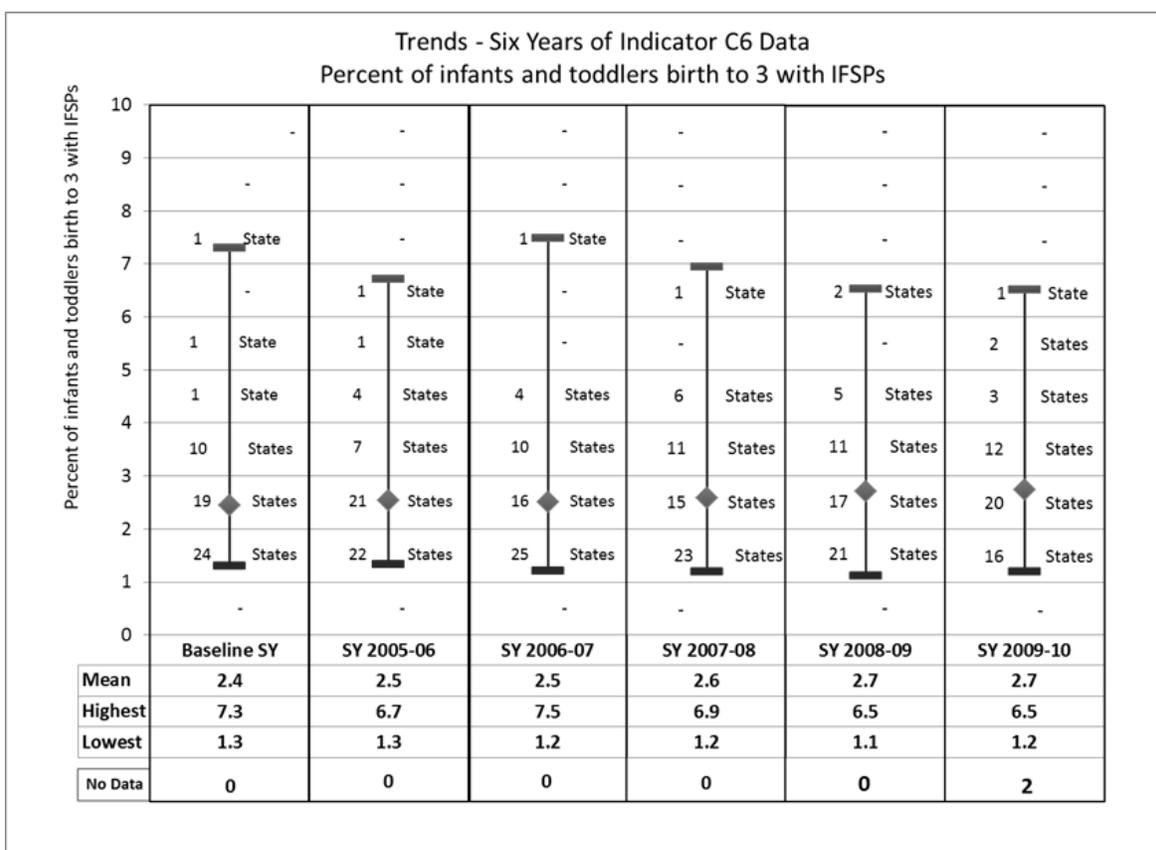


Figure 5 shows the trajectories of Indicator 6 data over six years. Data for calculating the mean in Figure 5 are based upon data from both states and jurisdictions and, therefore, are different from the national average that states compared themselves against, which is calculated for 50 states and DC. When looking at the six-year trend, the mean percentage of infants and toddlers birth to age three identified and served by states has increased from 2.4% to 2.7%. Figure 5 also shows that the range in percentage of children birth to three identified and served by states has varied little over time. While the lowest percentage (1.2%) was slightly lower in FFY 2009 than when baseline data were gathered (1.3%), the highest percentage reported has decreased from 7.3% to 6.5. These data reflect some of the impact of changes in states' eligibility criteria.

Figure 5



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

For FFY 2009, two states reported that they changed their eligibility criteria for developmental delay. Two additional states indicated that they changed their established conditions that automatically qualified an infant or toddler for Part C services, while another state reported that it considered changing its eligibility criteria but did not adopt the changes. An additional six states reported that they have pending, proposed, or planned changes in their eligibility, either for established conditions or for developmental delay. As in past years, some, but not all, states established new baselines and/or targets when they changed their eligibility criteria.

In FFY 2007, only one state indicated that budget shortfalls had an impact on their Part C program's ability to identify and serve infants and toddlers. Last year, nine states mentioned budget issues in relationship to Indicator 6; for FFY 2009, 13 states cited the impact of fiscal constraints on their Indicator 6 performance. Several states reported that they had to reduce or eliminate child find and/or public awareness activities during FFY 2009 due to limited budgets. States also indicated that the capacity of the Part C program to identify and provide services to infants and toddlers was affected. As in FFY 2008, a few states reported that they used ARRA funds to address some of their fiscal challenges.

As in past years, some states expressed one of two continuing concerns: a) that the US Census figures used for this indicator do not truly reflect their State's population, or b) that point-in-time data do not accurately represent the number of infants and toddlers served by the Part C program over the course of any FFY.

IMPROVEMENT ACTIVITIES

Most states continued to report on improvement activities that were multi-year or ongoing efforts to improve the percentages of young children they identify and serve. Approximately half of the states suggested some link between issues related to poor performance and activities or strategies they believed would improve future performance. Several states who reported issues related to the economy reported that they have used ARRA dollars to help fund their child find efforts.

In addition, most states mentioned at least a limited effort to evaluate their current improvement activities. For example, one state reported that they were identifying public awareness and child find activities that have been effective, while another is revising its improvement activities to ensure that their impact is measurable. A different state reported that the age of referral for infants and toddlers has decreased by approximately five months over the past two years, a measurable impact of its improvement activities. Yet another state reported that its analysis of data from multiple sources has led it to develop additional, more targeted improvement activities.

Analysis of Referral Sources

Many states reported analyzing their referral sources and targeting specific improvement activities to specific sources, such as physicians. At least three states are examining referrals for the group of children who are referred but found ineligible or who are found eligible but whose families decline services.

Collaborative Efforts

As in past APRs, states continued to emphasize collaborative efforts – including developing and implementing joint training, interagency agreements, common referral forms for multiple agencies, and methods for data sharing – particularly related to their state's NICU, CAPTA and EHDI programs and to screening initiatives. In some states, universal screening initiatives, often related to a child's medical home, are being implemented, while in other states screening is aimed at specific populations of children, such as those with autism. In at least one state, collaborative planning with the State Medicaid agency has led to increased provider reimbursement rates for therapists, new reimbursement for special instructors, and reimbursement for provider participation in assessment for service planning and IFSP team meetings. A number of states highlighted involvement of their local, regional, or state ICCs in child find efforts, including setting future targets, suggesting improved technical assistance, participating in data analysis, and implementing outreach efforts.

Use of Technology

States report an increasing use of technology related to their child find and public awareness activities. States continue to use and update their websites to communicate with families, referral sources, and providers. Some states are converting their online directories to searchable data bases. Others report that they have begun to receive referrals via e-mail and fax. In addition, a few states have begun to rely on social networking (e.g., Twitter accounts, blogs, and Facebook pages) to increase awareness of their early intervention programs and to facilitate information sharing among stakeholders.

CONCLUSION

Data analysis reveals that the percentage of infants and toddlers identified and served nationally by Part C programs has remained fairly static since the implementation of the State Performance Plans and Annual Performance Reports. States attribute this to a variety of causes, with more reporting the impact of their states' budget crisis in FFY 2009 than in previous years. In their APRs, states are demonstrating that they understand the link between problems that they identify and the improvement activities that they describe. They are drilling down in their data, evaluating their current improvement activities, and keeping only those that have proven effective. Through these efforts, they hope to achieve better results by identifying and serving a higher percentage of infants and toddlers who qualify for their Part C services.

INDICATOR 7: 45-DAY TIMELINE

Prepared by NECTAC

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

INTRODUCTION

Indicator 7 is a compliance indicator with a performance target of 100%. The Part C regulations [§303.321(e)(2)] specify that, "within 45 days after it receives a referral, the public agency shall: complete the evaluation and assessment activities in §303.322; and hold an IFSP meeting in accordance with §303.342." When reporting on this indicator, states have the option to identify and count as timely those delays that are the result of exceptional family circumstances.

This summary is based on a review of Annual Performance Reports (APRs), submitted by 54 states and jurisdictions, for the FFY 2009 reporting period (July 1, 2009- June 30, 2010). For the remainder of the summary, the term "state" will be used to refer to both states and jurisdictions.

DATA SOURCES

In FFY 2009, 45 states reviewed data gathered from their state data system to report performance for Indicator 7. This typically included information on all children found to be eligible within a specified period of time. Of these states, ten also used data gathered from local monitoring practices, such as sampling files for review, onsite verification visits, and reviews of self-assessment results. Nine states reported using local monitoring data alone.

Of the six states that reported reaching their 100% target in FFY 2009, two used a combination of state and local monitoring data, three used only local monitoring data, and one used only data from their state data system.

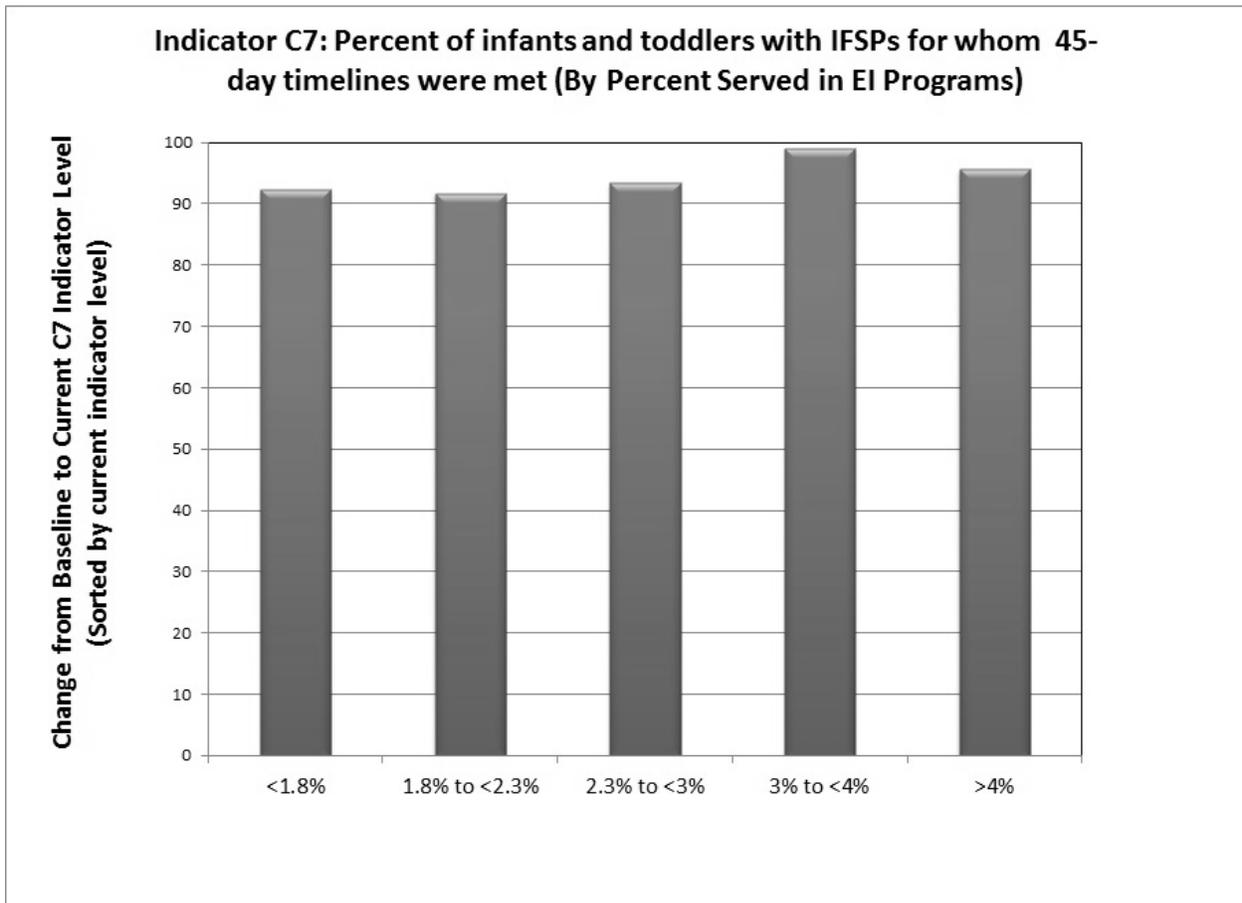
ACTUAL PERFORMANCE FOR FFY 2009

In FFY 2009, six states reported meeting their target of conducting an evaluation and assessment for 100% of eligible infants and toddlers within the Part C 45-day timeline. Nationally, the mean for states' performance on the Part C 45-day timeline requirement was 94.4%. Forty-five states reported a performance of 90% or greater and five states reported a performance of between 80-90%. Only four states reported meeting the timeline for less than 80% of eligible infants and toddlers.

Analyses of states' FFY 2009 performance on the 45-day timeline by the number of children served and by RRC/RPTAC region showed little variation due to consistently high means. The mean performance across all of these variables was between 90%

and 100%. Figure 1 shows the variation in timelines data analyzed by the percent served in states' Part C programs. The figure shows a slight tendency for states serving a higher percentage of children to have higher percentages of timely evaluations and assessments and initial IFSP meetings.

Figure 1



Family Circumstances

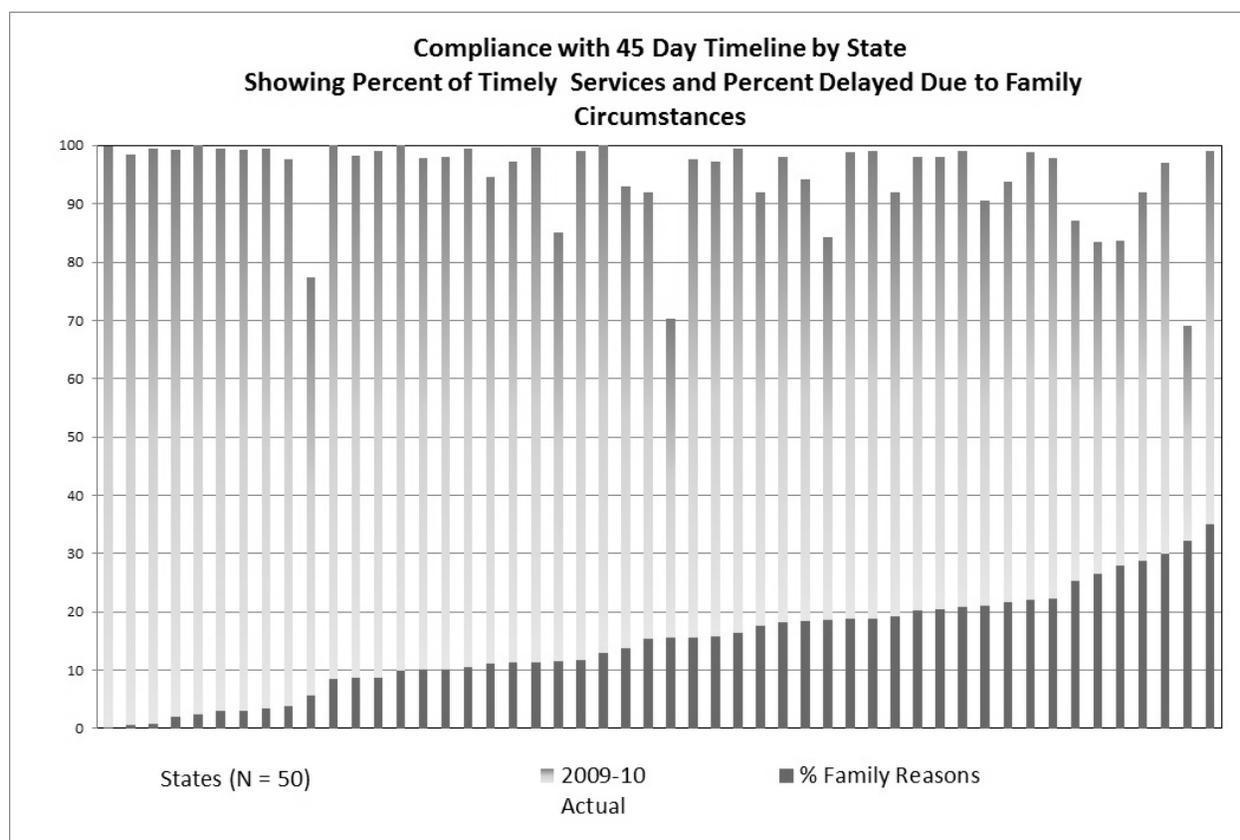
As mentioned above, when reporting data related to the 45-day timeline, states have the option of differentiating between delays that are due to exceptional family circumstances and delays that are program related. If they use this option, all instances of delay due to family circumstances can be counted as being in compliance with the timeline.

In FFY 2009, 50 states used this option and included the number of delays due to exceptional family circumstances in both the numerator and denominator when calculating their data. Family reasons included: child illnesses; family vacations, cancelations, and scheduling conflicts; difficulty scheduling with the biological parent in a foster care situation where the family rights were still intact; and severe weather or

natural disasters, where the length of delay was directly proportional to the severity and duration of the disruption.

The percentage of delays due to family reasons varied among states from less than 1% to 35%, with a mean of 15%. Figure 2 shows the percent of children with delays due to family reasons in the lower section of each state's bar. The top section of each bar shows the percentage of children with no delays in meeting the 45 day timeline. Both sections together illustrate each state's compliance with the 100% target.

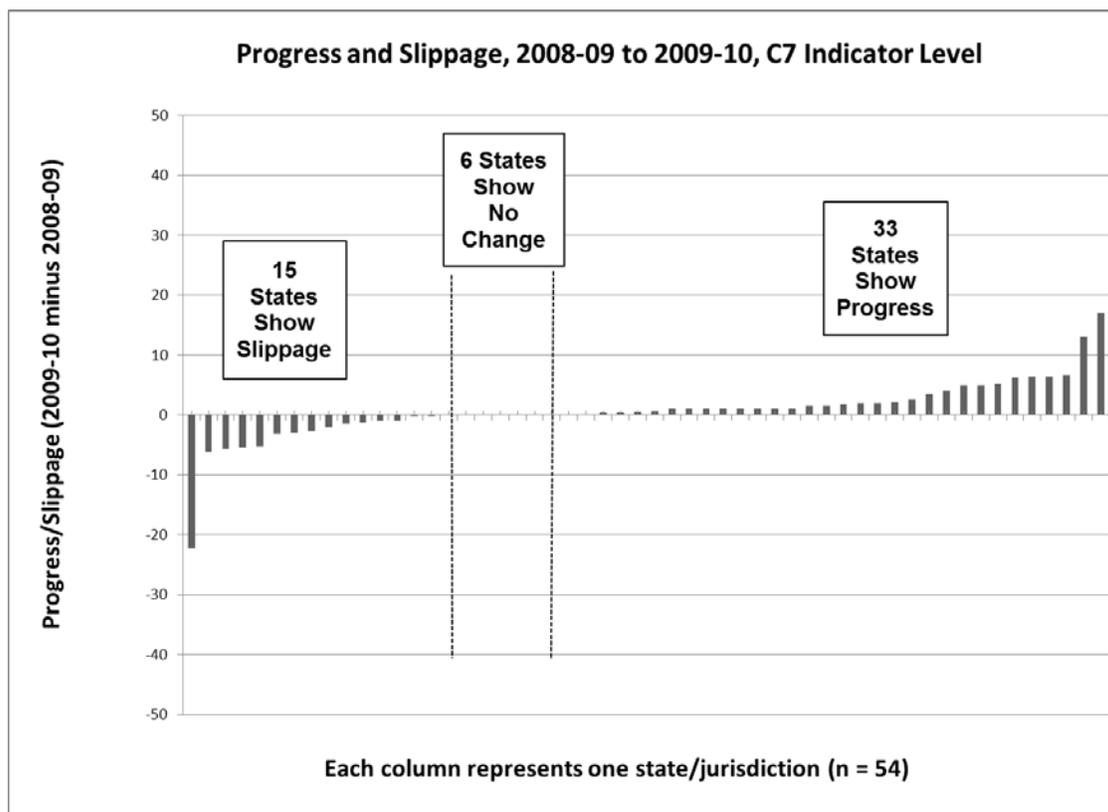
Figure 2



PROGRESS AND SLIPPAGE

Figure 3 shows data on the relative progress and slippage in percentage points for each of 54 states from FFY 2008 to FFY 2009. For the purposes of this analysis, progress and slippage were defined as any increase or decrease in performance, including incremental changes of less than one percentage point. According to this definition, 33 states showed progress, 15 states showed slippage, and six states showed no change from FFY 2008 to FFY 2009.

Figure 3



Further analysis of progress and slippage revealed the following:

- Seventeen states changed less than 1% from last year. Of these 17 states, all were strong performers, meeting the 45-day timeline for 92% or more eligible infants and toddlers. Sixteen of these states performed at 97% or greater, and three met their 100% target for both reporting years.
- Twenty-six states showed progress of 1% or more and two of these states showed progress of more than 10%.
- Eleven states showed slippage of 1% or more. Four of these states performed at 92% or higher in FFY 2009. Only one of these states reported more than 10 points of slippage.

Explanation of Progress

Many of the 33 states showing progress from FFY 2008 to FFY 2009 reported that they were continuing to improve both their local monitoring practices and their Part C data systems, in order to better track timelines and more consistently document reasons for delay. Several states reported developing and implementing new state data systems. Most reported that they were monitoring target dates and instances of delay, drilling down to determine the root causes of delay, using corrective action plans (CAPs) to correct noncompliance, and providing targeted technical assistance (TA) and training

related to the 45-day timeline. A number of states also provided TA on how to use data reports for program improvement.

The state that reported the greatest progress for the current reporting period (from 82% to 99%) also provided outreach to physicians in areas where providers were having difficulty getting prescriptions in a timely manner. Another state showing substantial progress (from 72% to 85%) attributed it in part to the implementation of a team-based service delivery model in 9 regions. States also reported hiring new staff, increasing reimbursement rates for providers, reimbursing providers for participation in team meetings, and using financial incentives for improved performance. One state attributed progress to increased state funds, ARRA funds, and Extended IFSP Option grants.

Among the twenty-one states that have improved their performance more than 20 percentage points since baseline, 18 performed at 90% or higher in FFY 2009. All except four of these states used data from their state data system in FFY 2009 to track timelines, often using “tickler” or alert systems for upcoming deadlines. One state reporting substantial progress since baseline (from 59% to 98%) also developed new training materials in FFY 2009 and implemented the use of an evaluation summary form for the IFSP, so that the meeting could be held before the written summary was done (the complete summary must be done within 30 days of the meeting).

Many states that are consistently high performers report that they review IFSP data and timelines regularly, require reports on every instance of delay, use CAPs to address all findings of noncompliance, and use data from their state data system to better understand reasons for delay and to develop targeted TA and training for program improvement.

Explanation of Slippage

In FFY 2009, many states continued to report that funding issues, budget cuts, and personnel shortages were primary reasons for delays in meeting the 45-day timeline. States also continued to attribute delays and slippage to increased numbers of referrals; difficulty finding interpreters; inefficiencies in IFSP processes and/or in service delivery models; and interagency issues, such as not receiving sufficient information upon referral. The one state that reported more than 20 points of slippage (from 91% to 69%) reported that the slippage was due to increased numbers of children served without additional staff, shortages within the disciplines of occupational and speech therapy, and on-going noncompliance in one region. This state reported that although hiring freezes from FFY 2008 had been lifted, it took six months to get new staff on board and there were simultaneous resignations, resulting in very little net gain of staff during FFY 2009. The following summarizes some of the key challenges many states continue to face:

Personnel Issues

- Shortages of qualified professionals, particularly PTs, OTs, and SLPs, especially in rural areas (one state mentioned that it had 92 unfilled service provider and service coordinator positions in FFY 2009).
- Insufficient availability of interpreters and bilingual assessors.
- High referral rates, large caseloads, and high staff turnover rates.
- Discrepancies in pay scales between EI programs and hospitals or clinics that pay higher salaries.
- State hiring freezes, furloughs, and reduced FTEs.

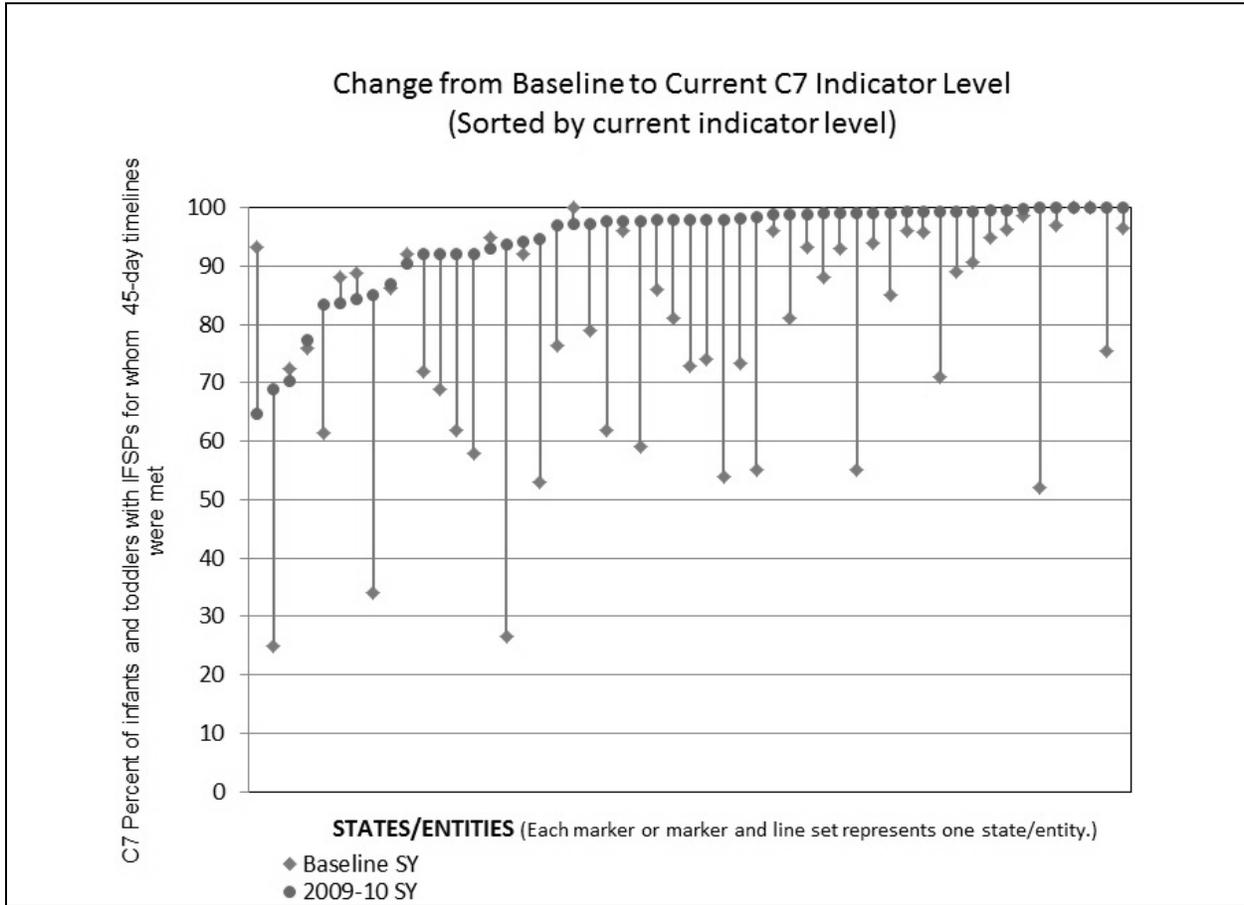
Inefficient Processes or Procedures

- Inefficiencies in local procedures for intake and scheduling of appointments.
- Scheduling conflicts and delays, including difficulties contacting families to schedule evaluations /assessments and IFSP meetings.
- Communication challenges, such as sharing of information in a timely manner, delays from point of entry, insufficient referral information, delays in receiving physician prescriptions, and delays in receiving evaluation or medical reports.
- Interagency coordination challenges (e.g. difficulty getting parental consent for children in foster care due to delays in assigning a surrogate parent).
- Delays in getting prior authorization for services.
- Inefficient service models, for example: having multiple providers scheduling evaluations/assessments and writing reports separately, and inadequate or no funding for “team-time” or the IFSP meeting.

Comparison of Baseline to Actual Performance

Figure 4 illustrates states' trajectories from baseline (for most states this was FFY 2004) to performance in FFY 2009. This figure includes 53 states that have both baseline data and FFY 2009 data for Indicator 7. Each line represents one state. The longest vertical lines denote the greatest changes. It is important to note that most of the short lines, which indicate little change over time, represent states that have continuously performed at 90% or greater since baseline.

Figure 4



Of particular interest are the following observations:

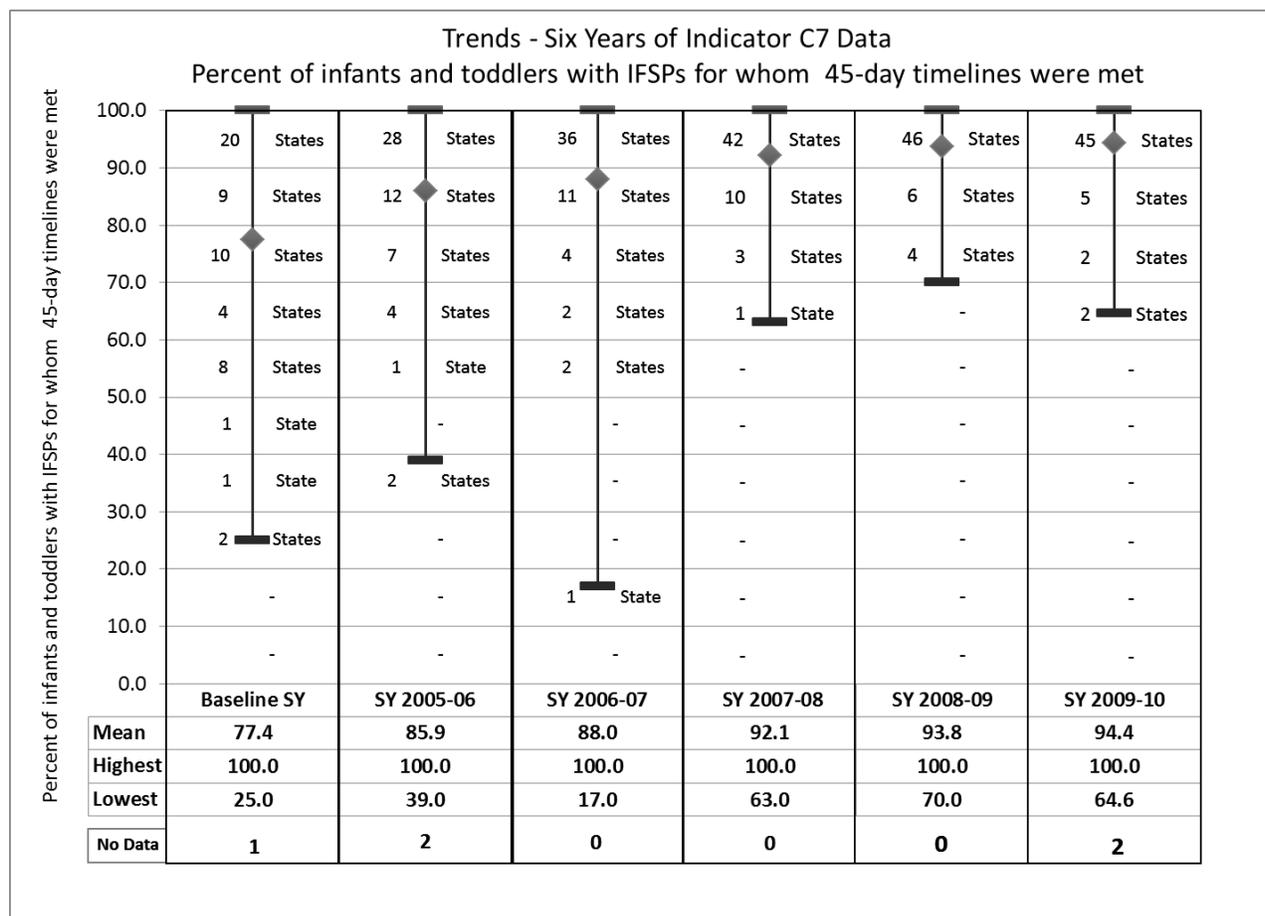
- Forty-four states have improved their performance from baseline to FFY 2009 and two states have maintained their target performance of 100%.
- Seventeen states have shown continuous strong performance at 90% or above, with high baselines and high performance in FFY 2009.
- Twenty-one states have improved their performance by more than 20 performance points since baseline. Of these, 18 performed at 90% or higher in FFY 2009.
- Of the seven states whose current performance is below baseline, six reported a decrease of 5 percentage points or less, and three are performing at 90% or greater.
- One of the states with the lowest baseline performances demonstrated the greatest improvement by FFY 2009, from 26.5% to 93.7%, an increase of 67.2 percentage points.
- Although the states' trajectories have varied, the overall data continues to support a national trend toward improvement over time.

Trends over Time

The number of states reporting data on the Part C 45-day timeline requirement has varied over the years. Most, but not all states were able to establish baseline data for this indicator in FFY 2004. Fifty five states have baseline data, 54 states reported data in FFY 2005, 56 states reported data in FFY 2006 - FFY 2008, and 54 states reported data in FFY 2009.

Figure 5 shows trend data for this indicator over time. The mean increased from 77.4% at baseline to 94.4% in FFY 2009, an overall increase of 17 percentage points. Additionally, in FFY 2009, 45 states performed in the 90 -100% range, compared to 20 states at baseline, and only 5 states performed below 80% in FFY 2009, compared to 26 states at baseline.

Figure 5



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

IMPROVEMENT ACTIVITIES

The improvement activities most frequently reported by the states in FFY 2009 can be grouped under the following main categories: continuous monitoring and review of data, technical assistance and training, increasing and redeploying personnel, and clarifying/revising policies and procedures. Some of the specific activities featured this year included the following:

Continuous Monitoring and Review of Data

- Many states developed and made improvements to their state data systems in order to better track compliance and help local programs collect and use data for program improvement (for example, making it possible to enter and collect real time data related to timelines; adding a field to describe reasons for delays; and generating monthly reports for regional and local program managers, supervisors, service coordinators, and service providers to review).
- Many states also used focused monitoring of local programs and regular (weekly, monthly, quarterly) reviews of data to track timelines and address delays (for example: requiring local performance reports, documentation of each instance of non-compliance, and the use of corrective action plans to correct noncompliance; submitting performance reports to state and local Interagency Coordinating Councils; and making performance reports publicly available online).

Technical Assistance and Training

- A number of states provided training on how to use data reports to identify and address root causes of delay, as well as customized/targeted TA to address causal factors of delay.
- States also provided TA/training on EI best practices (formal and informal assessments, informed clinical opinion, eligibility determination, team-based service models, the primary coach approach to teaming, how to use routines-based interviews) and gave follow-up support to sites implementing new practices.
- One state reported providing outreach to physicians to increase their knowledge of the Part C program and its benefits, as well as collaborating with the Assuring Better Child Health and Development (ABCD II) Initiative to help EI programs reach physicians.

Increasing and Redeploying Personnel

- States contracted with part-time therapists and other early EI personnel to conduct evaluations/assessments; used MCH nurses and providers previously designated as site administrators to help with evaluations and IFSP development; and used ARRA funds to hire additional assessors, service coordinators, Spanish interpreters, and bilingual speech language pathologists.

- States also implemented team-based service models to improve the efficient use of personnel.
- One state purchased laptops for providers to enable evaluations to be entered and IFSPs to be developed onsite, thus reducing duplication of effort.

Clarifying/Revising Policies and Procedures

- States developed new procedures to streamline the intake, evaluation, and scheduling process and field tested these new practices. A number of states also revised their IFSP form and developed guidance on how to improve data collection, track timelines, and document reasons for delay consistently.
- States worked closely with OSEP-funded TA Centers on a variety of program improvement activities, such as: developing new processes and procedures for identification and correction of noncompliance; improving the state general supervision system; and revising the 45-day timeline root cause analysis tool, data management procedures, data collection tools, and related policies and procedures.
- One state used ARRA funds to contract with the FPG Child Development Institute to initiate a comprehensive program improvement plan emphasizing new forms, new policies and guidelines, and the development of online training modules to increase the use of evidence-based practices and improve program accountability.

CONCLUSIONS

In FFY 2009, states continued to face significant fiscal challenges and personnel shortages. Nevertheless, slight overall national progress was made toward meeting the 45-day timeline, with 94.4% of eligible infants and toddlers receiving an evaluation and an IFSP meeting within 45-days of referral. States overwhelmingly attributed progress to improvements in their monitoring and data collection practices, as well as improvements in the use of data for identifying and addressing root causes of delay. This demonstrates the importance of a rigorous general supervision system and a sustained focus on timelines by state, regional, and local programs.

In addition to devoting considerable resources to enhancing their monitoring and data collection systems, states were also able to invest time and resources toward revising policies and procedures, recruiting and retaining personnel, and providing TA and training on EI best practices. This demonstrates their commitment to not only meeting the requirements of the 45-day timeline, but also improving the quality of EI services and enhancing outcomes for the infants, toddlers, and families being served.

INDICATOR 8: EARLY CHILDHOOD TRANSITION

Prepared by NECTAC

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.

INTRODUCTION

Indicator 8 is a compliance indicator with a performance target of 100%. Each of the three sub-indicators of Indicator 8 corresponds to specific Part C regulations:

- Sub-indicator 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" [§303.344(h)].
- Sub-indicator 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" [§303.148(b)(1)].
- Sub-indicator 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)].

This analysis of Part C Indicator 8 is based on a review of Annual Performance Reports (APRs), submitted by 55 states and jurisdictions, for the FFY 2009 reporting period (July 1, 2009 – June 30, 2010). For the purpose of this report, all states and jurisdictions are referred to collectively as "states". In this report quantitative data is reported for 54 states, and descriptive informative is included from all 55 APRs.

DATA SOURCES/ MEASUREMENT APPROACHES

The data sources for each sub-indicator in the FFY 2009 APR were recorded in order to identify and track trends for data collection methods used by states. There were three main sources of data reported by states: monitoring (e.g. file review and self-assessment), data systems, and combinations of these two. Two states did not report their data sources or the method used for collecting data was not clearly described.

Although states are increasing their use of electronic data systems, many states continue to rely on monitoring mechanisms for reporting purposes. Some states report combining monitoring processes with data systems. For example, files are selected

randomly from a data system for manual review and on-site verification. Twelve states required program self-assessment as part of the monitoring process with eight states utilizing self-assessment for two or three sub-indicators. Three states combined the use of self-assessment in conjunction with their data system. In most of these states, self-assessment was required statewide for all programs. A few states used self-assessment selectively for programs either not receiving an on-site visit or for programs with a history of non-compliance.

The use of data systems as a primary data source has increased over time for all three sub-indicators. Figure 1 shows data sources for Indicator 8A. In FFY 2009, monitoring was reported by the largest number of states as their source of data (25 states, 47%), followed by data systems (20 states, 39%). The remaining eight states used combinations of these. Over time, using monitoring data for 8A has decreased while both data systems and monitoring/data system combinations have increased.

Figure 1

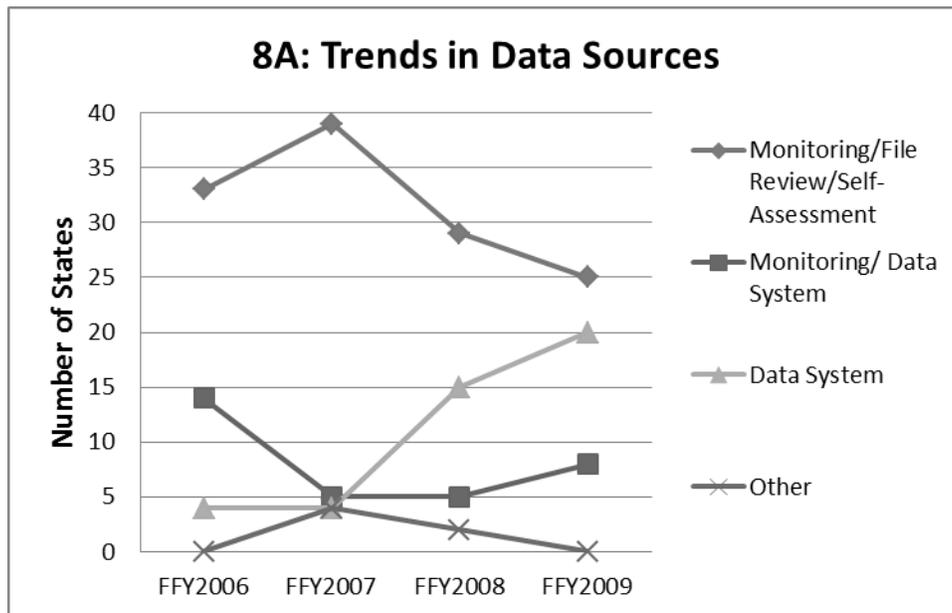


Figure 2 shows trends in data sources for Indicator 8B. In FFY 2009, states reported data systems as the most frequent data source (28 states, 53%) followed by monitoring (20 states, 38%). Five states used various combinations of these sources. Over time, this sub-indicator shows a steady increase in the use of data from data systems.

Figure 2

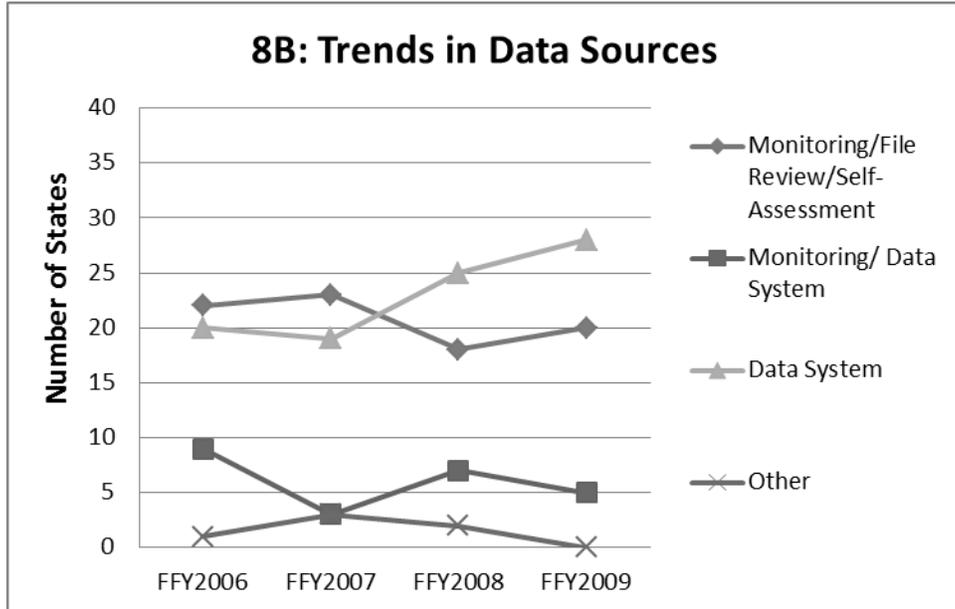
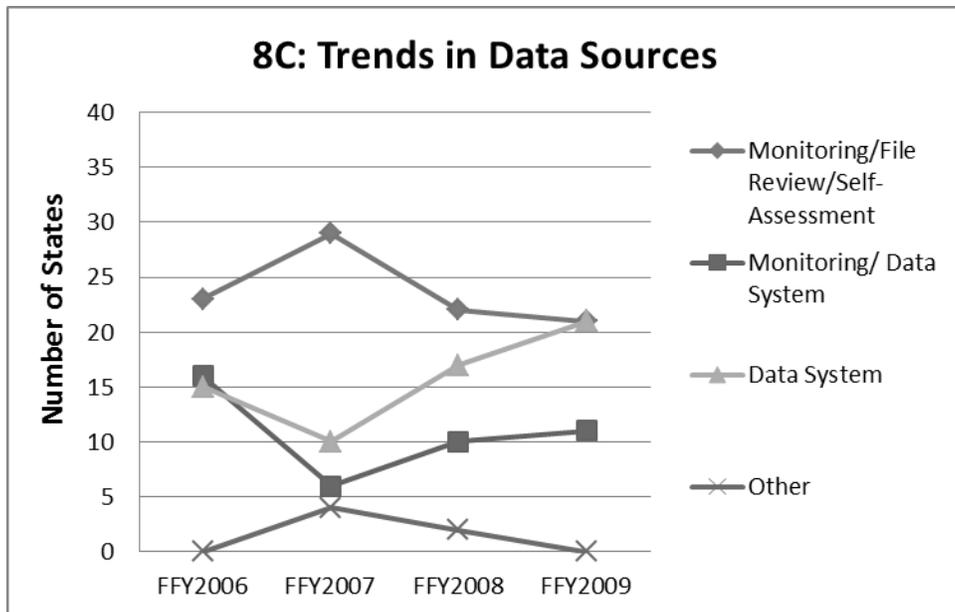


Figure 3 shows trends in data sources for Indicator 8C. In FFY 2009, equal numbers of states used monitoring and data systems (21 states each). The remaining 11 states used a combination of data sources. Similar to the pattern seen for Indicator 8A, a slight decrease is seen in the number of states that use monitoring processes for gathering actual performance data over the last few years for 8C.

Figure 3



Across all sub-indicators, six states reported sharing transition data using a unique child identifier, with an additional three states in a development or testing process, representing a slight increase in states since the last reporting period. The Part C program for three of the states using a unique child identifier is located in departments of education.

While some states continue to describe cyclical program monitoring as a primary data source, these states showed variation in the number of files reported. An increasing number of states are using a census approach and reviewing files for all children. For the purpose of this analysis, census was defined as reporting on all children for the entire reporting period or a specific time frame within the reporting period. A specific time frame was typically a quarter within the reporting year.

Table 1 shows the total number of states reporting census data by indicator. More than 50% of the states are reporting data on all children for notification to the LEA (8B) and the transition conference (8C) demonstrating a positive trend in data capacity. Twenty-two states (40%) reported data for all children in FFY 2009 across all three sub-indicators. Of the 22 states, 16 reported on all children for the entire reporting period and six reported on all children within a specific time frame.

Table 1

Number of States Reporting Census Approach: FFY 2009					
8A Transition Steps		8B Notification to LEA		8C Transition Conference	
Yes	25 (45%)	Yes	30 (55%)	Yes	29 (53%)
No	25 (45%)	No	21 (38%)	No	22 (40%)
Not Given/ Unclear	5 (9%)	Not Given/ Unclear	5 (9%)	Not Given/ Unclear	4 (7%)

ACTUAL PERFORMANCE FOR FFY 2009

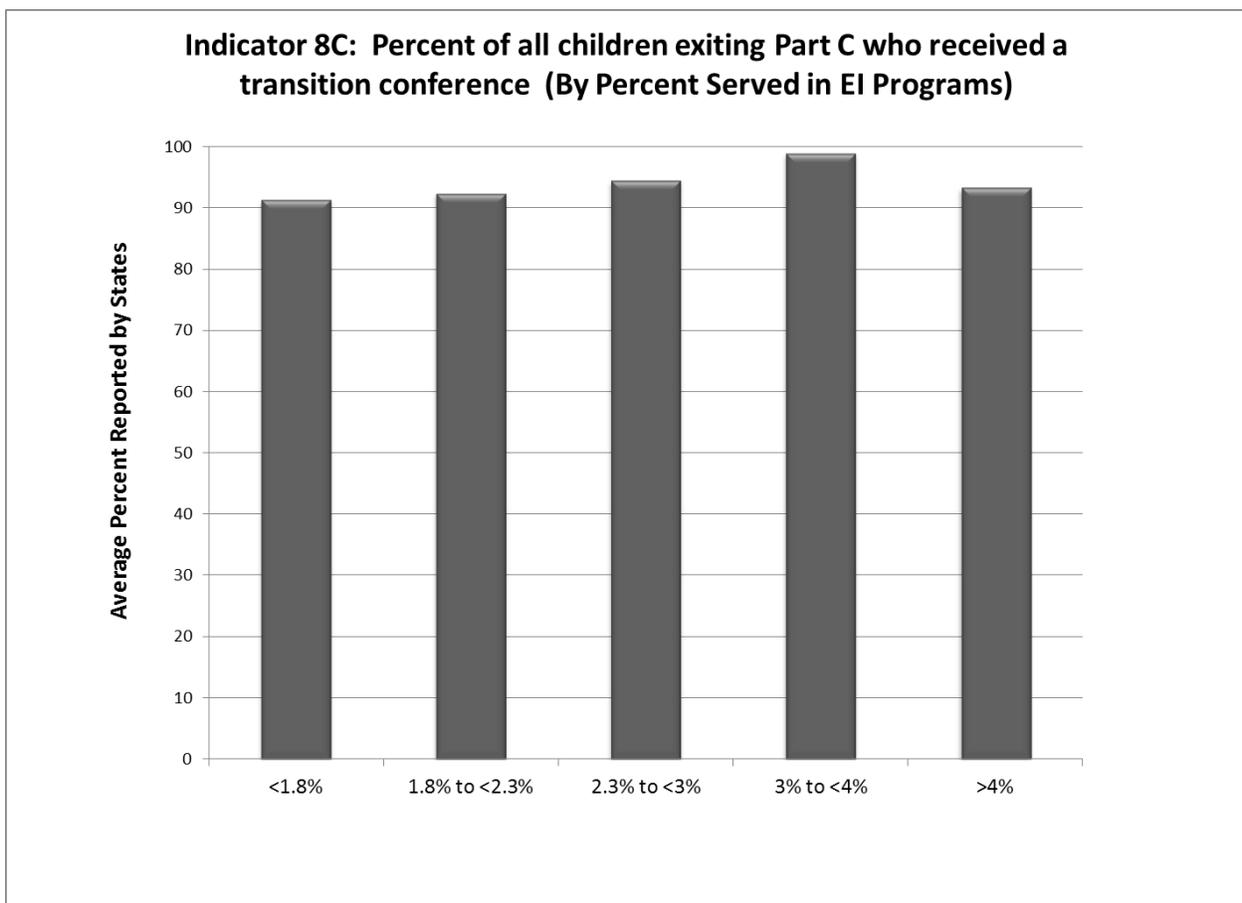
States reported an average performance of 97.9% for Indicator 8A (transition steps), 98.3% for Indicator 8B (notification to LEA), and 94.5% for Indicator 8C (transition conference). While only six states (11%) reported 100% compliance on all three sub-indicators, an additional 23 states (43%) reported performance between 95% - 99% on all sub-indicators.

For Indicator 8A, IFSPs with Transition Steps and Services, forty-seven states (87%) reported performance on transition steps on the IFSP from 95% to 100%, with 19 of these states reporting full compliance. Seven states (13%) reported performance below 90%. For Indicator 8B, Notification to LEA, significantly more states (N=31) were in full compliance than for either of the other two sub-indicators. Forty-eight states (89%)

reported performance on notification to the LEA from 95% to 100%. Two states reported performance below 89%. For 8B, an OSEP-approved opt out policy was reported by twelve states (22%), with one additional state reporting having a policy ready for OSEP review/approval. For 8C, Transition Conference, thirty-one states (57%) were high performers ($\geq 95\%$) for timely transition conferences. Eight of the 31 states demonstrated full compliance. State performance for sub-indicator 8C was lower than sub-indicators 8A or 8B, which is consistent with all prior reporting periods. Nine states reported compliance below 89%, with two of the nine states reporting performance below 79%.

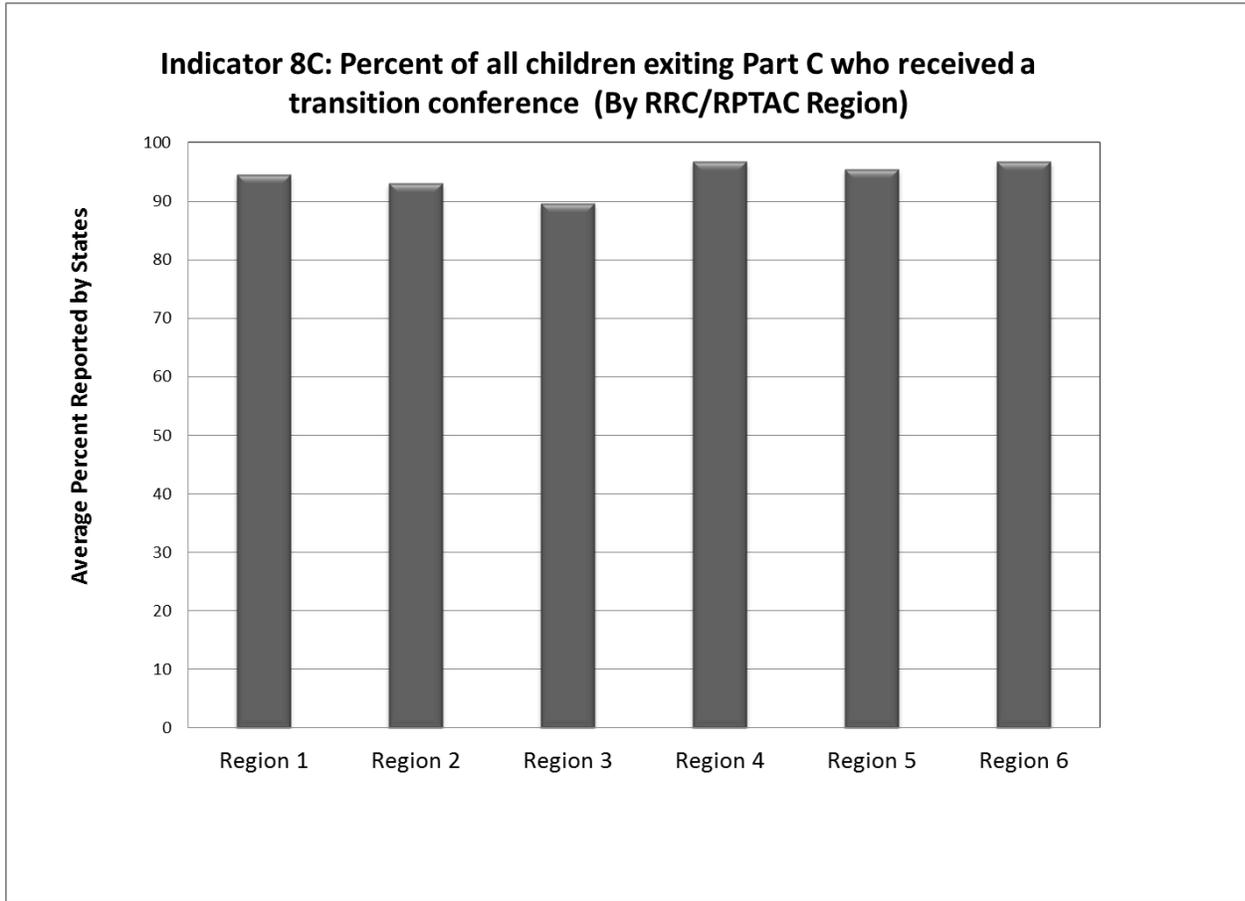
A comparative analysis was conducted for all states submitting data by the variables of child count, percent of children served, and RRCP/RPTAC region for all three sub-indicators. No differences were found in these comparisons for 8A or 8B. Figure 4 below shows a slight pattern for states serving the highest percentages of children to have higher percentages of transition conferences (8C).

Figure 4



The percent of children with transition conferences (8C) also varied by RRC/RPTA region, as shown in Figure 5.

Figure 5



PROGRESS AND SLIPPAGE

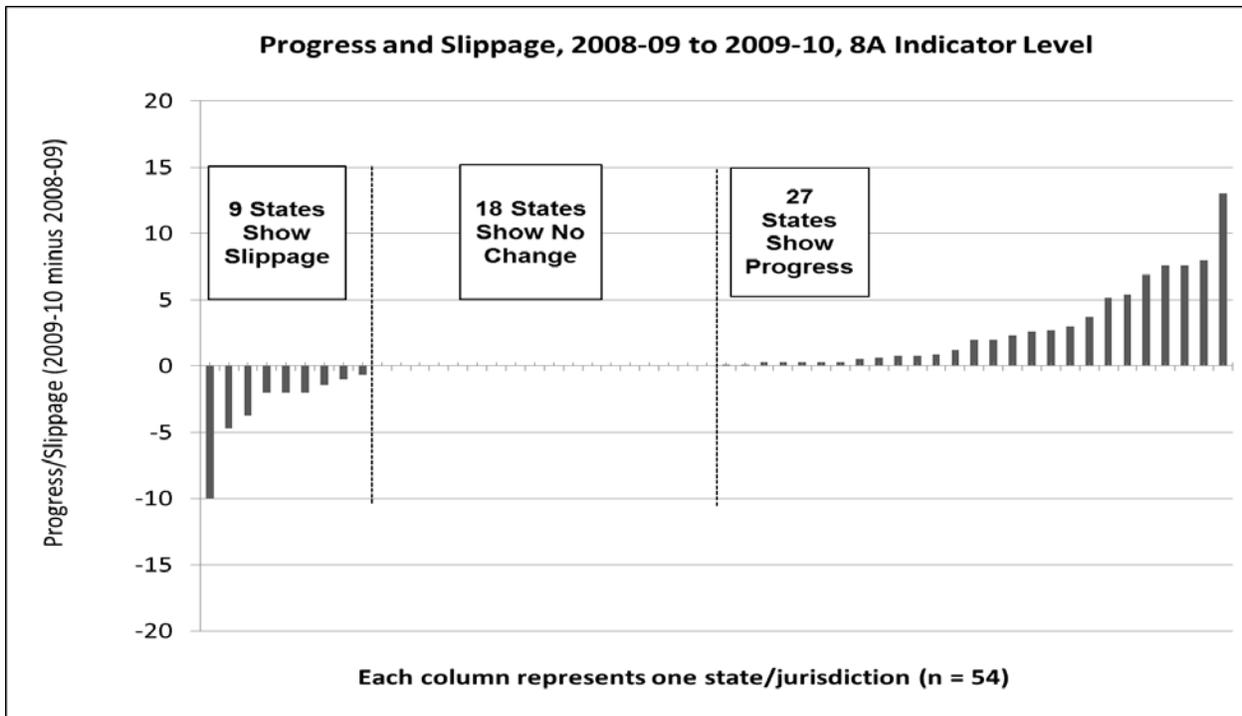
Overall, states continue to make progress on all sub-indicators of early childhood transition. The means for all three sub-indicators increased from FFY 2008 to FFY 2009: Indicator 8A went from 96.0 to 97.9%; Indicator 8B went from 97.0 to 98.3%; and Indicator 8C went from 92.1 to 94.5%.

8A - IFSPs with Transition Steps and Services

More states reported progress in documenting transition steps and services on IFSPs (8A) than for the other sub-indicators. However, in FFY 2009, the amount of progress was less striking than the previous reporting period. As shown in Figure 6, the majority of states (N=27) demonstrated progress, with seven of those states improving by five to 13 percentage points. Of those states showing the most progress, six reported performance of 96% or higher. Nine states reported slippage, with only one of those reporting slippage of more than five percentage points (one state reported slippage of 10%). Four of the nine states with slippage reported performance above 95% even though slippage occurred. Of the 18 states that reported no change, thirteen remained

at 100% performance, with the remaining five states maintaining high performances of 98% - 99%.

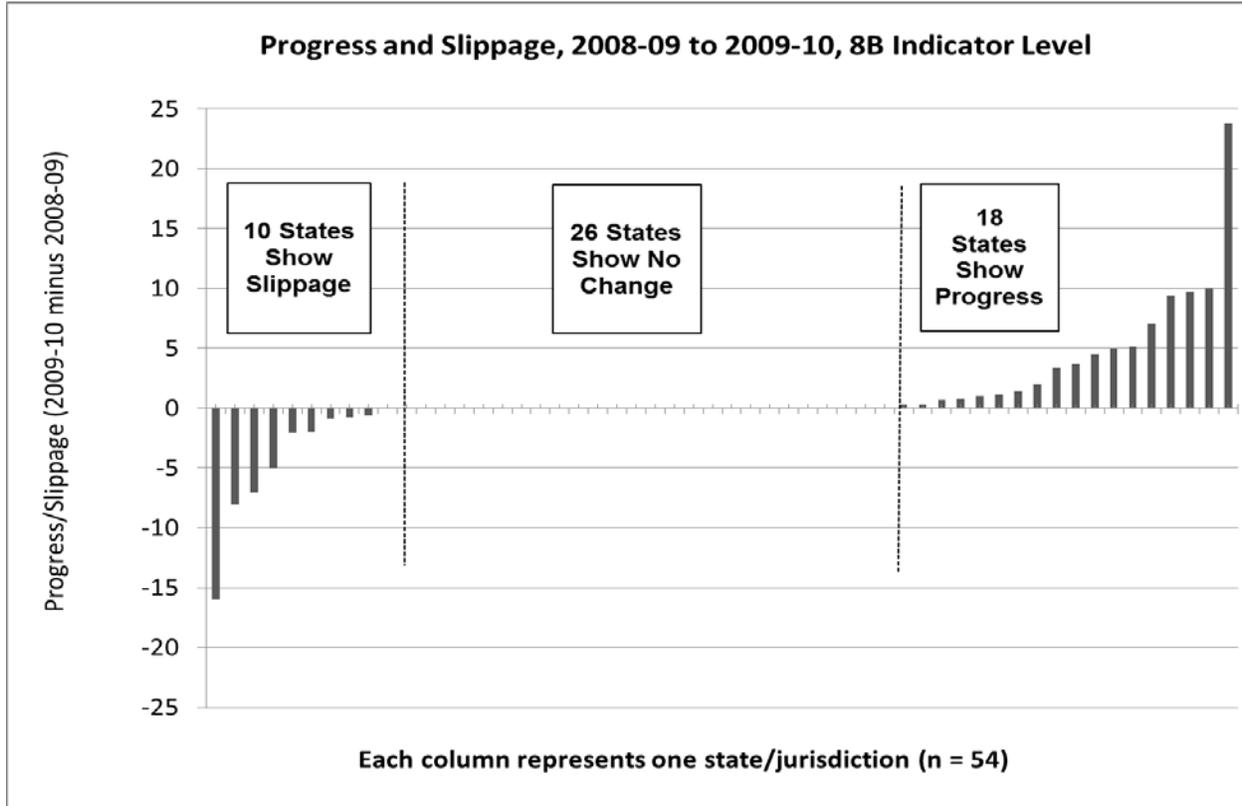
Figure 6



8B - Notification to LEA

This sub-indicator continues to show the highest performance with the most number of states demonstrating full compliance. As seen in Figure 7, 18 states made progress. Five of the 18 states increased performances by 7% to 23%. Of the five states demonstrating the most progress, one came into full compliance and three were at or above 95%. Of the 10 states who demonstrated slippage, six states reported performance of 95% or higher. All of the 26 states reporting no change maintained full compliance from the previous year.

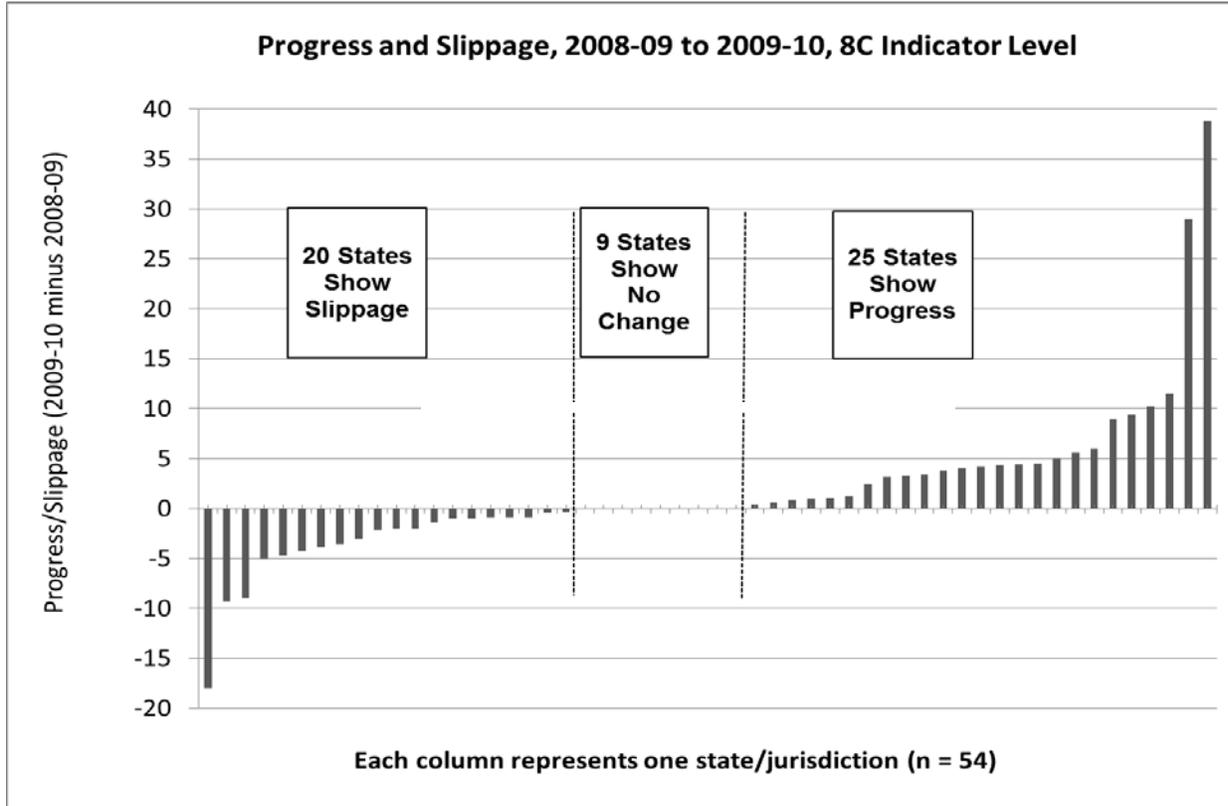
Figure 7



8C - Transition Conference

For sub-indicator 8C, 25 states reported progress, as shown in Figure 8. Fourteen of the 25 states that demonstrated progress reported performances of 95% to 100%. Six states making the most progress improved performance by 9 to 39 percentage points, with one state achieving full compliance. More states demonstrated slippage in 8C in comparison to 8A and 8B, which is consistent with previous reporting years. Seventeen of the 20 states demonstrating slippage reported performances of 90% or higher, with nine performing above 95%. Six of the nine states reporting no change maintained 100% compliance from the previous year.

Figure 8



Explanation of Progress and Slippage

Explanation of progress was addressed by 25 states across all sub-indicators. Some states provided explanations for progress that were relevant across the sub-indicators such as improved monitoring processes; increased file review and verification activities; increased and targeted technical assistance strategies; data system modifications with resulting data entry guidance and training; and clarification of transition rules and policies.

Within the three sub-indicators, states also explained progress specific to each sub-indicator. For example, in sub-indicator 8A which focuses on the presence of transition steps and services in the IFSP, states described activities related to the content and use of the IFSP form. States described efforts to clarify expectations and improve documentation; revise the actual IFSP form to explicitly include the required data; and to improve accuracy of staff data entry into new electronic data systems. Twenty-one states described using a statewide IFSP form with transition sections, reflecting an increase since the last reporting period. Two of these states described use of a statewide web-based form and one state mentioned being in the development and piloting process.

For sub-indicator 8B, there was little explanation of progress or slippage due to stability of performance over time. States discussed refinements for collecting and sharing child notification data with Part B or the clarification of opt-out policies. For conducting transition conferences (8C), clarification and guidance was provided for documenting exceptional family circumstances and for programs convening conferences too close to the 90 day timeline.

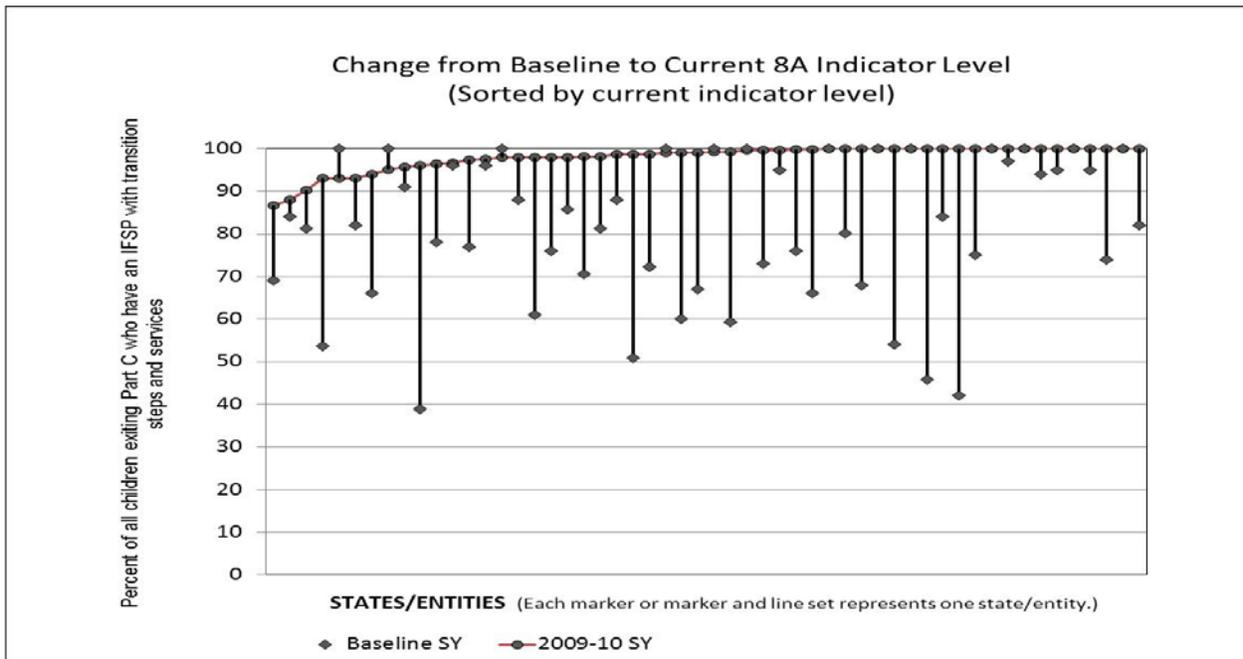
Explanation of slippage was addressed by 18 states across all sub-indicators. In some cases, states attributed slippage to the same factors in more than one sub-indicator or described multiple reasons for slippage for a sub-indicator. States that relied on cyclical monitoring as a method of data gathering mentioned the issues of basing performance on a small number of programs. It should be noted that many of the states reporting slippage demonstrate high performance.

Comparison of Baseline to Actual Performance

Figures 9, 10, and 11 illustrate the trajectory from FFY 2006 baseline to FFY 2009 performance for each of the three sub-indicators. Most states demonstrated improvement in performance, with some states showing dramatic improvement from baseline on all three sub-indicators.

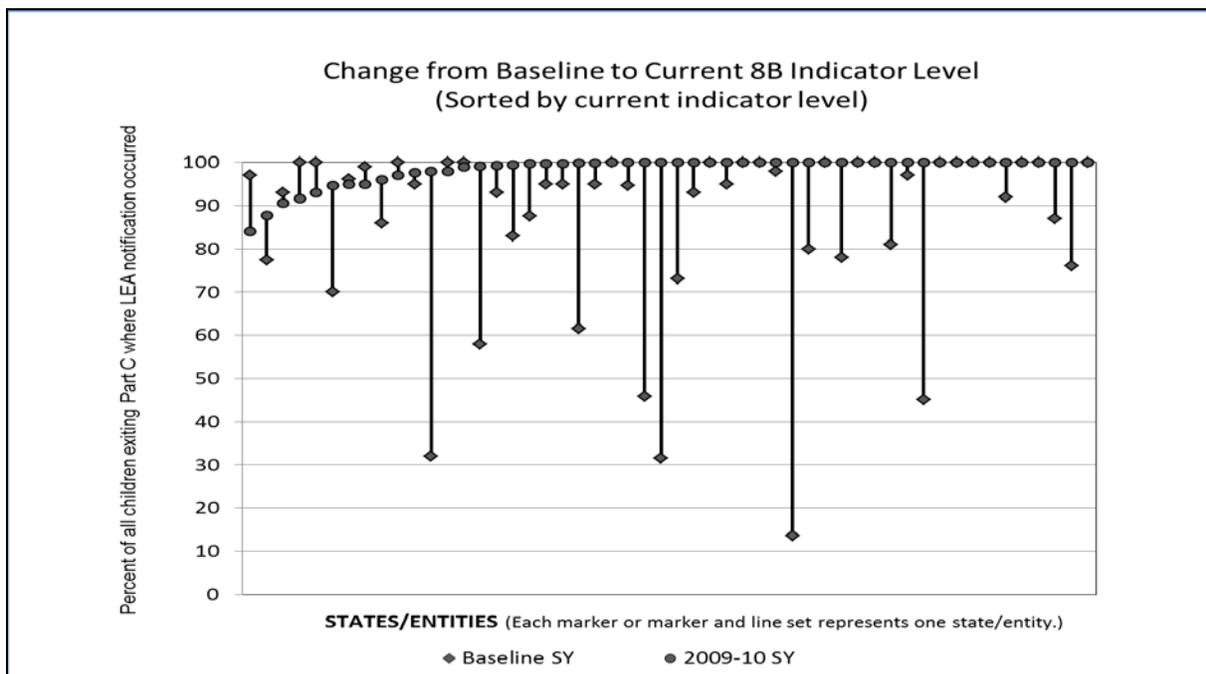
Figure 9 shows the trajectory for Indicator 8A (IFSP with Transition Steps). A majority of states demonstrate a positive trajectory from baseline to FFY 2009 performance, with forty-eight states currently at 95% - 100%. This includes seven states who reported full compliance at baseline and for FFY 2009. Only six states, all reporting 100% compliance at baseline, demonstrate a negative trend from baseline to FFY 2009. Three of the six reported a change of one percent or less, and only one reported performance less than 95%.

Figure 9



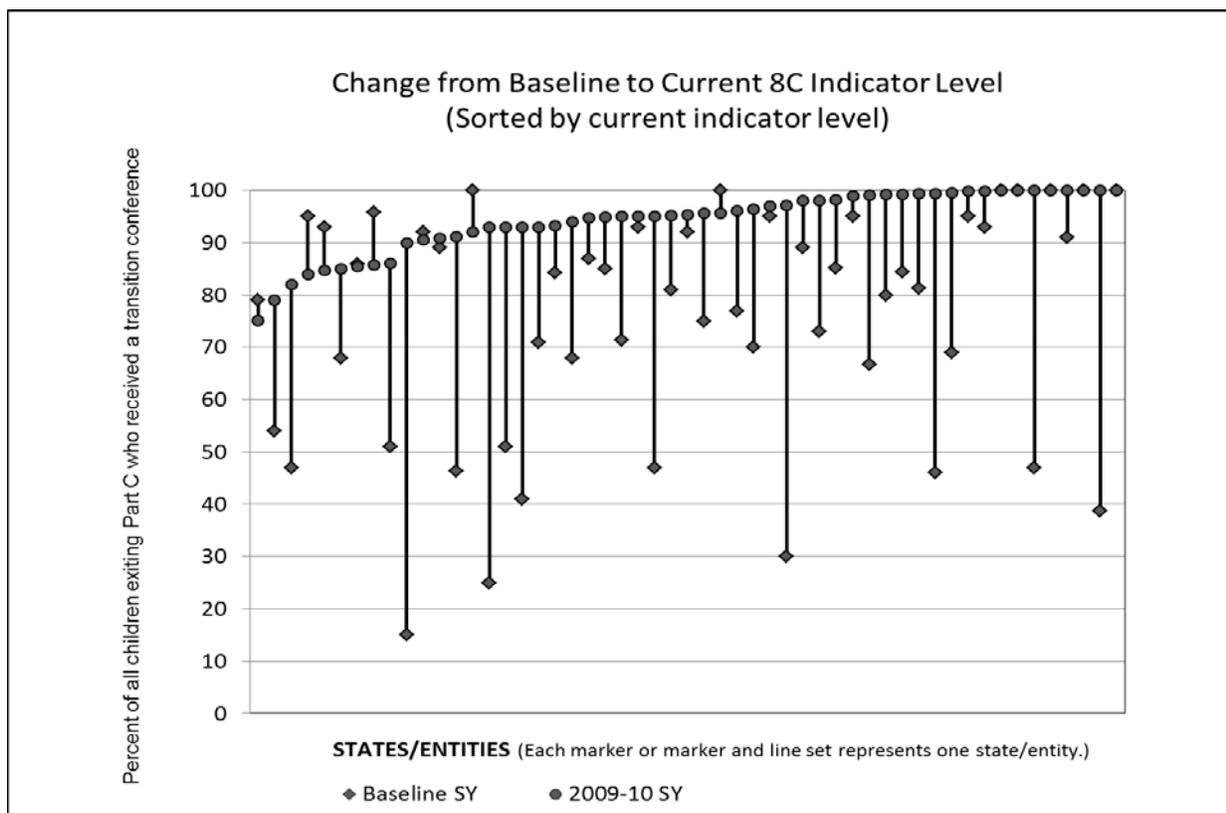
As seen in Figure 10, the majority of states (N=45) moved in a positive direction regarding notification to the LEA, including the 14 states who maintained full compliance reported at baseline. Performance for sub-indicator 8B has always been high. Nine states reported lower actual performance in FFY 2009 than baseline. Of these, five are high performers ($\geq 95\%$).

Figure 10



For sub-indicator 8C, timely transition conferences, the majority of states (N=47) demonstrate a positive trajectory (Figure 11). However, fewer states maintained full compliance from baseline to this reporting period (N=5). The seven states demonstrating lower performance than baseline generally report lower performance overall. Only one of the seven states reported actual performance above 95%.

Figure 11

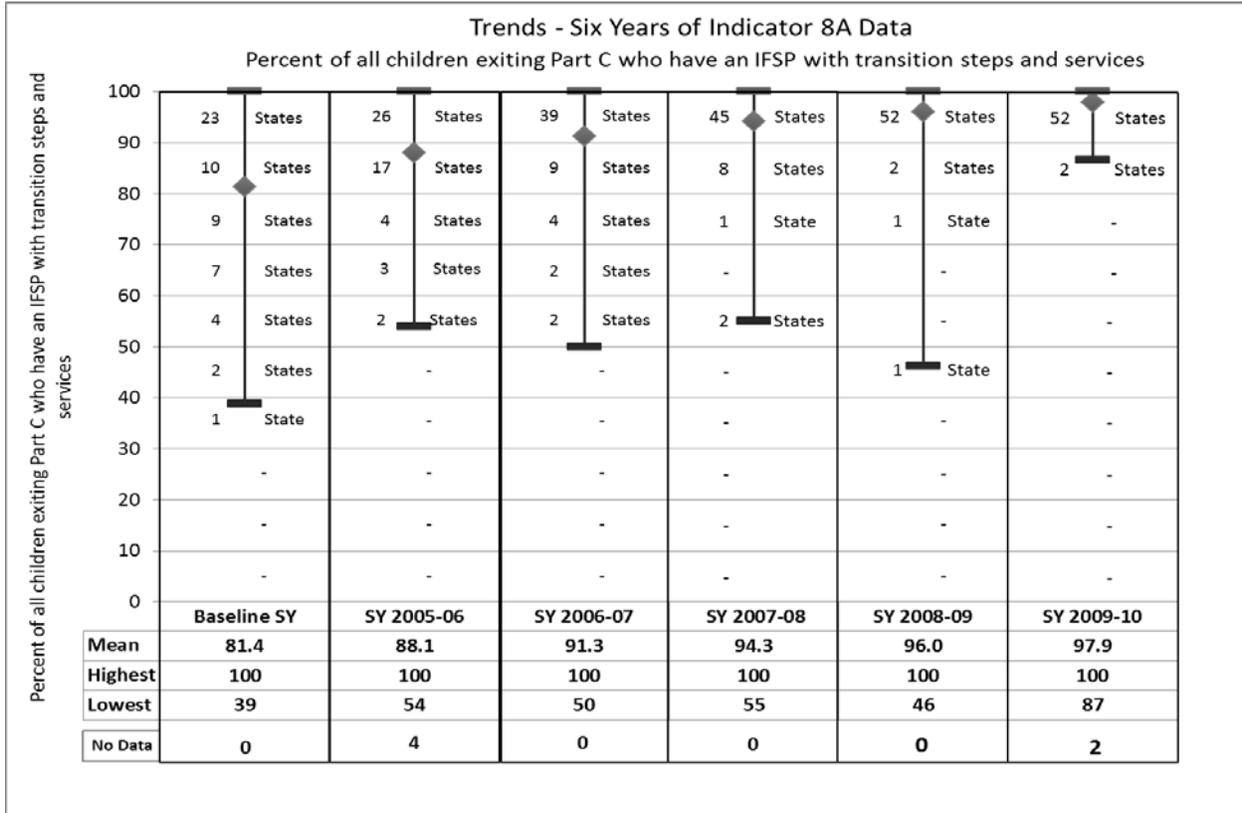


Trends over Time

Generally, the performance trends are positive, with the majority of states reporting performance of 90% to 100% on all three sub-indicators. The most positive performance trends are seen for 8A and 8B.

Figure 12 shows that state performance on sub-indicator 8A (Transition Steps on the IFSP) has increased from a mean of 88% in FFY 2005 to 98% in FFY 2009, an increase of 10% over the five reporting periods. In FFY 2009, only two states reported performance below 90% with the lowest at 87%. Of the 52 states reporting performance above 90%, 20 states (38%) demonstrate full compliance and 27 states (52%) demonstrate performance above 95%.

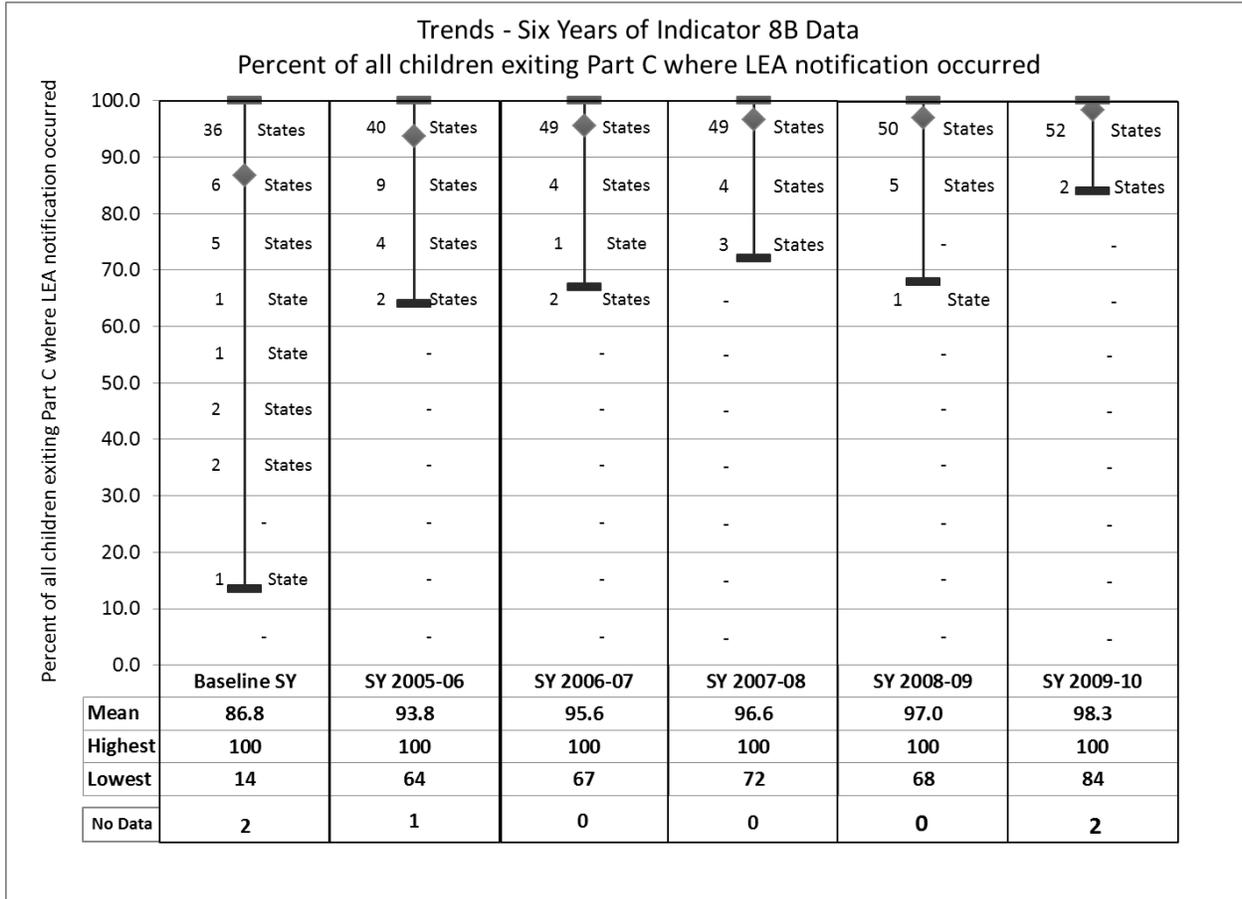
Figure 12



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

Figure 13 illustrates improved state performances on sub-indicator 8B (Notification to the LEA) over time with an overall change in mean performance from 94% in FFY 2005 to 98% in FFY 2009. The mean difference of 4% over the five reporting years is reflective of high performance on this sub-indicator over time. In FFY 2009, only two states reported performance below 90% with the lowest at 84%. Of the 52 states reporting performance above 90%, 31 states (60%) demonstrate full compliance and 17 states (40%) demonstrate performance above 95%. For 8B, significantly more states (N=31) were in full compliance than for either of the other two sub-indicators, a consistent performance trend across previous reporting periods.

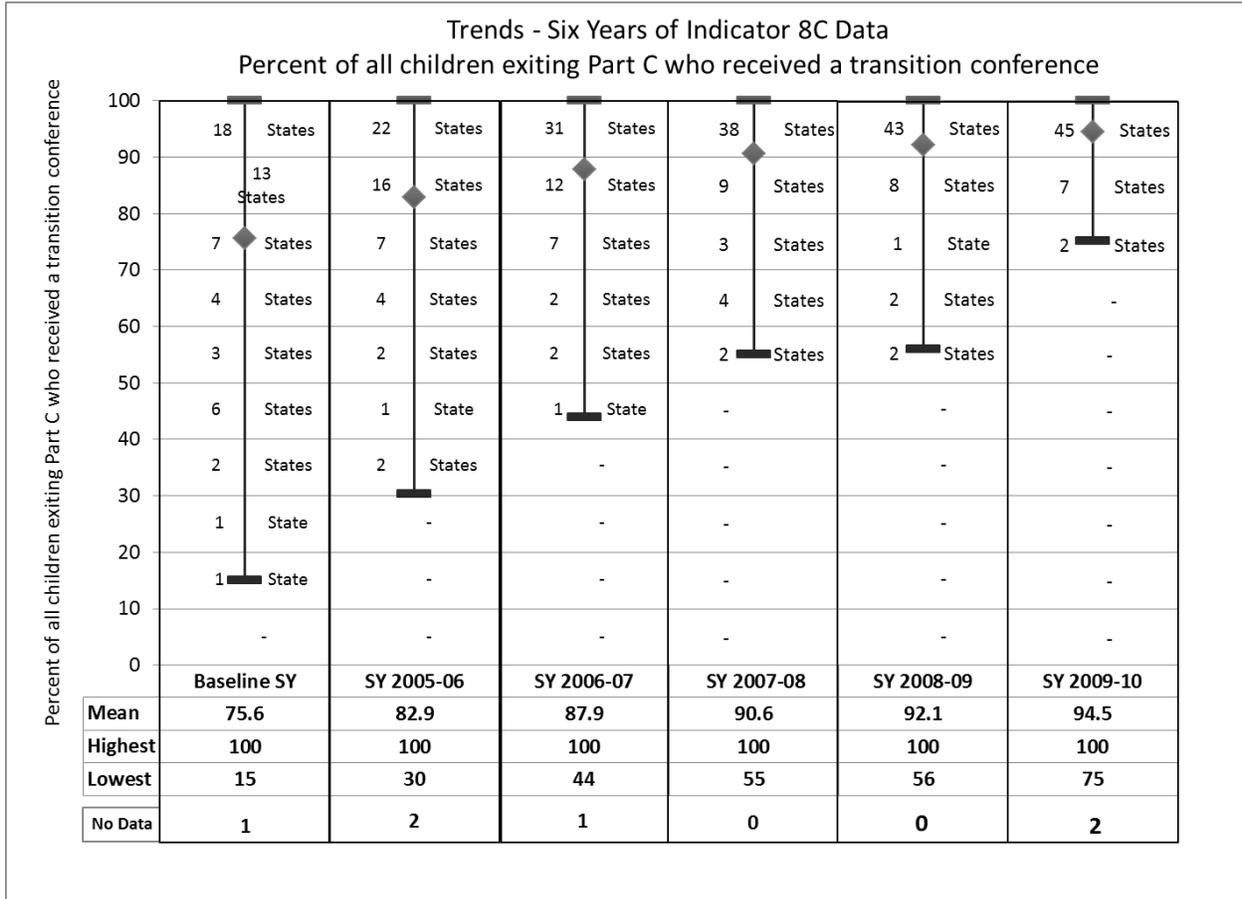
Figure 13



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

Although state performance on sub-indicator C8C (Transition Conference) remains the lowest of the sub-indicators, performance has improved the most over time compared to the other two sub-indicators (Figure 14). There has been a twelve percentage point increase in mean performance, from 83% in FFY 2005 to 95% in FFY 2009. This mean has steadily increased over time, and the lowest-performing state has increased markedly from 30% in FFY 2005 to 75% in FFY 2009. In FFY 2009, only two states reported performance below 80%, an improvement from 24 states at baseline. Of the 45 states reporting performance above 90%, eight states demonstrate full compliance, 23 states demonstrate performance above 95%, and the remaining 14 range from 90 - 95%.

Figure 14



*Numbers of states reported in trend figures in previous years may vary from this figure due to revised rounding protocols.

IMPROVEMENT ACTIVITIES

This section provides examples of improvement activities within the general categories of: Technical Assistance, Training, and Professional Development; Systems Administration and Monitoring; Policies and Procedures; Data Collection and Reporting; and Collaboration and Coordination. Many states described the same improvement activities for all three sub-indicators, so they are reported together here.

Technical Assistance, Training, and Professional Development

Training and technical assistance opportunities, often designed and conducted collaboratively, were provided at statewide meetings and conferences, as part of the monitoring process, at routinely required trainings, in conjunction with new policies or procedures, and at the request of local administration. A few states updated or created online training modules. Other featured activities include:

- Requiring Service Coordinators to complete an online training on transition

- Adding transition content to a required Service Coordinator competency test
- Requiring Service Coordinators to complete training on a new Part C procedure manual which included transition requirements and policies
- Requiring training prior to provider program enrollment in Part C
- Including transition requirements in staff orientation and training designed for new staff
- Transition mentors in Early Intervention Programs (EIPs) that meet routinely with staff to review timelines, requirements, and recommended practices

Systems Administration and Monitoring

Many states described the monitoring process and subsequent development and implementation of corrective practices to address issues of noncompliance. As a result of monitoring procedures, many local systems adopted processes of self-monitoring in the form of regularly scheduled reviews of data. Other featured activities include:

- Jointly supporting an “alert system” shared by Part C and Part B to allow local personnel to notify state staff of compliance issues unable to be resolved locally
- Using exit surveys used with families to gain input
- Monitoring the quality of IFSP outcomes in addition to documentation of required transition steps and services
- Including questions about transition in the family outcomes survey as part of a Data Quality TA Project
- Including at least one parent on monitoring teams for on-site visits
- Developing a new state-level task force to analyze strengths of and barriers to transition practices and the development of a plan for regional forums
- Requiring regional staff to determine program compliance before entering data into the state database

Collaboration and Coordination

Collaborative activities and coordination across programs were often mentioned. States reported a variety of collaborative activities with Part B, families, and other community stakeholders. Activities included training, the formulation of policies, clarification and understanding of transition processes, and the development, revision, and dissemination of training and guidance documents. Such documents included family information in the form of packets, booklets, and brochures as well as memorandums of agreement. Other featured activities include:

- Requiring and supporting the development of local interagency agreements between EIPs and LEAs statewide
- Providing state level TA and support to community transition teams
- Providing a transition brochure to all families during intake and when their children reach age two
- Using a checklist developed by the statewide transition project for annual monitoring and evaluation of interagency agreements

- Developing and implementing regional action plans for improving practices between Part C programs and LEAs
- Studying the feasibility of joint assessment of children at the local level and considering the use of forms to meet the needs of each program

Data Collection and Reporting

States reported a variety of activities to develop, refine, or maintain data collection and reporting capacity. Activities included electronic transfer of notification information (sub-indicator 8B) and the addition of “ticklers” or prompts for upcoming date-sensitive and child-specific requirements for transition. A few states reported the development and use of unique child identifiers and the inclusion of transition requirements in electronic IFSPs. Other featured activities include:

- Jointly supporting an “alert system” operated by Part C and Part B to allow local personnel to notify state staff of compliance issues. The system is maintained through a data sharing agreement to document alerts in a tracking log
- Using ARRA funds to improve and refine a statewide data system to include transition planning activities
- Routinely using a family survey to collect data on transition experiences
- Determining quality indicators for transition by surveying families on effective transition practices
- Using a child transition tracking form used by personnel in both the Part C and Part B programs

Policies and Procedures

Many states reported the completion of improvement activities related to clarification, revision, or development of policies and procedures or the creation of materials to communicate policy and procedures to both families and providers. Some states reported on Opt Out policy clarification and OSEP approval status. A few states described activities to define ‘potentially eligible’ children, clarify notification policies, and address the use of exceptional family circumstances. States also reported revisions, updates, and creation of new policies, handbooks, toolkits, and IFSP formats. Other featured activities include:

- Using a stakeholder process used to define ‘potentially eligible’
- Implementing a new direct referral process to LEAs for children referred to Part C after 34 months of age
- Implementing a new Part B policy requiring an LEA to respond within 10 days of a referral

Many of the states achieving and maintaining high performance described improvements in infrastructure, such as monitoring processes, data collection and

analysis, policy clarification, and training and TA. Many of these infrastructure supports have become routine and standard practice.

CONCLUSION

States have made significant progress in implementing the early childhood transition requirements of the IDEA as evidenced by the APR trend data described in this report. These positive data indicate increased state attention to ensuring every potentially eligible child and their family receives a coordinated, planned, supported, and timely transition to Part B services. Collaboration, a key practice for effective transition, is apparent in states' efforts to develop joint or coordinated policies and procedures, conduct training and TA, and utilize on-going, yet highly targeted general supervision and monitoring activities.

INDICATOR 9: TIMELY CORRECTION OF NONCOMPLIANCE

Prepared by DAC

INTRODUCTION

Indicator 9 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 "Percent of noncompliance corrected within one year of identification." The required target for this indicator is 100%.

States are required to describe the process for selecting local programs for monitoring. Additionally, states must provide the actual numbers used in the calculation and describe the results of the calculations, comparing them to the 100% target. All findings of noncompliance must be included regardless of the specific level of noncompliance. Monitoring data collected through all components of the general supervision system must be included and disaggregated by indicator and other areas of noncompliance.

States must demonstrate correction in accordance with OSEP Memorandum 09-02 and FAQs dated September 4, 2008. The instructions for the APR indicate that states are required to provide:

- Detailed information about the correction of noncompliance, including any revisions to general supervision procedures, technical assistance provided, and/or any enforcement actions taken;
- Information on the extent to which noncompliance was subsequently corrected (more than one year after identification); and
- Information on the nature of any continuing noncompliance, improvement activities completed, and any enforcement actions taken.

Overall, DAC reviewed 55 APRs for this summary. These included 49 states, the District of Columbia, and other jurisdictions eligible for and participating in the Part C program. One state had not submitted an APR for Part C at the time this analysis was being completed. In this summary, the term "state" will be used for any of these 55 entities. In some instances, there are fewer than 55 responses, and this is noted in the narrative.

ACTUAL (2009-10) TARGET DATA AS COMPARED TO 100 PERCENT TARGET

Of the 55 states reviewed, three states had not issued any findings in FFY 2008 and therefore had no data reported for Indicator 9. Of the remaining 52 states:

- Thirty states (58%) met the 100% target for 2009-10;
- Seven states (13%) reported performance between 90% to 99%;
- Nine states (17%) reported performance between 80% and 89%;
- Two states (4%) reported performance between 70% and 79%; and
- Four states (8%) reported performance less than 70%.

Progress and Slippage

Based on the Indicator 9 data reported in the APR, OSEP is able to determine whether each state has shown progress or slippage from the previous year. Included in this report are two visuals that reflect the progress states have made in meeting the 100% target.

Figure 1 is provided to demonstrate the continual progress in the number of states that have made gains in meeting the 100% requirement over the last several years. From 2005-06 to 2009-10, the mean of state's Indicator 9 performance has increased from 77% to 92%.

Figure 1

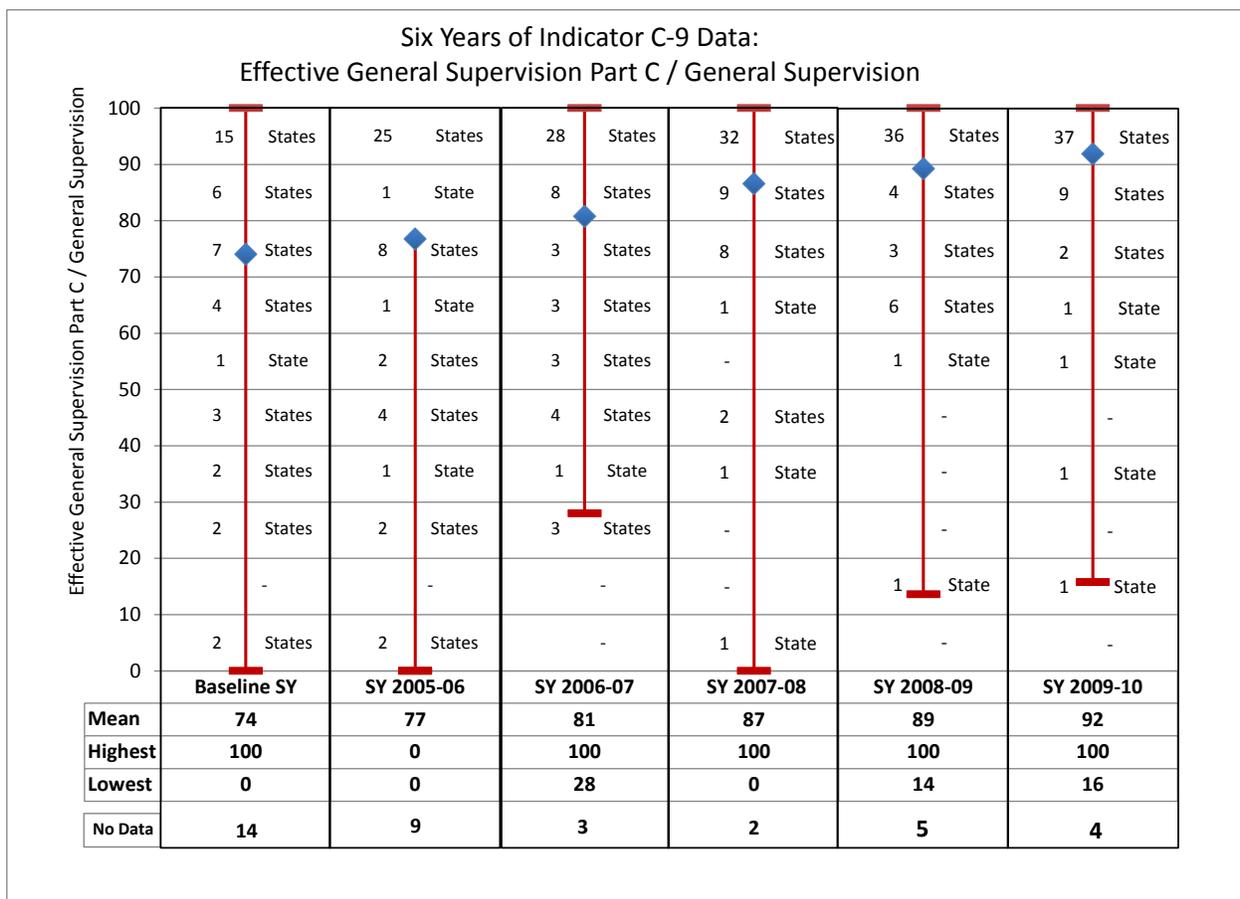
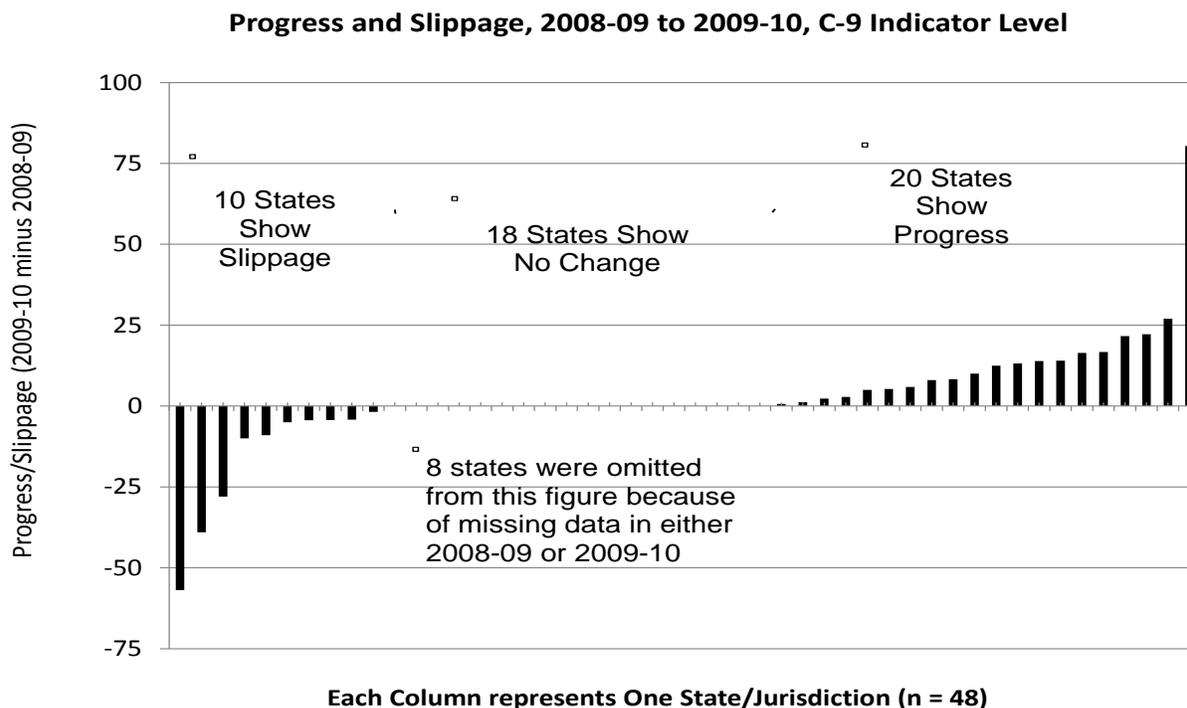


Figure 2 below depicts the number of states that showed progress in Indicator 9 performance, those states that had no change, and those that showed slippage from FFY 2008 to FFY 2009. Eight states were omitted from this analysis because of missing data in either FFY 2008 or FFY 2009. Of the forty-eight states in the analysis, eighteen states (38%) had no change in their performance in Indicator 9 from FFY 2008. Ten states (21%) had slippage from their FFY 2008 performance, while 20 (42%) states reported progress from FFY 2008 to FFY 2009.

Figure 2



States are asked to describe in each APR the reasons for progress and slippage. DAC analyzed these responses for this summary. It is important to note that this analysis reports on progress or slippage from the standpoint of each state's description. There was a great deal of variability in how states reported under this required category. In fact, some states did not use the terms "progress" or "slippage" at all. However, many states did provide narrative under this category that could be characterized as a description of progress or slippage. In those instances, this analysis summarizes those descriptions.

Eighteen states reported no change in Indicator 9 performance in FFY 2009. DAC completed an analysis of the 30 states that reported progress or slippage from FFY 2008 to FFY 2009. Of these 30 states, 21 states described reasons for progress or slippage.

In general, the descriptions of progress were related to:

- Enhancements to state data systems that allow individuals at the state and local levels to regularly track performance to ensure progress and correction;
- Development and use of online tools to track correction throughout the time the finding is open and facilitate intervention as needed if correction is not on track; and
- Changes in staffing to allow more state capacity to ensure correction and assist locals in the correction process as needed.

Descriptions of reasons for slippage included:

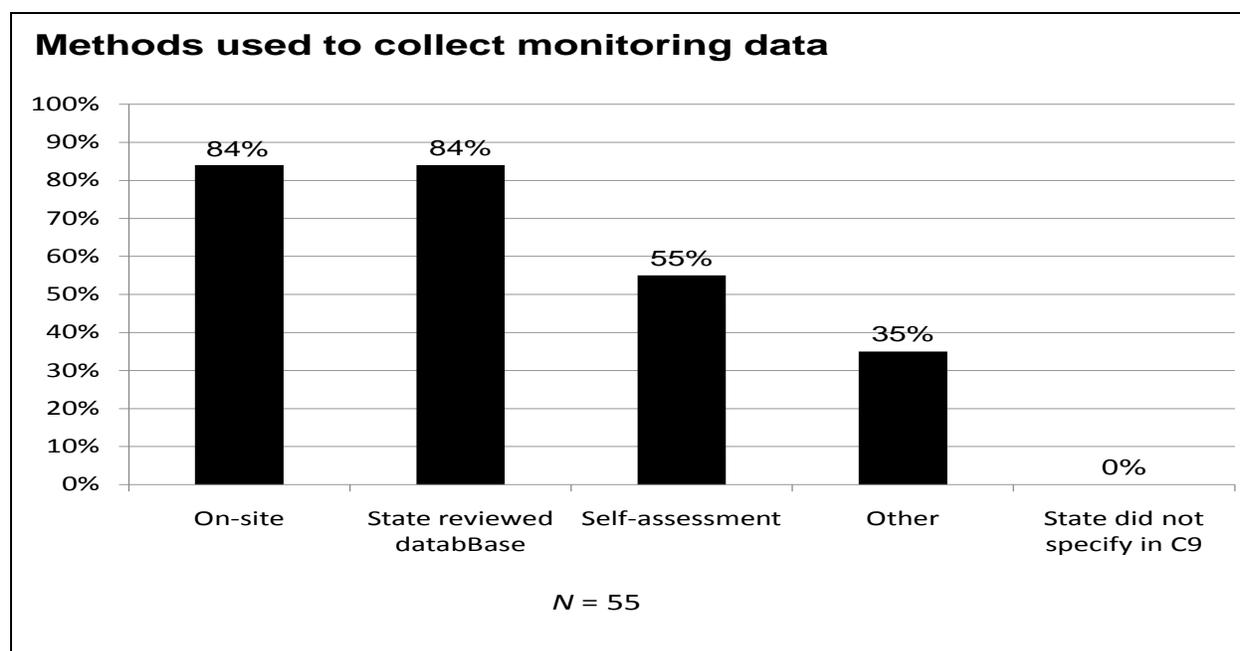
- Fiscal issues resulting in difficulty in having adequate numbers of personnel available;
- Shortages of qualified personnel and turnover of personnel;
- Fewer findings issued, resulting in each finding not corrected having greater impact on percentage of correction; and
- Discussions of specific local programs that had longstanding compliance issues that affected state performance and the steps taken to ensure correction of this noncompliance, although late.

METHODS USED TO COLLECT MONITORING DATA

DAC reviewed Indicator 9 for the 55 states that submitted APRs to identify the methods states used to collect monitoring data. All 55 states provided a description of their data collection processes. Almost all states reported more than one activity to collect monitoring data, and most states seemed to be describing their complete monitoring system.

The figure below describes the extent to which states reported use of specific monitoring methods in Indicator 9. The most frequently reported methods used were on-site monitoring and state review of the state database. Eighty-four percent of states reported using on-site monitoring, and 84% also reported using the state's database to collect monitoring data. The next most frequently reported method, at 55% of states, was self-assessment. Thirty-five percent of states reported using other monitoring activities, including fiscal monitoring, use of local APR process, and Medicaid monitoring.

Figure 3



VERIFYING CORRECTION OF NONCOMPLIANCE

Due to the increased importance being placed on verifying the correction of noncompliance, DAC reviewed the 55 APRs to identify how states reported on the process used to verify correction in accordance with OSEP Memorandum 09-02 and the FAQ from September 2008. From FFY 2006 to FFY 2009, there has been a significant increase in the number of states reporting how correction of noncompliance was verified. In FFY 2009, all 55 states (100%) reported one or more methods for verifying correction as compared to FFY 2006, in which only 24 states (43%) reported verification of correction methods.

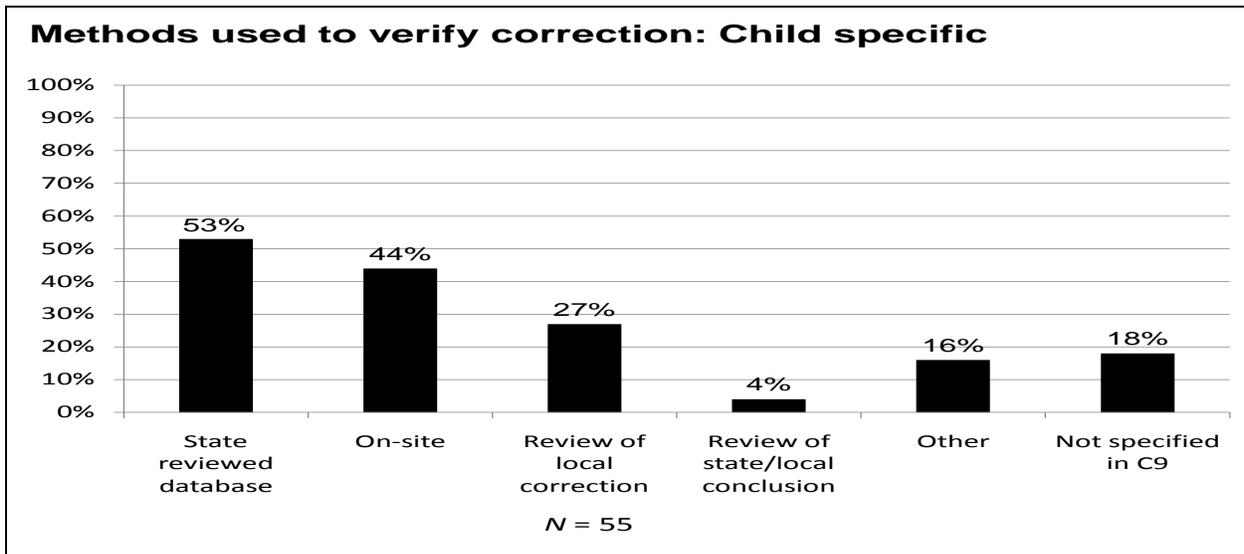
Since the FFY 2008 APR was submitted, OSEP provided additional clarification on the procedures required under OSEP Memorandum 09-02 to ensure verification of correction of noncompliance. Two distinct steps are required that are referred to as “prongs.” The first prong of correction is to ensure that the local program/agency has corrected each individual case of noncompliance identified. The second prong is to ensure that the local program/agency is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance), based on the state’s review of updated data.

DAC analyzed the FFY 2009 Indicator 9 submissions to identify the methods states use to verify both required prongs of correction.

Verifying Correction of Child Specific Noncompliance

The most frequently reported methods of verification under prong one were state review of the state database and on-site monitoring. Fifty-three percent of states reported using the state’s database to verify correction, while 44% of states reported using on-site monitoring to verify correction. The next most frequently reported method, at 27%, was a state’s review of local correction data submitted. In addition, about 4% of states reported reviewing locally completed child record review forms or local statements of conclusion that correction had occurred. Sixteen percent of states described other activities used to verify child-specific correction, including self-assessment, review of billing records, interviewing providers to verify their understanding of the requirements, and reviewing revised policies and procedures. Ten states (18%) did not specify in Indicator 9 how prong one of correction was verified.

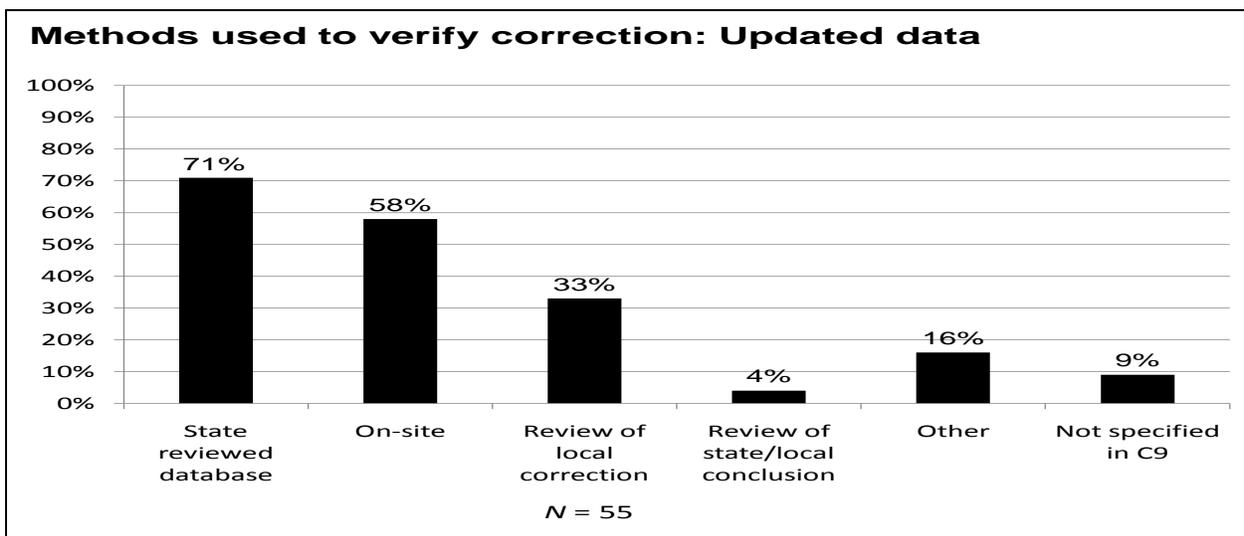
Figure 4



Verifying Compliance of Updated Data

The most frequently reported methods for completing prong two of correction were the state review of the state database and on-site monitoring. Seventy-one percent of states reported using the state's database to verify correction, while 58% of states reported using on-site monitoring to verify correction. The next most frequently reported method, at 33%, was a state's review of local correction data submitted. In addition, 4% of states reported reviewing locally completed child record review forms or local statements of conclusion that correction had occurred. Sixteen percent of states described other activities used to verify correction, including review of claims data and billing records, self-assessment data, interviewing providers to verify their understanding of the requirements, and reviewing revised policies and procedures. Five states (9%) did not specify in C9 how prong two of correction was verified.

Figure 5



IMPROVEMENT ACTIVITIES

DAC reviewed the improvement activities reported in Indicator 9 by the 55 states. For this review, DAC selected improvement activities that appeared to be making a difference, having a particular effect, or that were considered promising practices. Ongoing or routine activities, while important, were not selected for this review. Six states identified improvement activities that may be helpful to other states. In these instances, the state name is provided so states can be contacted for additional information.

It should be noted that states did not always characterize actions or steps taken as improvement activities, but any state descriptions that seemed to reference meaningful actions or steps toward improvement are included in this analysis. The selected improvement activities included:

- Iowa initiated a new Family-Centered Service Coordination Competency-Based Training Program for new service coordinators. Five training modules address federal requirements on procedural safeguards, State policies and procedures, and best practices designed to ensure that service coordinators have the core competencies needed to provide high-quality services to families.
- Minnesota used the State's web-based monitoring system to track correction of child-specific noncompliance as well as review of subsequent data. The system also is used to issue and track completion of the Corrective Action Plan (CAP), which facilitated communication between State and local staff about approval of the CAP, due dates, and required evidence of correction. A Web-Ex training module is available for locals to use to prepare for and participate in monitoring activities.
- Massachusetts has been using an on-site focused monitoring process for a number of years. This year, based on stakeholder input, the State focused on-site efforts to help analyze data related to issues the State is facing in ensuring that children served are eligible and that service decisions are being made appropriately through the IFSP at the program level. Local programs were selected for on-site visits based on a number of factors, including programs with highest and lowest percentage of children found eligible under informed clinical opinion, percentage of children receiving services who were not eligible, and comparison of units of services provided and number of children served.
- Missouri has completed training and technical assistance for all regional Single Points of Entry (SPOEs) on the State's IFSP Quality Indicators Rating Scale (QIRS) and expectation for its use. The tool was designed to monitor compliance as well as quality factors in an IFSP. SPOE contracts require each region to score in the "acceptable" to "high-quality range" or liquidated damages are applied to the following year's contract. According to the State's APR, this effort was "intended to ensure that all children and families receive high quality intervention services through the First Steps program."

- New Hampshire responded to a personnel shortage challenge in meeting requirements by creating a new “Early Interventionist” credential for those with a bachelor’s degree in related fields with experience working in early intervention. As a result, five new staff are now available in the State to conduct evaluations and provide services.
- Tennessee made efforts to strengthen and support supervisory positions, including developing measurable job plans and conducting training. Performance measures for service coordinators (e.g., timely eligibility decisions, timely IFSP reviews, timely transition conferences) were linked to performance measures for supervisory personnel.

CONCLUSIONS

Overall, DAC reviewed 55 APRs for this Indicator 9 summary. This included 49 states, the District of Columbia, and other jurisdictions eligible for and participating in the Part C Program. One state had not submitted its APR as this analysis was completed. In 2009-2010, progress continued to be made by states in the timely correction of noncompliance. Fifty-eight percent of states met the 100% target for 2009 as compared to only 43% of states in 2008. In fact, 71% of states reported performance between 90 and 100 percent.

There remains variability in how states address progress or slippage in the APRs. Of the 30 states that had progress or slippage, 21 states provided some description of the reasons for change in the FFY 2009 performance report.

In this APR cycle, states continued to report on the use of monitoring methods. These methods included use of on-site monitoring visits, state review of state data systems, and use of self-assessment. Comparing states’ reporting of monitoring methods from FFY 2008 to FFY 2009, the use of on-site monitoring increased by about 9 percentage points, and the state review of states’ databases increased by 11 percentage points. The use of self-assessment remained the same.

Since the FFY 2008 APR was submitted, OSEP provided additional clarification on the procedures required under OSEP Memorandum 09-02 to ensure verification of correction of noncompliance. This analysis reviewed states’ methods for correction of prong one, child-specific noncompliance as well as methods for review of prong two, the review of subsequent data. According to this year’s analysis, most states are reporting the methods used for verification of noncompliance.

For prong one, the review of child-specific correction, 53% of states reported using state review of data systems. Forty-four percent (used on-site review for prong one and 27% reviewed local correction data submitted. Eighteen percent of states did not specify what method was used to verify under prong one.

For prong two, the review of subsequent child records, 71% of states reported using state review of data systems. Fifty-eight percent used on-site review for prong two, and

33% reviewed local correction data submitted. Nine percent of states did not specify what method was used to verify under prong two.

DAC reviewed the improvement activities reported in Indicator 9 by the 55 states. For this review, DAC selected improvement activities that appeared to be making a difference, having a particular effect or that were considered promising practices. Ongoing or routine activities, while important, were not selected for this review. Six states were identified with improvement activities that may be helpful to other states. Their names are provided above so they can be contacted for additional information.

Some of the improvement activities frequently discussed by states were enhanced data systems, development of online tracking systems for correction of noncompliance, realignment, changes in staffing to facilitate timely correction, changes in personnel standards, changes in personnel supervisory performance measures, and changes in mentoring procedures and training activities.

INDICATORS 10, 11, 12 AND 13: DISPUTE RESOLUTION UNDER PART C

Prepared by CADRE

INTRODUCTION

The Individuals with Disabilities Education Improvement Act (IDEA 04) requires that states, in order to be eligible for a grant under Part C, must provide three dispute resolution options to assist parents and schools to resolve disputes: written state complaints; mediation; and due process complaints (hearings). IDEA 04 expanded the use of mediation to allow parties to resolve disputes involving any matter under IDEA. In addition, IDEA 04 added a new “resolution process” whenever a due process complaint is filed following Part B due process procedures, to provide parents and schools a more informal setting in which to reach a settlement and avoid the cost and stress of a fully adjudicated hearing. These additions to the statute reflect the Congressional preference expressed at 20 U.S.C. 1401(c)(8) for the early identification and resolution of disputes: “Parents and schools should be given expanded opportunities to resolve their disagreements in positive and constructive approaches.”

States are also required to report annually to the Office of Special Education Programs (OSEP), US Department of Education, on their compliance with and performance in key areas of the Law. This document is a summary and analysis of the FFY 2009 State Annual Performance Reports for the dispute resolution indicators under Part C. These include:

- **Indicator 10:** Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
- **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).
- **Indicator 13:** Percent of mediations held that resulted in mediation agreements.

In addition to these required procedures, many states offer informal “early dispute resolution” processes intended to diffuse and resolve disagreements before they reach the level requiring a formal process. These alternative dispute resolution approaches are particularly important in Part C programs, because there is minimal formal activity under the required procedures. This summary addresses state performance on the required dispute resolution processes, as well as information provided by the states on early resolution options. CADRE’s approach to technical assistance and performance improvement is systemic – focusing on all dispute resolution areas and emphasizing early resolution and conflict management processes. That orientation is reflected in this combined report on the four indicators.

DATA SOURCES/MEASUREMENT APPROACHES

The main document sources for this report are the FFY 2009 (2009-10) Part C Annual Performance Reports submitted to OSEP on February 1, 2011, and the “clarification reports” submitted by 55 states/entities as of April, 2011. One state had not submitted the required APR at the time this analysis was completed. For comparison purposes, this report also draws on past APRs, specifically on indicator performance and other state data from prior years.

Beginning with 2002-03, states reported dispute resolution activity to OSEP, first as “Attachment 1” to their Annual Performance Reports and later as “Table 4” in these reports. CADRE has maintained, since the beginning of this data collection, a National Longitudinal Dispute Resolution Database. IDEA 04 required, as of FFY 2006, that this data collection be managed under the “Section 618” data collection provisions of the statute. For the past four years, the required data have been reported to the Westat/Data Accountability Center (DAC). CADRE receives dispute resolution data from DAC after it has been verified for publication in OSEP’s Annual Report to Congress. States are no longer required to include a copy of Table 4 with their APRs. As a result, only the indicator values themselves can be analyzed for change through 2009-10. Some CADRE longitudinal data are referenced in portions of this report in order to demonstrate change over time in state compliance and performance on these indicators through 2008-09. Otherwise, all data reported in this summary are drawn from the current state APRs. Other CADRE records regarding state dispute resolution systems were drawn from for the final section on recommendations.

ACTUAL PERFORMANCE FOR FFY 2009

State Part C programs have a very different history and experience with dispute resolution than Part B programs under IDEA. While the requirements for dispute resolution are largely the same, the rate of Part C formal dispute resolution activity is nonexistent or infrequent in most states.

Part C Dispute Resolution Activity 2003-04 to the Present:

Fifty-five (55) states and entities submitted Part C Annual Performance Reports and/or clarifications in 2011. Most Part C programs reported little or no dispute resolution activity. The number of states reporting some activity for 2009-10 was highest for Written State Complaints (22 states reported at least one complaint report completed). The number of states using Mediation tapered off in 2009-10 (11 states held at least one mediation in 2009-10). Fully adjudicated Due Process Hearings occurred in only a few states (four states in both 2008-09 and 2009-10). Table 1 displays the number of states reporting dispute resolution activity across five years.

Table 1

States Reporting Data by Indicator – Five Year
(based on APR reports submitted)

	2005-06	2006-07	2007-08	2008-09	2009-10
Indicator 10	25	30	26	28	22
Indicator 11	6	5	6	4	4
Indicator 12*	0	0	0	2	0
Indicator 13	10	7	11	16	11

* Indicator 12 applies only in states adopting Part B due process complaint procedures

In order to calculate an indicator value, a state must complete a complaint report, hold a fully adjudicated hearing, conduct a resolution meeting, or hold a mediation. Since state written complaint filings, due process complaints, and mediation requests do not necessarily result in a complaint report, hearing, or mediation held, the indicator activity reported above does not reflect the number of states with dispute resolution request activity reported in 618 data submitted. Table 2 below shows the number of states reporting any activity for this APR submission and for years prior to this submission.

Table 2

Number of States That Report At Least One Dispute Resolution Activity by Year

	Complaint Filed	Report Issued	Mediation Held	Mediation Agreement	Hearing Request	Hearing Held
2003-04	23	22	13	9	9	3
2004-05	33	22	12	12	13	5
2005-06	29	25	10	10	10	4
2006-07	29	25	10	10	12	5
2007-08	29	27	10	10	10	6
2008-09	31	26	18	14	13	4
2009-10*	≥25	22	11	8	≥8	4

* Based on APR reporting for 2009-10; prior years of data are based on 618 data reported by states to the Data Accountability Center

Across these seven years, 44 states have reported at least one Part C complaint filing; for nine of these states it was a single event in one year. Over the same period, 40 states completed at least one written complaint report; again, for nine of these states it was a single report. Other types of dispute resolution activity have been present in far fewer states. While 15 states reported at least one fully adjudicated hearing between 2003-04 and 2009-10, ten of these states held only one or two hearings over this seven year period. Three large states account for 83% of all due process hearing activity, while one of these states accounts for two-thirds of all Part C hearings held in this seven

year period. In any given year, most states have no dispute resolution activity, with the exception of complaints filed. The number of states having Part C dispute resolution activities, however, remains relatively stable. For 2009-10, more complete dispute resolution data cannot be consistently determined (these data will not be published until Fall 2011). Table 3 (below) summarizes the numbers of reported dispute resolution events under Part C for the years 2003-04 through 2009-10. The increase in 2008-09 in complaints filed is largely attributable to substantial increases in three states. However, 14 states saw fewer complaints in 2008-09 than in 2007-08, while 19 states saw increases.

Table 3

Summary of Reported Part C Dispute Resolution Events Per Year

	Written State Complaints	Complaint Reports Issued	Mediations Held	Mediation Agreements	Due Process Complaints	DP Hearings Held
2003-04	180	138	51	32	186	13
2004-05	173	108	57	37	200	24
2005-06	176	123	70	69	135	17
2006-07	169	120	78	76	112	15
2007-08	195	151	83	77	111	18
2008-09	238	163	103	91	206	17
2009-10*	≥181	124	94	79	≥255	48
Total	≥1,312	927	536	461	≥1,205	152

* Estimates based on data provided in 2009-10 APRs (written state complaints and due process complaints filed are not uniformly reported in the APR)

Part C due process requirements vary depending on whether the state has adopted Part C or Part B due process timeline requirements. While many states use the same agency to conduct due process hearings (e.g., a State Office of Administrative Hearings may operate both the Part B and Part C due process system), it is a state option to follow one of three due process timeline options.

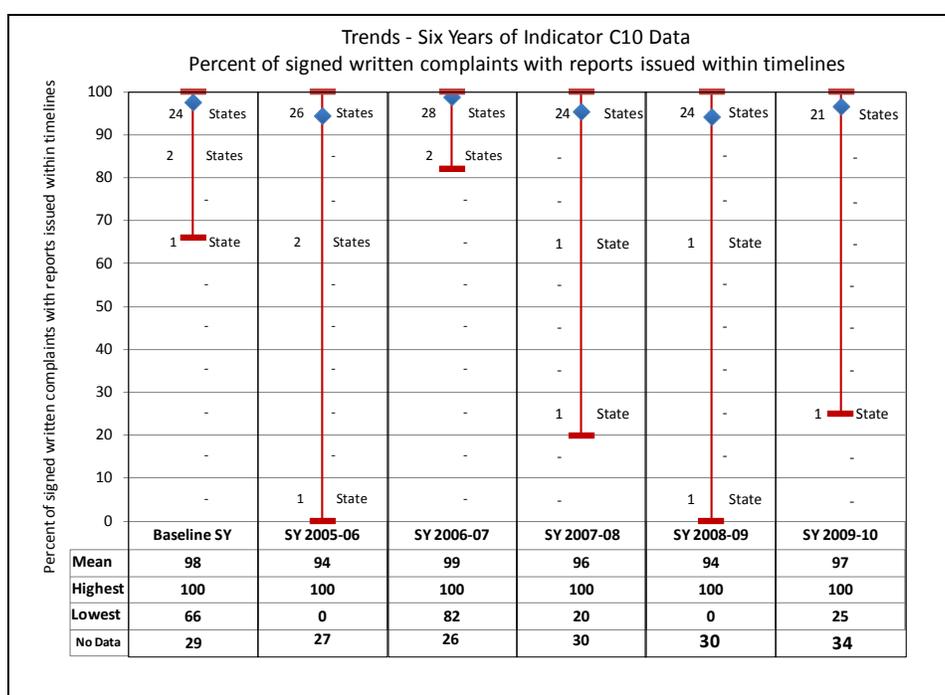
In the 2009-10 Indicator 12 reports, 36 states indicated that they adopted Part C 30 day procedures; 12 states reported that they operated under Part B 45 day procedures; two states adopted Part B 30 day procedures. The five remaining states' procedures were not clearly reported. State reporting on the election of timelines has been inconsistent in both APR reports and in Section 618 reporting. Over the course of the past four years a total of 22 different states have either directly noted that they use Part B procedures or implied it by reporting on resolution meeting activity in their Section 618 data. On the other hand, no resolution meetings were reported held in 2009-10 APRs. If this is accurate, resolution meetings continue to be from rare to non-existent in Part C programs.

PROGRESS, SLIPPAGE AND SIX-YEAR TRENDS

State Written Complaints

Few states have more than ten dispute resolution events of any type in any year. While OSEP summarizes *compliance data* for Indicators 10 and 11, they have not used dispute resolution indicators to make *compliance determinations* of “needs assistance” for Part C programs. Figure 1 is a display of the states that have had activity over the past six years (the “baseline year” was 2004-05). The top band on this display shows the number of states with Indicator 10 values between 90% and 100% for each year, with the number of states at other “10%” band ranges indicated. All of the states shown in the 90% to 100% band had Indicator 10 values of 100%.

Figure 1



Most states seem to have achieved compliance for written state complaints when they have activity. The number of states failing to achieve 100% for this indicator has varied from one to three over these six years. States not achieving compliance tend to be the larger states and among those with the most overall dispute resolution activity.

Due Process Complaints (& Hearings)

Table 4 displays the number of states achieving or falling short of achieving compliance with hearings timelines based on APR data from 2005-06 through 2008-09. While most states with activity meet compliance standards for timely hearings, both larger, more active states and smaller states with rare activity are among those that have had difficulty achieving compliance. Many Part C programs operate their due process

systems through the same entity that manages their state's Part B due process activity. Problems endemic to those systems may be exacerbated by misunderstood differences in requirements for the Part C timelines.

Table 4

Number of States Achieving and Not Achieving Indicator 11 Compliance

	2005-06	2006-07	2007-08	2008-09	2009-10
Indicator 11 = 100%	2	5	5	2	3
Indicator 11 < 100%	2	0	1	2	1
No Hearing Activity	52	51	50	52	52

Only four states held due process hearings during 2009-2010. All were states that have adopted 30 Day Part C due process procedures. All are relatively large states with Part C child counts of more than 10,000. A total of 48 hearings were held, with one state accounting for 44 of those hearings. Eight states reported receiving due process complaints, but four of these had settlements that resulted in the withdrawal of the requests. Eight states clearly reported on due process complaints filed. Together, they accounted for a total of 255 filings. Of these, 245 were from a single large state. Thus, due process complaints are not distributed across states in any predictable form except that larger states are more likely to receive them.

Resolution Meeting Activity

No Part C program held a resolution meeting in 2009-10. Indicator 12 applies only to those states that adopt Part B due process (DP) complaint timelines. Seventeen states either explicitly or implicitly suggested that they could hold resolution meetings if they had DP complaints filed (that is, they say they adopted Part B timelines, or they say they did not have resolution meetings because they didn't have DP requests). This exceeds the number of states that have indicated that they adopted Part B procedures in their Section 618 data reports. CADRE estimates only about a dozen states operate under Part B timelines. Again, CADRE believes that these reports are neither reliable nor consistently reported across years.

Mediation

Eleven states reported a total of 94 mediations held in 2009-10, yielding 79 mediation agreements. These 11 states include six of the seven largest states (by population) and are all among the largest 19 states nationally. Eight of these states reported holding only one mediation and one state held two, while two large states accounted for 89% of all Part C mediations held. The eight states with mediation activity represent just over 50% of the national Part C child count. Only a handful of states not holding mediations reported any mediation requests, although it is not possible (absent Table 4 data) to say whether other states had requests that were either not held or that were pending as of

June 30, 2010. Also, states do not consistently distinguish due process related mediations from those not related to due process, so the relative use of mediation in due process cannot be determined. Where states do distinguish due process related mediations from other mediations, almost all the Part C mediations they held were due process related.

Figure 2

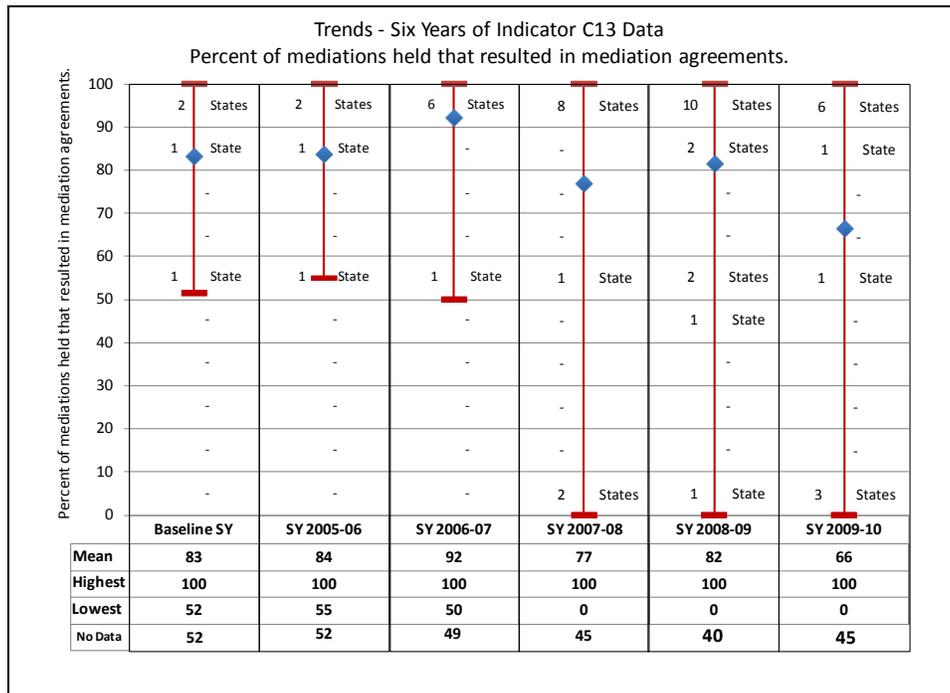


Figure 2 displays the range of mediation agreement rates present in states holding mediations during the past six years (again, baseline was 2004-05). The “Mean” indicator value is the mean of states reported values, not a mean of all mediations held. As a result, the three states who had no agreements (each with only one mediation) draw down the average. The total number of mediations reported across states (94) and the total number of agreements (79) yield a mean national mediation agreement rate of 84% (a “total activity Indicator 13”). For the prior five years, the national mediation agreement rates averaged over 90%. As indicated above, most mediations under Part C are due process related, unlike in the Part B program where due process mediations are the smaller proportion of mediations held. Part B due process related mediation agreement rates are also much lower.

Mediation may be a more natural formal process for dispute resolution in Part C programs. While a few states have seen some due process hearing activity, differences in the Part C and Part B programs may encourage more collaborative conflict resolution approaches in Part C. This seems to be reflected in the results achieved by states where mediation has been used.

IMPROVEMENT ACTIVITIES

Overview of trends in improvement activities

OSEP has created a taxonomy of improvement activities that serve to describe what any system would have in place in order to administer and manage the work necessary to any indicator area. The 12 improvement activity areas are outlined below as they apply to dispute resolution system management (the final three have been added by CADRE):

- Data collection and reporting (issues, process, and outcome tracking)
- Systems administration and monitoring (tracking timelines, ensuring timeliness)
- Systems and infrastructures of technical assistance and support (assignment or contracting of personnel and resources to deliver training, TA, and support)
- Provision of technical assistance/training/professional development (to state staff, local providers, practitioners, and partners)
- Policies and procedures (process guidance for practitioners, providers, and participants in dispute resolution options)
- Program development (state initiatives, implementation of new processes)
- Collaboration/coordination with other organizations (Parent Training and Information Center (PTI) and other organization collaboration, joint training)
- Evaluation of improvement processes and outcomes (participant satisfaction with process/outcomes, durability of agreements)
- Staffing/resource allocation/recruitment and retention (capacity to adjust assignments based on demand)
- Public Awareness/Outreach (print materials, web support; to parents/families, providers)
- Support of upstream or early resolution processes (prevention, early resolution processes)
- Stakeholder engagement (in design, implementation, and evaluation of dispute resolution)

To some extent, all these areas evidence some reporting by states in their APRs and SPPs. Most often the APRs lack sufficient detail to understand how a state approaches these areas. “Annual training”, or “data tracking system” lack specificity to inform readers or this summary of much that would be useful to others. In many states, the information on improvement strategies is “boilerplate” language, usually brief and often the same wording for all four dispute resolution indicators. In addition, because so many states have little or no activity in Part C dispute resolution, some APRs and SPPs contain no information on improvement activities (e.g., one state noted directly, if not quite accurately, “The state is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediations were held.”). Whether or not

states report on any of these “improvement strategies,” if they have a “system of dispute resolution,” they must have activities in each of these 12 areas.

Highlights of promising or successful strategies

Accepting that the information provided in many reports is limited, below we have highlighted five areas where a number of states have provided more specific information on what appear to be successful improvement activities. Most of the states referenced have some level of formal dispute resolution activity, although states with no activity who maintain a strong focus on prevention are also included.

“Concern Systems”

At least seven states (AL, KS, MT, NJ, PA, SC, and UT) report having systems that respond quickly to “concerns” or “issues” raised by families, often obviating the need for a more formal dispute resolution process. In the absence of a common descriptor for these processes, we have labeled these “Concern Systems.” These systems are characterized by their proactive attention to parent concerns, usually with multiple avenues for expressing concerns (web forms, hotlines), systematic tracking of the concerns (both at local/regional and state levels), and a timely response when a concern is expressed. Some states indicate a turn-around time of 48 hours or less, often with emphasis on easily reconvening an IFSP meeting (or facilitated IFSP) as a first step. Other local responses to expressed concerns in these systems include conferences with supervisors and state staff serving as intermediaries (either on site or by phone) to work with the family and provider to resolve the concern.

Data Systems and Review

Many states mention data collection as a part of their systems. In some cases these appear to focus primarily on the required processes and on timelines management. While process/timeline management is clearly essential, at least four states (AL, KS, MT, PA) describe going beyond that, gathering information on issues (or “concerns”) raised at any level of the DR system, and reviewing and using this information periodically. Such reviews can support planning targeted technical assistance to providers, training and information to parents, monitoring efforts, and other forms of assistance to local providers and families.

Parent Organization Collaboration

At least seven states (AK, AL, IA, MS, NE, WI, WY) noted collaborations with their PTI or other parent organizations. These collaborations provide training or support to parents in the resolution of disputes and in the use of available dispute resolution options, including early resolution options. The use of parents as co-trainers in parent and provider training was described by several states as helpful in encouraging appropriate use of dispute resolution options and a preference for local resolution of issues.

Focusing on Parent Rights

At least six states report that they focus specific efforts on ensuring that parents know their rights. Strategies include new Parent Rights Brochures (AK, CA), funding a parent support center (IN, WI), or providing new online resources (MA, MO). Several states reported using their Indicator 4A survey, which assesses how familiar parents are with their rights, to guide their outreach efforts to parents. (While it is tempting to use parent awareness as an explanation for the presence, absence, increase, or decrease in the use of formal dispute resolution options, we can find no relationship.)

Stakeholder Engagement

At least four states (AK, AZ, ME, OR) actively involve stakeholders in their dispute resolution system oversight. Types of engagement included holding monthly or quarterly reviews of formal dispute resolution activity, reviewing concerns and issues raised by parents, and recommending actions.

Assigning Staff Based on Workload

Several larger states (AZ, IL, MN, NY) reported that they adjusted staff assignments in order to accommodate changes in demand and meet timeline requirements, particularly in the area of Written State Complaints. Other states noted that their inability to meet timelines was the result of demand swings and the inability to staff to meet them.

CONCLUSION AND RECOMMENDATIONS

Part C programs, as a whole, experience relatively little formal dispute resolution activity. Many states – most in some years – have no formal activity at all. Larger states, understandably, are more likely to have formal requests for dispute resolution. A few states have had problems during one of the last several years with meeting timelines for written complaints and the conduct of due process hearings. By and large compliance with timelines is not an issue in Part C. In 2009-10, for example, 21 states completed all their complaint reports on time and only one state failed to do so.

Most of the real “dispute resolution” activity in Part C occurs outside the required formal processes and is accommodated through the IFSP process, “concern systems” or other preventative processes for resolving disputes. The reporting on these non-required, preventative processes is inconsistent at best and generally lacks specific detail.

After review, CADRE recommends that states focus improvement in these areas:

- **A structured “concern system”** – parents should be able to raise concerns they have about their child’s program easily, through multiple channels (local and state); response to parent concerns should be timely (a day or two for initial response; less than a week or two for most resolutions); a reporting system for tracking concerns raised and how they were resolved should provide the state office with information they can use for improvement efforts.

- **A range of “alternative dispute resolution” (ADR) forums**, starting with easy-to-reconvene IFSPs. Additional ADR approaches can include facilitated IFSPs (where an outside neutral can assist the parties to work effectively where relationships may be frayed), telephone intermediary/ombuds role using trained staff who can quickly get both parties on the phone early in a possible conflict to work through to a resolution. Levels of appeal (e.g., through IFSP Coordinators, to local program supervisors, to regional supervisors, to the state office) are almost a given, but states should recognize that such “chains” of appeal can feel like “passing the buck” to the user. Ways to go straight to the Lead Agency with a concern can help prevent frustrations that may lead to more formal, contentious disputes.
- **A data system** that tracks both processes/timelines for the required dispute resolution options and that keeps track of issues/concerns raised in both required and non-required processes. Information from such a system should be reviewed and used for improvement planning by state staff and stakeholders at least quarterly.
- **Collaborative relationships and flexibility for accommodating infrequent dispute resolution activity.** Planning and maintaining a formal dispute resolution system for events that may happen less than once a year is a challenge for many, perhaps for most states. For state written complaints, it is almost assured that some state staff will be involved in any investigation and report, necessitating some flexibility in staff assignment. Where the SEA is the lead agency, this may be less a problem. Where the lead agency is not education, some states contract with the same organization that manages Part B activity. Some states (both within the Part B and Part C programs) contract with centers that specialize in dispute resolution (mediation, hearing systems).

CADRE welcomes any inquiry for information or assistance that could help improve state Part C dispute resolution system performance. Access us through:

Website: <http://www.directionservice.org/cadre/>

Email: cadre@directionservice.org

Phone: 541-686-5060

INDICATOR 14: TIMELY AND ACCURATE DATA

Prepared by DAC

INTRODUCTION

Indicator 14 measures the timeliness and accuracy of state-reported data (618 and SPP/APR-616). The data source for this indicator is state selected and includes data from the state data system as well as technical assistance and monitoring systems.

Measurement of this indicator is defined in the SPP/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, and settings; 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).

OSEP has developed a rubric to measure the timeliness and accuracy of 616 and 618 data submitted by states. Use of this rubric was mandatory for FFY 2009 APR submissions.

The Data Accountability Center (DAC) reviewed a total of 55 FFY 2009 APRs. These included the 49 states, District of Columbia, and other jurisdictions eligible for and participating in the Part C program. One state had not submit an APR at the time this analysis was completed. (For purposes of this discussion, all of these will be referred to as states, unless otherwise noted.)

ACTUAL PERFORMANCE FOR FFY 2009

Analysis of the actual target data as reported by states indicates:

- Forty-eight (87%) states reported that their data were 100% accurate;
- Seven states (13%) reported accuracy between 90 and 99%.

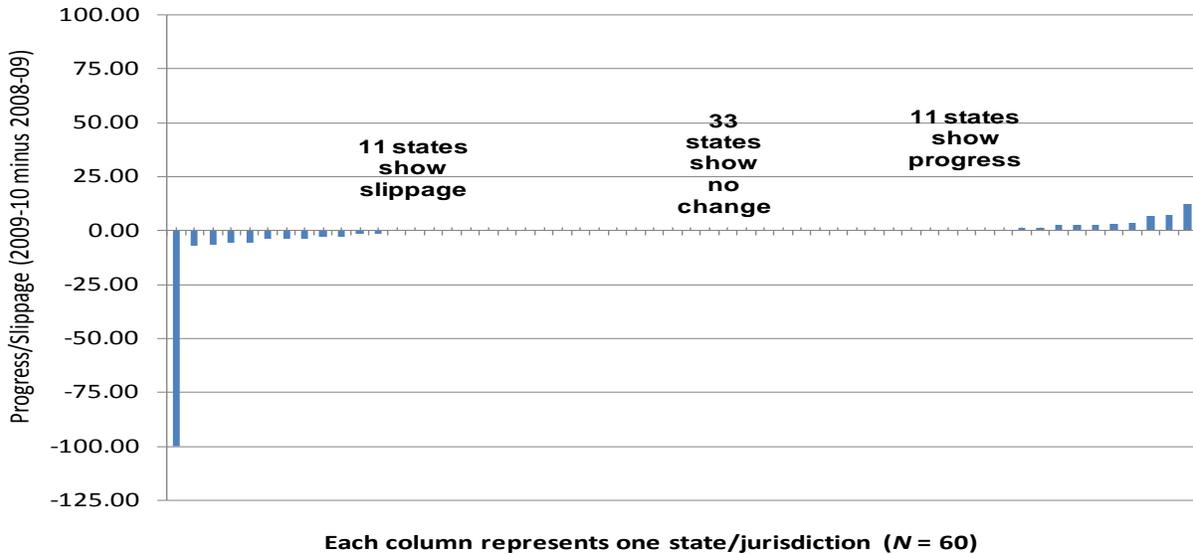
The remainder of this analysis focused on three elements: (1) states' descriptions of progress and/or slippage, (2) descriptions of how states ensured timely and accurate data, and (3) states' improvement activities.

PROGRESS AND/OR SLIPPAGE

The majority of states (33 states or 60%) reported that they had maintained compliance. Eleven states (20%) reported progress, and eleven (20%) reported slippage (see Figure 1).

Figure 1

Progress and slippage, 2008-09 to 2009-10, C 14 indicator level



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

- Improved data validation procedures;
- Database enhancements;
- Improved compliance procedures; and
- Provision of technical assistance to local programs.

States reported that training local districts would lead to continued progress. States reported that training local programs allowed the Lead Agency to receive more accurate data.

States attributed slippage to:

- Mistakes in the 618 data; and/or
- Errors in the calculations in the 616 data.

DESCRIPTION OF METHODS OF ENSURING TIMELY AND ACCURATE DATA

The majority of states, 38 (69%), 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. Fourteen states (26%) had built-in edit checks and validations to ensure that the data were valid. Nineteen (35%) states also relied on training and technical assistance to help ensure timely and accurate data. Some states also used onsite monitoring, data manuals, and data reviews.

IMPROVEMENT ACTIVITIES

One of the requirements of this indicator is the implementation of improvement activities that will increase compliance. Among the 55 states and territories, 11 states (20%) did not report improvement activities in their FFY 2009 APR. Updating or establishing new data systems was the most widely reported activity, while increasing or decreasing personnel was the least frequent activity. The most frequent improvement activities were improving data collection and/or reporting (75%) and providing technical assistance or training or professional development (56%).

Many states indicated that technical assistance or training led them to meet the target or make progress. One improvement activity that most states used was improving the data collection or reporting practices, including using their database to help with the technical assistance being provided. Twenty-two states (40%) were creating or revising reports that providers could access monthly or quarterly. Fifteen states (27%) reported that they held monthly or quarterly trainings to inform providers of required data collection elements. Thirteen states (24%) used another tool for training. This tool was either updating or creating a manual for providers.

TECHNICAL ASSISTANCE PROVIDED TO STATES

DAC reviewed technical assistance logs and records to determine the number of states receiving specific levels of technical assistance from DAC in FFY 2009. The levels of technical assistance listed below are defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of states that received technical assistance from DAC related to this indicator are reflected using the following three codes:

- A. National/regional technical assistance – 100%;
- B. Individual state technical assistance – 70%; and
- C. Customized technical assistance – 20%.

DAC provides national technical assistance support to all states through www.IDEAdata.org. Individual technical assistance is provided primarily through email and telephone contact based on individual state requests. DAC also provides customized technical assistance to several states specifically related to this indicator.

Four states (7%) reported receiving technical assistance from DAC, which helped them make progress or meet the target. Two states (4%) also reported receiving technical assistance from their RRC, which helped them make progress or meet the target. Two states (4%) also reported receiving technical assistance from NECTAC, which helped them make progress or meet the target.

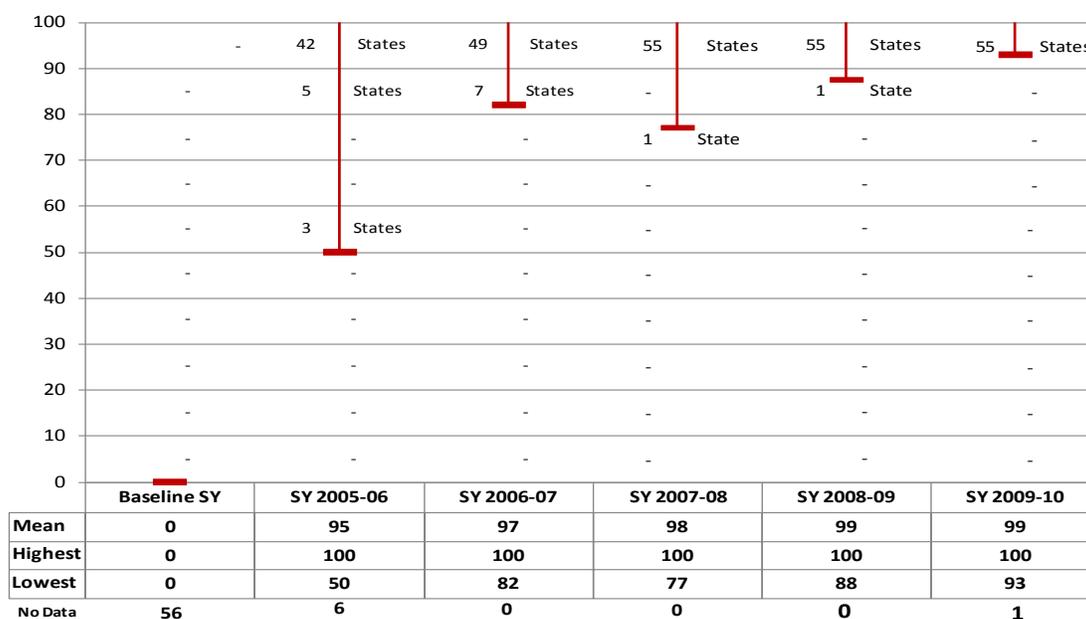
OBSERVATIONS AND CONCLUSIONS

Comparing performance over the last five years, it can be noted that the mean percentage reported in FFY 2005 was 95, with the lowest being 50%. This has increased to a mean of 99%, with the lowest being 93% for FFY 2009 (see Figure 2 below). The number of states at 100% increased from 40 in FFY 2005 to 48 in FFY 2009. Additionally, and perhaps more importantly, most states reported improved data collection methods. This was clear from the number of states that had either updated or implemented a new data system.

Figure 2

□

Six-year trend



Also noteworthy are some of the difficulties that came up while trying to analyze these data. Most states did not attribute their progress or slippage to a cause or provide much description about how their programs ensure timely and accurate data. Many states did not specify which activities they considered improvement activities in this SPP/APR. In addition, many states did not specify whether their activities for ensuring quality data were used for 618 and/or 616 data.

Even though it seems that states are starting to grasp the concept of collecting valid and reliable data, there continue to be states that are not describing the ways that they ensure valid and reliable data. The percentage of states that did describe ways of ensuring accurate data increased from 20% to 78% between FFY 2006 and FFY 2008. The percentage has decreased for FFY 2009 to 31%. Interestingly though, the number of states that reported improvement activities dropped from 94% in FFY 2007 to 68% in FFY 2008 to 20% in FFY 2009.