

## Introduction to the State Performance Plan (SPP)/Annual Performance Report (APR)

### General Supervision System:

The systems that are in place to ensure that IDEA Part C requirements are met, e.g., monitoring systems, dispute resolution systems.

### Overview of the New York State Early Intervention Program

The New York State Early Intervention Program (NYSEIP) is the statewide system of early intervention services for infants and toddlers with disabilities and their families under Part C of the Individuals with Disabilities Education Act (IDEA). This comprehensive service system supports the delivery of NYSEIP services to approximately 65,000 eligible children and their families annually, and as such, is one of the largest early intervention systems in the United States.

The New York State Department of Health (Department) was designated by the Governor as lead agency for the NYSEIP in 1987, and was statutorily designated with the enactment of State Public Health Law (PHL), establishing a statewide early intervention system consistent with Federal Part C IDEA requirements. As lead agency for the NYSEIP, the Department is responsible under Section 2550 of PHL for overall administration and supervision of the state's early intervention system, including monitoring of agencies, institutions, and organizations providing early intervention services; enforcing any obligations under PHL and Part C of IDEA; providing training and technical assistance to municipalities, providers, and parents; correcting deficiencies that are identified through monitoring; and maintaining a comprehensive system of personnel development to promote the availability of qualified personnel to deliver early intervention services to eligible children and their families.

The Department is responsible for ensuring parents and children receive the rights and entitlements afforded to them under state and federal law; establishing reimbursement rates for early intervention services, with the approval of the Division of Budget; fiscal management and payment of early intervention claims through a State Fiscal Agent under contract with the Department; auditing and oversight of fiscal operations related to the NYSEIP, including claiming of commercial insurance and Medicaid; and reimbursement of state aid to municipalities for the state share of early intervention services delivered to eligible children and their families.

The 57 counties and New York City in New York State (referred to as "municipalities") are responsible for local administration of the NYSEIP. Municipalities have significant authority and responsibility in PHL for the NYSEIP, including child find and public awareness, development and oversight of individualized family service plans (IFSPs) for eligible children and their families; monitoring and auditing of NYSEIP providers; due process procedures for families; and funding of NYSEIP services delivered to eligible children and families residing within their localities.

The Bureau of Early Intervention (BEI) manages state NYSEIP operations, under the auspices of the Division of Family Health within the Center for Community Health, Office of Public Health. The BEI has four programmatic units established to address major program responsibilities for the NYSEIP: Quality Improvement and Information Systems Unit, responsible for management of the statewide comprehensive monitoring system, training and technical assistance, staff support for the Early Intervention Coordinating Council, and the New York State Early Intervention System (NYSEIS) information management system; Provider Approval and Due Process Unit, responsible for management of provider approval and agreements, and due process procedures, including systems complaints, mediations, and impartial hearings; Financial Planning and Policy Unit, responsible for reimbursement methodologies, policies and procedures, and management and oversight of claiming and reimbursement associated with early intervention services; and Program Evaluation and Evidence-based Practices Unit, responsible for oversight and management of all data required for program operations, evaluation, and federal and state-level reporting, including child and family outcomes and projects to promote use of evidence-based practices, including clinical practice guidelines.

BEI works collaboratively with many partners across the Department on NYSEIP operations, including the Office of Public Health, Informatics, and Project Management (NYEIS development and operations), Office of Health Insurance Programs (Medicaid, Child Health Plus, and commercial insurance reimbursement); Fiscal Management Audit Unit (auditing of municipalities and providers) and Division of Legal Affairs (legal advice and support on issues related to the NYSEIP).

### **Provider Capacity**

The Department approves and enters into agreements with NYSEIP providers as necessary to ensure timely and continuous delivery of services to eligible children and their families. Currently, there are 961 billing providers under agreement with the Department to accept service authorizations and submit claims for EIP services, and 14,627 qualified personnel rendering services to children and their families (a ratio of approximately four children per provider).

### **Monitoring System**

The Department contracts with a review organization to conduct on-site monitoring activities of municipalities who locally administer the New York State Early Intervention Program and approved providers who directly render early intervention services. On-site comprehensive monitoring is conducted by the Department's contractor, whose staff uses tools that include multiple methods of evaluation of an early intervention program to ensure compliance with Federal requirements of IDEA. Monitoring protocols include the following:

- Review of a sample of child records at a provider's/municipality's on-site location where early intervention services are provided, or at a location determined by the contractor, if only home-based and community-based services are provided;
- Review of written policies and procedures regarding all early intervention processes, including confidentiality of child records, program administration, personnel records, billing records, and evaluation reports;
- Immediate processes for correction of noncompliance should a health and safety violation be determined;
- For each finding of noncompliance that is a violation of IDEA requirements or New York State (NYS) requirements, a written report is issued and the provider/municipality must submit a Corrective Action Plan (CAP) within 45 days of receipt of their report;
- The CAP must include identification of the root cause of the noncompliance, strategies for implementation to correct the noncompliance; revision of pertinent policies and procedures, organizational changes that will be implemented to achieve correction, plan to provide training, supervision and oversight to assure staff carry out new policies and procedures, and quality assurance measures that will be implemented to ensure corrections are being implemented;
- CAPs are reviewed by Department staff no later than 60 days of receipt from the provider. Letters of approval or needs correction are sent to providers/municipalities. If the CAP needs correction, written technical assistance is included to assist the provider/municipality to revise their CAP. If revision is required, the CAP must be submitted within 10 days for Department staff review;
- Verification of correction of noncompliance reviews are conducted subsequent to CAP approval to ensure that correction is achieved at the individual child level and the systemic level. This may be conducted by multiple methods, including on-site review of child records, interviews with providers/municipal staff, review of revised policies and procedures and submission of a subset of child records to the Department for review;
- A provider/municipal staff may be required, as a part of their CAP, to attend Department-sponsored statewide training, if numerous or repeat findings of noncompliance are determined;
- A provider/municipal staff may also be required as part of their CAP, to participate in targeted technical assistance calls with the Department staff to brainstorm about root cause of noncompliance and to discuss strategies to correct noncompliance.

If continued noncompliance occurs with providers or municipalities, additional enforcement actions are taken, which include withdrawal of Department approval, fiscal audits and reporting to Office of Professions, Office of Teaching and/or

Office of the Medicaid Inspector General.

### **System Complaints, Dispute Resolutions, and Mediations**

Multiple individuals share in the responsibility of ensuring that parents and stakeholders are aware of their right to resolve disputes regarding services as well as file a complaint. Service coordinators and local early intervention officials (EIO) have multiple interactions with families, providers and other stakeholders. Information is provided via training initiatives, print media, public websites and face to face encounters. Established procedures address disputes regarding services as well as complaints filed by organizations or individuals alleging that a public agency or a private provider is violating federal or state statute and regulations. The Department encourages families and stakeholders to come to an agreement at the local level, however, parties who have been unsuccessful addressing issues at a local level may choose to resolve a dispute through mediation, impartial hearing and by filing a complaint.

Mediation is a voluntary process. Requests for mediation can be submitted by a family to the EIO who will arrange for mediation. EIO may also initiate a request for mediation with a family. Mediators are qualified and impartial. The Department contracts with the New York State Dispute Resolution Association Inc. (NYSdra) to provide mediation. The process carries a 30-day timeline. NYSDRA provides oversight and training to the local Community Dispute Resolution centers in each of the 62 counties.

Requests for an impartial hearing can be submitted by families to the co-Directors of the Bureau of Early Intervention. If the dispute involves a child's IFSP, sections of the proposed IFSP that are not in dispute will be implemented. The request is then referred to the Department's Division of Legal Affairs, Bureau of Adjudication who assigns an Administrative Law Judge. A notice of hearing is sent which will include parental rights related to the hearing process. A written decision is issued in 30 days unless the family agrees to extend the timeline. The decisions of the hearing officer are final.

System complaints are submitted to the Bureau of Early Intervention by a parent/guardian, parent representative or any other interested individual or entity. The complaint process ensures the timely completion of investigations and verification of correction. The procedures address issues at a child-specific and systemic level and ensures that all allegations are addressed, that a report is issued, and if a CAP is necessary that it is received, is appropriate and is implemented. A parent/guardian may be contacted to address individual child service issues related to the complaint. An investigation is completed within 60 days unless there are exceptional circumstances. Department staff share the findings of complaint investigations with the monitoring unit for consideration when scheduling and conducting additional program monitoring.

### **Partnerships**

The Department has a strong partnership with municipalities in administration of the EIP, and also works closely with the New York State Association of Counties and Association of County Health Officials on state and local issues related to the NYSEIP.

The Department also works closely with providers and parents involved in the NYSEIP statewide. The Department meets and communicates with provider organizations and professional associations that represent providers on an ongoing basis on a variety of issues related to the delivery of early intervention services. Through its Family Initiatives contract, the Department supports the involvement of parents in the NYSEIP on a variety of levels. In particular, the Department-sponsored "Partners in Policymaking" training program is an important and ongoing avenue to develop parent leadership and participation in the NYSEIP at the state and local levels.

The Department collaborates closely with other State agencies on a variety of issues related to the EIP, including the State Education Department (SED), Department of Financial Services (DFS), Office of Children and Family Services (OCFS), Office for People with Developmental Disabilities (OPWDD), Office of Mental Health (OMH), and Office of Alcoholism and Substance Abuse Services (OASAS). All of these agencies are represented on the Early Intervention Coordinating Council (EICC).

The EICC is actively involved in providing advice and assistance to the Department on ongoing and emerging issues related

to the NYSEIP. This 27-member Governor-appointed Council is comprised of parents, NYSEIP provider representatives, EIOs representing municipalities, and the state agency partners described above. The EICC meets quarterly, and convenes task forces on an as-needed basis to assist the Department in addressing specific and pressing policy issues. Task forces of the EICC have assisted the Department in issuance of policy and procedural guidance on transition, evaluation, eligibility, health and safety requirements, marketing guidelines, and group developmental intervention services.

The Department has two representatives (the Director of the Division of Family Health and the co-Director of BEI) on New York State's Early Childhood Advisory Council (ECAC). In addition, two members of the EICC are also members of the ECAC. Recently, a joint task force with representatives from the EICC and ECAC has been established on social emotional development. The charge for this joint task force is to develop guidance for early childhood professionals, including NYSEIP providers and early care and education providers to assist them, in partnership with families, in promoting and supporting positive social emotional development in young children (ages birth to three years).

#### **Technical Assistance System:**

The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to early intervention service (EIS) programs.

New York State maintains a comprehensive approach to technical assistance for municipalities, providers, families and other stakeholders engaged in the NYSEIP.

Department staff is responsible for fielding telephone calls on a daily basis and responding to emails, letters and other forms of communication from municipalities, providers, parents, the public and all other stakeholders. Communication may be on a variety of issues, complaints, concerns and questions related to all aspects of the NYSEIP.

The Department develops and provides periodic written policy and procedural guidance (Guidance Documents) on state and federal requirements for the NYSEIP on a regular basis. For this reporting period, a formal Guidance Document on Group Developmental Intervention Services for the NYSEIP was issued. Additionally, the Department revised guidance on Billing for Service Coordination Activities and produced several documents for Service Coordinators that were compiled into a Service Coordinator Tool Kit.

The Department also provides technical assistance regarding best practices in identification, evaluation and service delivery in the form of evidence-based clinical practice guidelines in the areas of Communication Disorders, Autism/Pervasive Developmental Disorders (PDD), Motor Disabilities, Down syndrome, Hearing Loss, and Visual Impairment. Department staff provide technical assistance and responds to inquiries regarding the use and content of the policy Guidance Documents and the Clinical Practice Guidelines.

#### **Professional Development System:**

The mechanisms the State has in place to ensure that service providers are effectively providing services that improve results for infants and toddlers with disabilities and their families.

New York State maintains a comprehensive system of professional development (CSPD) for NYSEIP providers, who are qualified and credentialed through the New York State Education System, for municipal staff who administer local early intervention programs, and for other key early intervention stakeholders.

New York State's CSPD includes implementation of training contracts which provide in-person statewide training opportunities for current early intervention personnel to gain knowledge and develop skills to deliver EI services that are of high quality and conform with federal and state requirements, including the delivery of services in natural environments, as appropriate. Training contracts also provide training opportunities for other stakeholders including parents, municipal staff, primary referral sources, primary health care providers, day care providers, local social services district staff, early childhood direction center staff, local school district staff and other public health facility staff.

Current training is evaluated based on development of an objective process to measure the degree to which current early intervention curricula contain information and strategies describing and promoting best practices to deliver early intervention services. Each training curriculum has an evaluation process completed at the end of the training session. The training evaluations are compiled and analyzed to determine if the curriculum meets the needs of the providers and other stakeholders in the field. Additionally, when a new training curriculum is developed, Department staff attend the first session to evaluate the content and the reception of the new training. Based on the in-person evaluation and written evaluation feedback, revisions are made to the content and delivery method, as appropriate.

Training curricula are updated or new curricula are developed, based on formal needs assessments surveys, which are carried out periodically to gain input from the field and early intervention stakeholders. Based on the results of the needs assessment, new curricula topics are researched and developed or current curriculum content is revised.

Additionally, training curricula are developed or revised, based on specific needs, where current gaps of knowledge are identified through the statewide monitoring system determinations and through analysis of technical assistance responses on specific topics.

The Department also maintains a contract to continue an Early Intervention Family Initiatives Project that is exclusive to training for parents on leadership, advocacy skills, updates and general information regarding the NYSEIP. Through this contract, parents apply and are selected to participate in three weekend training sessions. One weekend includes participation in all-day webinars which have multiple modalities of participation, including viewing of PowerPoint presentations, interactive learning, and working in chat rooms. The second and third weekend are in-person training sessions, which include networking, group activities, meeting with an Early Intervention Official, learning about the Local Early Intervention Coordinating Council, meeting with statewide policy makers, and other topics that will assist with the early intervention process.

**Stakeholder Involvement:**

The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014. As described previously, the EICC is a 27-member Council comprised of parents, EIP provider representatives, Early Intervention Officials (EIOs) representing municipalities, and the state agency partners. The EICC is a public meeting and is webcast to allow stakeholders statewide to view the proceedings.

Preliminary data were presented on all SPP/APR indicators, including historical trend data and, where applicable, proposed baselines and targets for 2013-18, and rationale for baselines and targets. The EICC members engaged in a thorough and thoughtful discussion of targets and endorsed the Department's proposed targets in a unanimous vote.

**Reporting to the Public:**

How and where the State reported to the public on the FFY 2012 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2012 APR, as required by 34 CFR §300.602(b) (1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2012 APR in 2014, is available.

The Department maintains a public web site for the New York State Early Intervention Program at the following address: ([http://www.nyhealth.gov/statistics/community/infants\\_children/early\\_intervention/](http://www.nyhealth.gov/statistics/community/infants_children/early_intervention/)). Statewide and local performance data for FFYs 2005, 2006, 2007, 2008, 2009, 2010, 2011, and 2012 are available on the Department's public web site.

The APR is the mechanism that New York will use to report on progress in meeting the measurable and rigorous targets. Printed and electronic copies of the APR will be available at no cost to any citizen of the state requesting the document. The FFY 2013 APR will be posted on the Department's public web site at: [http://www.nyhealth.gov/community/infants\\_children/early\\_intervention/index.htm](http://www.nyhealth.gov/community/infants_children/early_intervention/index.htm). The web page is easily located through a search of the website

or by following content-specific links.

**Indicator 1: Timely provision of services**  
**Historical Data and Targets**

Monitoring Priority: Early Intervention Services In Natural Environments

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

(20 U.S.C. 1416(a)(3)(A) and 1442)

**Historical Data**

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	72.00%	68.00%	76.30%	78.40%	76.20%	85.10%	63.00%	88.50%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

**FFY 2013 - FFY 2018 Targets**

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

**Indicator 1: Timely provision of services**

**FFY 2013 Data**

Monitoring Priority: Early Intervention Services In Natural Environments

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

(20 U.S.C. 1416(a)(3)(A) and 1442)

**FFY 2013 SPP/APR Data**

**Prepopulated Data**

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups	9/24/2014	Total number of infants and toddlers with IFSPs	28,325	10,700

**Explanation of Alternate Data**

As allowed by OSEP, New York is reporting all data for one quarter of the Federal Fiscal Year (FFY) 2013. There were 10,700 infants and toddlers with new services authorized on an initial or subsequent Individualized Family Service Plan (IFSP) between January 1, 2014 and March 31, 2014.

**FFY 2013 SPP/APR Data**

Number of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner	Total number of infants and toddlers with IFSPs	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
9,503	10700	88.50%	100%	88.81%	Did Not Meet Target	No Slippage

\* FFY 2012 Data are editable on the Historical Data and Targets page.

Number of documented delays attributable to exceptional family circumstances (this number will be subtracted from the total number of infants and toddlers with IFSPs when calculating the FFY 2013 data)	
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**What is the source of the data provided for this indicator?**

- State monitoring
- State database

**Provide the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period).**

January 1, 2014 to March 31, 2014

**Describe how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.**

The number of infants and toddlers with new services authorized on an initial or subsequent Individualized Family Service Plan (IFSP) was consistent for each quarter of FFY 2013-2014, so one quarter of FFY 2013 (January 1 to March 31) was selected for the calculation of the indicator.

**Provide additional information about this indicator (optional)**



The benchmark for timely services in New York is 30 days from the IFSP meeting or the start date of the service authorization amendment if the service is added to the IFSP after the IFSP meeting date. The New York State Early Intervention Program's data systems do not capture exceptional family delay reasons. In order to capture the reasons for delays in services, each local program (municipality) was provided a report of all infants and toddlers with new services authorized on an initial or subsequent IFSP between January 1, 2014 and March 31, 2014 and for whom those services were not initiated within the required timeframe. Municipalities were instructed to review the infants' and toddlers' records and correct any data entry errors or provide delay reasons, using the following categories: discountable delay (family problem scheduling appointment, family missed or canceled an appointment, family delayed response or consent for an appointment, intermittent service, weather or other emergency declared) or non-discountable delay (difficulty identifying or assigning a service provider or other local program administrative reasons).

There were 1,158 infants with documented exceptional family circumstances which caused a delay in the initiation of services authorized on the IFSP. These infants and toddlers have been included in the numerator and denominator, as allowed by OSEP.

**Indicator 1: Timely provision of services****Required Actions from FFY 2012**

*Monitoring Priority: Early Intervention Services In Natural Environments*

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

(20 U.S.C. 1416(a)(3)(A) and 1442)

**Actions required in FFY 2012 response table**

Because the State reported less than 100% compliance for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. In addition, the State must demonstrate, in the FFY 2013 APR, that the remaining 10 uncorrected findings of noncompliance identified in FFY 2011 were corrected.

**Responses to actions required in FFY 2012 response table, not including correction of findings**

New York must report on technical assistance received in FFY 2013 and the results of that technical assistance. Department staff participated in technical assistance calls and webinars provided by the US Department of Education Office of Special Education Programs (OSEP), the Northeast Regional Resource Center (NERRC), and the Early Childhood Technical Assistance (ECTA) Center. The NYS Part C Data Manager spoke with colleagues from nearby states about the systems in place in those states to comply with federal requirements for the Annual Performance Report indicators. Department staff participated in Department-sponsored training and professional development in the area of quality improvement and performance management methodology.

In FFY 2013, Department staff built upon the work that occurred in FFY 2012 to improve the performance for the APR indicator for timely services from 63% in FFY 2011 to 88.5% in FFY 2012. Capacity among NYSEIP providers was identified as a key contributor to the delay in service. FFY 2013 data were reviewed more closely to understand when and where those delays may be more pronounced.

Indicator 1 is calculated for each child, so if a child is authorized for three services with two delivered in a timely manner and one service delayed, that child would not be counted as receiving timely services in the APR calculation. New York reported that 10,700 children were authorized to receive new services from January 1 to March 31, 2014. However, there were 23,049 services authorized during that time period. On average, children were newly authorized for 2.2 services in that quarter. Of those 23,049 services, 21,627 (93.8%) were delivered in a timely manner.

Of the small percentage of services not delivered in a timely manner, 83% were delayed due to provider scheduling problems or lack of availability. Services for speech language pathology (SLP), occupational therapy (OT), and special instruction (SI) represented almost 60% of the services that were delayed. Physical therapy, family training, and service coordination represented an additional 30% of the delayed services. There were regional differences; some areas experienced greater delays in providing speech language pathology services, while other areas experienced delays in occupational therapy. Delays in service were experienced in both urban and rural areas.

A major change in the NYSEIP delivery system occurred on April 1, 2013; the Department entered into agreements with NYSEIP providers. Prior to April 2013, the municipalities entered into contracts with providers. The implementation of the statewide agreements required the time and attention of many Department staff. Department and municipal staff closely monitored the impact of the transition. Overall capacity among NYSEIP providers was maintained. Timeliness of service was not negatively impacted. In FFY 2012, the Department reported that 88.5% of newly authorized services were delivered in a timely manner as compared to 88.81% in FFY 2013. The long-term benefit of the change to a statewide agreement should facilitate the delivery of services in a timely manner. Providers enter into one agreement and are able to provide services in any municipality. Providers work with one statewide fiscal agent on claiming and billing issues.

In addition to the work required to implement the statewide agreements, Department staff focused efforts on the ten local programs (municipalities) with findings of noncompliance from FFY 2011 that had not been corrected as FFY 2012. Department technical assistance and data staff worked closely with these ten programs. The results of that effort

will be discussed in the subsequent section.

The Department also issued local determinations of “needs intervention” in FFY 2013 to two of the local programs with findings of noncompliance. The needs intervention determination was largely due to a continued decline in indicators 1 (timely service) and 7 (timely IFSP). Technical assistance, including monthly conference calls and reviews of data, were provided to staff at the local program. An additional five local programs were issued determinations of “needs assistance” due largely to poor performance in indicators 1 and 7. Ongoing technical assistance and data were provided to those local programs as well.

**Indicator 1: Timely provision of services**  
**Correction of Previous Findings of Noncompliance**

*Monitoring Priority: Early Intervention Services In Natural Environments*

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

(20 U.S.C. 1416(a)(3)(A) and 1442)

**Correction of Findings of Noncompliance Identified in FFY 2012**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2012**

	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2012 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY2010	10	1	9

**FFY 2010 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

There were ten findings of noncompliance in FFY 2011 (not FFY 2010) that were not yet verified as corrected as of the FFY 2012 Annual Performance Report. No monitoring or data findings of noncompliance were issued in FFY 2012. Work continued with the 10 local programs in noncompliance in FFY 2011. New data findings of noncompliance were issued to local programs (municipalities) in FFY 2013.

For the verification of systemic correction for local data findings, local programs that did not achieve 100% compliance in a given federal fiscal year were notified in writing of their noncompliance. Local data for subsequent years were checked, and local programs that were found to have a rate of 100% in a subsequent year for that compliance indicator were counted as having corrected the noncompliance. The finding was counted as timely corrected (within one year of notification) if the 100% rate was in the FFY subsequent to the date of notification. The finding was counted as subsequently corrected (i.e. corrected, but not timely) if the local program had a rate of 100% in a later FFY, but had not been timely corrected.

One of the 10 local programs with a finding of noncompliance in FFY 2011 has achieved 100% compliance for timely services as demonstrated in the review of the data for FFY 2013, so this local program has been verified as corrected.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

For each child with the original finding of noncompliance identified, a review of the data system verified that either services authorized were delivered to the child and family in accordance with the agreed-upon IFSP, or the child was no longer under the jurisdiction of the New York State Early Intervention Program.

**FFY 2010 Findings Not Yet Verified as Corrected**

*Actions taken if noncompliance not corrected*

Nine of the 10 local programs that were issued findings of noncompliance in FFY 2011 have improved but have not yet achieved 100%, so these local programs cannot be verified as corrected. Two of the nine local programs were issued determinations of needs intervention. The other seven local programs received determinations of needs assistance. As a result of these determinations, intensive technical assistance was provided by the Department. While the nine local

programs did not achieve 100%, considerable improvement was made as demonstrated in the table below.

Indicator 1 Change in Performance

Local Program	Current APR	Prior APR	Difference
A	88.2%	72.7%	15.5%
B	75.3%	44.9%	30.4%
C	87.5%	64.5%	23.0%
D	82.5%	68.7%	13.8%
E	99.0%	67.5%	31.5%
F	91.4%	57.4%	34.0%
G	80.0%	67.0%	13.0%
H	90.9%	68.6%	22.3%
I	92.7%	64.7%	28.0%

## Indicator 2: Services in Natural Environments

### Historical Data and Targets

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		89.51%	89.76%	89.88%	92.60%	89.97%	89.97%	89.97%
Data	89.81%	91.50%	91.20%	92.60%	93.70%	93.40%	93.30%	93.70%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%

#### Targets: Description of Stakeholder Input

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicator 2, services in natural environments, including historical trend data and proposed targets for 2013-18, and rationale for proposed targets. The EICC members endorsed the Department's proposed targets for this indicator in a unanimous vote.

## Indicator 2: Services in Natural Environments

### FFY 2013 Data

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups	9/24/2014	Number of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings	26,537	
SY 2013-14 Child Count/Educational Environment Data Groups	9/24/2014	Total number of infants and toddlers with IFSPs	28,325	

#### FFY 2013 SPP/APR Data

Number of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings	Total number of infants and toddlers with IFSPs	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
26,537	28,325	93.70%	90.00%	93.69%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

 Provide additional information about this indicator (optional)

## Indicator 2: Services in Natural Environments

### Required Actions from FFY 2012

*Monitoring Priority: Early Intervention Services In Natural Environments*

Results indicator: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table

No actions were required.



**Indicator 3: Early Childhood Outcomes**  
**Historical Data and Targets**

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: 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.

(20 U.S.C. 1416(a)(3)(A) and 1442)

**Historical Data**

	Baseline Year	FFY	2005	2006	2007	2008	2009	2010	2011	2012
A1	2008	Target ≥					59.10%	62.80%	63.50%	64.30%
		Data				59.70%	67.00%	64.00%	65.00%	64.10%
A2	2008	Target ≥					50.40%	50.40%	54.40%	54.50%
		Data				52.20%	58.00%	52.00%	48.00%	47.70%
B1	2008	Target ≥					67.60%	71.20%	73.40%	73.50%
		Data				71.10%	75.00%	71.00%	69.00%	71.20%
B2	2008	Target ≥					47.20%	50.50%	51.75%	51.80%
		Data				50.00%	53.00%	50.00%	44.00%	44.20%
C1	2008	Target ≥					64.90%	68.30%	68.60%	69.50%
		Data				67.70%	73.00%	73.00%	75.00%	70.70%
C2	2008	Target ≥					41.60%	44.80%	45.70%	45.80%
		Data				43.90%	53.00%	49.00%	41.00%	42.20%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

**Explanation of Changes**

FFY 2012 targets were added to the table. They were missing.

**FFY 2013 - FFY 2018 Targets**

FFY	2013	2014	2015	2016	2017	2018
Target A1 ≥	58.00%	59.00%	60.00%	61.00%	62.00%	63.00%
Target A2 ≥	40.00%	41.00%	42.00%	43.00%	44.00%	45.00%
Target B1 ≥	71.00%	71.50%	72.00%	72.50%	73.00%	73.50%
Target B2 ≥	38.00%	39.00%	40.00%	41.00%	42.00%	43.00%
Target C1 ≥	70.00%	70.50%	71.00%	71.50%	72.00%	72.50%
Target C2 ≥	37.00%	38.00%	39.00%	40.00%	41.00%	42.00%

**Targets: Description of Stakeholder Input**

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicators 3A, B, and C, including historical trend data and proposed baselines and targets, and rationale for the proposed baselines and targets. The EICC endorsed the Department's proposed targets in a unanimous vote.

**Indicator 3: Early Childhood Outcomes**

**FFY 2013 Data**

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: 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.

(20 U.S.C. 1416(a)(3)(A) and 1442)

**FFY 2013 SPP/APR Data**

Number of infants and toddlers with IFSPs assessed	452
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Does the State’s Part C eligibility criteria include infants and toddlers who are at risk of having substantial developmental delays (or “at-risk infants and toddlers”) under IDEA section 632(5)(B)(i)? No

**Outcome A: Positive social-emotional skills (including social relationships)**

	Number of Children
a. Infants and toddlers who did not improve functioning	21
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	127
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	122
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	84
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	98

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program $(c+d)/(a+b+c+d)$ .	206	354	64.10%	58.00%	58.19%	Met Target	No Slippage
A2. The percent of infants and toddlers who were functioning within age expectations in Outcome A by the time they turned 3 years of age or exited the program $(d+e)/(a+b+c+d+e)$ .	182	452	47.70%	40.00%	40.27%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

**Outcome B. Acquisition and use of knowledge and skills (including early language/ communication)**

	Number of Children
a. Infants and toddlers who did not improve functioning	19
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	101
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	157
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	140
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	35

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
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**FFY 2013 Part C State Performance Plan (SPP)/Annual Performance Report (APR)**

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent 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).	297	417	71.20%	71.00%	71.22%	Met Target	No Slippage
B2. The percent of infants and toddlers who were functioning within age expectations in Outcome B by the time they turned 3 years of age or exited the program (d+e)/(a+b+c+d+e).	175	452	44.20%	38.00%	38.72%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

**Outcome C: Use of appropriate behaviors to meet their needs**

	Number of Children
a. Infants and toddlers who did not improve functioning	22
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	103
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	157
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	135
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	35

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent 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).	292	417	70.70%	70.00%	70.02%	Met Target	No Slippage
C2. The percent of infants and toddlers who were functioning within age expectations in Outcome C by the time they turned 3 years of age or exited the program (d+e)/(a+b+c+d+e).	170	452	42.20%	37.00%	37.61%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

**Was sampling used?** Yes

**Has your previously-approved sampling plan changed?** No

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

In accordance with the sampling procedures approved by the US Department of Education Office of Special Education Programs (OSEP), the Department is using a sampling methodology to measure and report on OSEP-required child outcome data for Indicator 3 in its Annual Performance Reports (APR). Two versions of the Child Outcomes Summary Form (one for entry and one for exit data), originally developed by the OSEP-funded Early Childhood Outcomes Center (ECO), have been adapted for use in New York State to collect data necessary to measure the three child outcomes for this indicator. These forms are attached.

The Department has a memorandum of understanding with the University at Buffalo, Population Public Health Observatory, School of Public Health and Health Professions (UB-SPH) to provide support for data collection and analyses necessary to measure child outcomes.

Child outcomes summary entry and exit forms for children in sample cohorts are completed locally by IFSP teams. Municipalities (the 57 counties and New York City), which administer the local early intervention programs, are responsible for coordinating all aspects of the data collection process, including enrolling children into child outcomes

cohort samples, ensuring Child Outcomes Summary Forms (COSFs) are completed at entry and exit to the program, and transmitting COSFs to UB-SPH for data entry. To ensure the protection of confidential information collected on the COSFs, municipalities are required to send completed forms to the project data coordinator for the UB-SPH via U.S. registered mail, return receipt requested, or by Federal Express or UPS with a signature required for delivery.

To meet the requirement to collect and report data annually to OSEP on the state’s performance with respect to Indicator 3 on child outcomes with minimal burden to municipalities, the Department has developed a sampling plan for the annual selection and enrollment of a structured random state sample of children entering the NYSEIP, for whom entry and exit data will be collected to measure and report Indicator 3 child outcomes in its APRs. In addition, to meet Federal IDEA requirements on the state to report to the public on the performance of the local early intervention programs during the time period covered by this State Performance Plan (SPP), the Department’s sampling plan includes a schedule for the selection and identification of locally-representative samples of children participating in each of the 58 municipal EIPs, for whom child outcome data will be collected and reported to the public.

Sample size calculations for both the state and locally-representative samples are based on the NYSEIP’s experience with child referrals statewide, and within the 58 municipalities, for the July 1, 2013-June 30, 2014 Program Year. During this period, there were 51,583 children referred to the NYSEIP who were under 30 months of age. To ensure the selection of a representative sample of children, the sample size was calculated with a confidence level of 1.96 for 95% confidence, a precision level of .05, and an estimated eligibility rate of 50% and a completion rate for entry and exit forms of 50%. These same assumptions were used to calculate locally representative samples for each of the 58 municipalities. Using the above parameters to calculate the state sample size, it was determined that 1,400 children (686 from New York City and 714 from the 57 counties) should be enrolled in child outcomes sample cohorts each year.

This sampling schedule is presented in the table below:

<b>Geographic Coverage for State and Local Reporting</b>	<b>Time Frame for Sample Enrollment and Collection of Exit Data</b>
Geographically proportional structured sample for NYS and Small Enrollment Counties (less than 100 EI referrals annually)	<b>Enrollment:</b> Beginning July 2012 <b>Exit:</b> January 2013 – June 2016
Geographically proportional structured sample for NYS and locally-representative samples for Medium Enrollment Counties (100 to less than 300 EI referrals annually)	<b>Enrollment:</b> Beginning July 2013 <b>Exit:</b> January 2014-June 2017
Geographically proportional structured sample for NYS and locally representative samples Large Enrollment Counties (more than 300 EI referrals annually) (excluding NYC, Nassau, and Suffolk)	<b>Enrollment:</b> Beginning July 2014 <b>Exit:</b> January 2015-June 2018
Geographically proportional structured sample for NYS and locally representative sample for NYC	<b>Enrollment:</b> Beginning July 2015 <b>Exit:</b> January 2016-June 2019
Geographically proportional structured sample for NYS and locally-representative samples for Nassau and Suffolk (Long Island)	<b>Enrollment:</b> Beginning July 1, 2016 <b>Exit:</b> January, 2017 – June 2020
Geographically proportional structured sample for NYS and Small Enrollment Counties (less than 100 EI referrals annually)	<b>Enrollment:</b> Beginning July 2017 <b>Exit:</b> January 2018 – June 2021
Geographically proportional structured sample for NYS and locally-representative samples for Medium Enrollment Counties (100 to less than 300 EI referrals annually)	<b>Enrollment:</b> Beginning July 2018 <b>Exit:</b> January 2019-June 2022
Geographically proportional structured sample for NYS and locally representative samples Large Enrollment Counties (more than 300 EI referrals annually) (excluding NYC, Nassau, and Suffolk)	<b>Enrollment:</b> Beginning July 2019 <b>Exit:</b> January 2020-June 2023

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COSF)?** Yes

**Provide additional information about this indicator (optional)**

In addition to the COSF data, the NYS Impact on Child Scale (NYICS), created as part of New York’s General Supervision Enhancement Grant, has been incorporated into the annual family survey (please see Indicator 4 attachment for the NYICS). The scale measures the extent to

which early intervention services have helped infants and toddlers to achieve a range of developmental outcomes, based on parent report. Thus, New York now has two sources of data on child outcomes that can be used for program evaluation and quality improvement purposes.

The Department, in collaboration with UB-SPH, ICD-UBN, and Dr. Batya Elbaum, University of Miami, successfully competed for a R-40 Research Grant, funded by the federal Maternal Child Health Bureau, to evaluate the impact of early intervention services on children with autism spectrum disorders and their families. The overarching goal of the research project is to model an approach to evaluating the impact of participation in early intervention programs that can be used for program evaluation and quality improvement. The project was initiated in September, 2010 and was funded through November 30, 2014. Data collection has now been completed on a variety of child and family measures for nearly three hundred toddlers and families participating in the research project, and data analyses are underway.

It is anticipated that results from this study will significantly contribute to New York's efforts to identify parameters that influence the impact of early intervention services on child and family outcomes and to use this information to work with local programs to improve child and family outcomes.

### Indicator 3: Early Childhood Outcomes

#### Required Actions from FFY 2012

*Monitoring Priority: Early Intervention Services In Natural Environments*

Results indicator: 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.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Actions required in FFY 2012 response table

The State must report progress data and actual target data for FFY 2013 in the FFY 2013 APR.

#### Responses to actions required in FFY 2012 response table

Progress data and actual target data for FFY 2013 have been provided.

**Indicator 4: Family Involvement**  
**Historical Data and Targets**

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: 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.

(20 U.S.C. 1416(a)(3)(A) and 1442)

**Historical Data**

	Baseline Year	FFY	2005	2006	2007	2008	2009	2010	2011	2012
A	2006	Target ≥				74.20%	75.20%	76.20%	77.20%	78.20%
		Data		73.78%	71.00%	74.73%	74.38%	77.02%	75.20%	70.04%
B	2006	Target ≥				68.69%	69.69%	70.69%	71.69%	72.69%
		Data		68.08%	66.09%	70.17%	67.84%	72.63%	70.00%	68.28%
C	2006	Target ≥				85.41%	86.41%	87.41%	88.40%	89.41%
		Data		83.83%	80.53%	82.26%	80.57%	84.04%	83.00%	78.85%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

**FFY 2013 - FFY 2018 Targets**

FFY	2013	2014	2015	2016	2017	2018
Target A ≥	75.00%	76.00%	77.00%	78.00%	79.00%	80.00%
Target B ≥	71.00%	72.00%	73.00%	74.00%	75.00%	76.00%
Target C ≥	83.00%	84.00%	85.00%	86.00%	87.00%	88.00%

**Targets: Description of Stakeholder Input**

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicator 4 A, B, and C, including historical trend data and proposed baselines and targets, and rationale for the proposed baselines and targets. The EICC endorsed the Department's proposed targets in a unanimous vote.



**Indicator 4: Family Involvement**

**FFY 2013 Data**

Monitoring Priority: Early Intervention Services In Natural Environments

Results indicator: 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.

(20 U.S.C. 1416(a)(3)(A) and 1442)

**FFY 2013 SPP/APR Data**

Number of respondent families participating in Part C	1,345
A1. Number of respondent families participating in Part C who report that early intervention services have helped the family know their rights	1,022
A2. Number of responses to the question of whether early intervention services have helped the family know their rights	1,345
B1. Number of respondent families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs	968
B2. Number of responses to the question of whether early intervention services have helped the family effectively communicate their children's needs	1,345
C1. Number of respondent families participating in Part C who report that early intervention services have helped the family help their children develop and learn	1,132
C2. Number of responses to the question of whether early intervention services have helped the family help their children develop and learn	1,345

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
A. Percent of families participating in Part C who report that early intervention services have helped the family know their rights	70.04%	75.00%	75.99%	Met Target	No Slippage
B. Percent of families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs	68.28%	71.00%	71.97%	Met Target	No Slippage
C. Percent of families participating in Part C who report that early intervention services have helped the family help their children develop and learn	78.85%	83.00%	84.16%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

**Describe how the State has ensured that any response data are valid and reliable, including how the data represent the demographics of the State.**

To collect data on the three federally-required family outcomes, the Department is using the “Impact of Early Intervention Services on Your Family” (IFS) subscale of the family survey developed by the National Center for Special Education Accountability Monitoring (NCSEAM). The NCSEAM IFS was developed with funding from the US Department of Education to measure the three family outcomes that must be reported annually to OSEP. The items included in this NCSEAM subscale have established and rigorous psychometric properties, and the impact scale is known to be a valid and reliable way to measure the three OSEP-identified family outcomes. The items in the NCSEAM Family Survey are written in a manner that makes them easily understandable to parents. A copy of the NYS Family Survey used to collect family outcomes data, which also includes the adapted IFS scale, the NCSEAM Family-Centered Services Scale, and the New York State Impact on Child Scale, is attached.

The sampling methodology is stratified by municipality to ensure that the families invited to participate in the NYS Family Survey are geographically representative of the families participating in the New York State Early Intervention Program (NYSEIP). The sample of invited families, who are sent the NYS family survey, is selected so that the infants and toddlers of those invited families are representative of the gender, race/ethnicity, language, and age at referral of the NYSEIP

population.

The challenge has been assuring that the families who respond to the NYS Family Survey are representative of the NYSEIP population.

Was sampling used? Yes

Has your previously-approved sampling plan changed? No

Was a collection tool used? Yes

Is it a new or revised collection tool? No



Yes, the data accurately represent the demographics of the State



No, the data does not accurately represent the demographics of the State

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

In accordance with the sampling procedures approved by the US Department of Education Office of Special Education Programs (OSEP), the Department is using a geographically representative random sampling approach for collecting data on family outcomes. Data collection to measure family outcomes is handled centrally at the state level, with the assistance of the University at Buffalo, Public Health Observatory, School of Public Health and Health Professions, in partnership with the Institute for Child Development, University at Binghamton.

A random sample of 8,226 families whose children exited the New York State Early Intervention Program (NYSEIP) between July 1, 2013 – December 31, 2013, and those who were not closed but turned three years of age between January 1, 2014 and June 30, 2014 and would be exiting the program by August 31, 2014, were invited to participate in the New York State modified version of the NCSEAM Family Survey.

The sample of families selected to participate in the NYS Family Survey were geographically representative of the families participating in the NYSEIP. The sample of families, who were sent the NYS Family Survey, have infants and toddlers who were representative of the gender, race/ethnicity, language, and age at referral of the NYSEIP population.

A total of 1,345 (16.4%) families responded to the survey.

 Provide additional information about this indicator (optional)

## Indicator 4: Family Involvement

### Required Actions from FFY 2012

*Monitoring Priority: Early Intervention Services In Natural Environments*

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

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Actions required in FFY 2012 response table

4A, 4B, and 4C: In the FFY 2013 APR, the State must report whether its FFY 2013 data are from a group representative of the population, and, if not, the actions the State are taking to address this issue.

#### Responses to actions required in FFY 2012 response table, **not including correction of findings**

In FFY 2013, there was a statistically significant difference among respondents' race/ethnicity. There were fewer than expected responses from African American families.

The Department is committed to having responses from a representative population. For FFY 2014 and future years, the Department will over sample among African American families to increase the likelihood that the respondents to the NYS family survey are representative of the NYSEIP population.

## Indicator 5: Child Find (Birth to One)

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Child Find

Results indicator: Percent of infants and toddlers birth to 1 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		1.13%	1.16%	1.18%	1.20%	1.22%	1.22%	1.22%
Data	1.10%	1.09%	1.04%	1.15%	1.17%	1.16%	1.10%	1.10%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	1.22%	1.22%	1.22%	1.22%	1.22%	1.22%

#### Targets: Description of Stakeholder Input

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicator 5, including historical trend data and proposed targets, and rationale for the proposed targets. The EICC endorsed the Department's proposed targets in a unanimous vote.

### Indicator 5: Child Find (Birth to One)

#### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / Child Find

Results indicator: Percent of infants and toddlers birth to 1 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups	9/24/2014	Number of infants and toddlers birth to 1 with IFSPs	2,615	
U.S. Census Annual State Resident Population Estimates April 1, 2010 to July 1, 2013	12/16/2014	Population of infants and toddlers birth to 1	239,298	

#### FFY 2013 SPP/APR Data

Number of infants and toddlers birth to 1 with IFSPs	Population of infants and toddlers birth to 1	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
2,615	239,298	1.10%	1.22%	1.09%	Did Not Meet Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

 Provide additional information about this indicator (optional)

## Indicator 5: Child Find (Birth to One)

### Required Actions from FFY 2012

*Monitoring Priority: Effective General Supervision Part C / Child Find*

Results indicator: Percent of infants and toddlers birth to 1 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table

No actions were required.

## Indicator 6: Child Find (Birth to Three)

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Child Find

Results indicator: Percent of infants and toddlers birth to 3 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		4.09%	4.10%	4.10%	4.10%	4.10%	4.10%	4.10%
Data	4.56%	4.24%	4.11%	4.25%	4.41%	4.47%	4.09%	4.05%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%

#### Targets: Description of Stakeholder Input

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicator 6, including historical trend data and proposed targets, and rationale for the proposed targets. The EICC endorsed the Department's proposed targets in a unanimous vote.

## Indicator 6: Child Find (Birth to Three)

### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / Child Find

Results indicator: Percent of infants and toddlers birth to 3 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups	9/24/2014	Number of infants and toddlers birth to 3 with IFSPs	28,325	
U.S. Census Annual State Resident Population Estimates April 1, 2010 to July 1, 2013	12/16/2014	Population of infants and toddlers birth to 3	716,997	

#### FFY 2013 SPP/APR Data

Number of infants and toddlers birth to 3 with IFSPs	Population of infants and toddlers birth to 3	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
28,325	716,997	4.05%	4.00%	3.95%	Did Not Meet Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

 Provide additional information about this indicator (optional)



## Indicator 6: Child Find (Birth to Three)

### Required Actions from FFY 2012

*Monitoring Priority: Effective General Supervision Part C / Child Find*

Results indicator: Percent of infants and toddlers birth to 3 with IFSPs compared to national data.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table

No actions were required.

## Indicator 7: 45-day timeline

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Child Find

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

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	52.90%	71.30%	77.50%	84.80%	83.50%	85.20%	82.90%	82.50%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

**Indicator 7: 45-day timeline**

**FFY 2013 Data**

Monitoring Priority: Effective General Supervision Part C / Child Find

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

(20 U.S.C. 1416(a)(3)(B) and 1442)

**FFY 2013 SPP/APR Data**

Number of eligible infants and toddlers with IFSPs for whom an initial evaluation and assessment and an initial IFSP meeting was conducted within Part C's 45-day timeline	Number of eligible infants and toddlers evaluated and assessed for whom an initial IFSP meeting was required to be conducted	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
6,403	6,916	82.50%	100%	92.58%	Did Not Meet Target	No Slippage

\* FFY 2012 Data are editable on the Historical Data and Targets page.

Number of documented delays attributable to exceptional family circumstances (this number will be subtracted from the number of eligible infants and toddlers evaluated and assessed for whom an initial IFSP meeting was required to be conducted when calculating the FFY 2013 Data)	
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**What is the source of the data provided for this indicator?**

- State monitoring
- State database

**Provide the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period).**

January 1, 2014 to March 31, 2014

**Describe how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.**

As allowed by OSEP, New York is reporting data for one quarter of the Federal Fiscal Year (FFY) 2013. There were 6,916 infants and toddlers who were evaluated and assessed for whom an initial IFSP meeting was required between January 1, 2014 and March 31, 2014.

The number of infants and toddlers who were evaluated and assessed for whom an initial IFSP meeting was required was consistent for each quarter of program year 2013-2014, so one quarter of FFY 2013 (January 1 to March 31) was selected for the calculation of the indicator.

**Provide additional information about this indicator (optional)**

Each local program (municipality) was provided a report for infants and toddlers who were evaluated and assessed and for whom an initial IFSP meeting was required between January 1, 2014 and March 31, 2014, but not held within 45 days. Municipalities were instructed to review the infants' and toddlers' records and correct any data entry errors or provide delay reasons, using the following categories: discountable delay (family problem scheduling appointment, family missed or canceled an appointment, family delayed response or consent for an appointment, or weather or other emergency declared) or non-discountable delay (difficulty identifying or assigning an evaluator or other local program administrative reasons).

There were 2,419 infants and toddlers with documented exceptional family circumstances which caused a delay in the initiation of services authorized on the IFSP. These infants and toddlers have been included in the numerator and denominator, as allowed by OSEP.

**Indicator 7: 45-day timeline****Required Actions from FFY 2012**

*Monitoring Priority: Effective General Supervision Part C / Child Find*

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

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Actions required in FFY 2012 response table**

In addition, the State must demonstrate, in the FFY 2013 APR, that the remaining four uncorrected findings of noncompliance identified in FFY 2011 were corrected

**Responses to actions required in FFY 2012 response table, not including correction of findings**

New York must report on technical assistance received in FFY 2013 and the results of that technical assistance. Department staff participated in technical assistance calls and webinars provided by the US Department of Education Office of Special Education Programs (OSEP), the Northeast Regional Resource Center (NERRC), and the Early Childhood Technical Assistance (ECTA) Center. The NYS Part C Data Manager spoke with colleagues from nearby states about the systems in place in those states to comply with federal requirements for the Annual Performance Report indicators. Department staff participated in Department-sponsored training and professional development in the area of quality improvement and performance management methodology.

In FFY 2013, Department staff identified timeliness of IFSP as a priority indicator on which to focus efforts to improve using the quality improvement methodology. Performance for this indicator had been at or below 85% historically. Department staff developed data reports for local programs to review individual records for infants and toddlers for whom the IFSP meeting was not held within 45 days of referrals. Local municipality staff and services coordinators reviewed the reports to correct data entry errors and provide delay reasons.

The result of this effort was an improvement from **82.5% in FFY 2012 to 92.58% in FFY 2013**. Of those IFSP meetings that were not held within 45 days in FFY 2013, the primary delay (59%) was reportedly due to the scheduling of and completing the multidisciplinary evaluation. Scheduling issues for the Early Intervention Official Designee (EIOD) accounted for an additional 21% of the delayed IFSP meetings. These two causes for delay will be the focus of ongoing efforts to identify and implement solutions to continue the improvement of the statewide timeliness of IFSP meetings. The goal for FFY 2014 is to improve the timeliness of IFSP meetings to greater than 95% statewide.

**Indicator 7: 45-day timeline**  
**Correction of Previous Findings of Noncompliance**

*Monitoring Priority: Effective General Supervision Part C / Child Find*

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

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Correction of Findings of Noncompliance Identified in FFY 2012**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
4	4	0	0

**FFY 2012 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

The findings of noncompliance were verified as corrected at the systemic level.

The Department continues to implement its rigorous verification of correction process which consists of the following:

- Identification of findings of noncompliance with IDEA requirements that are determined during on-site monitoring reviews conducted by The Department's contractor;
- All findings of noncompliance are identified and formal, written reports of findings are issued within 90 days of the on-site review;
- While conducting the on-site review, the contractor staff determines that each individual case of noncompliance has been corrected within one year, unless the child is no longer within the jurisdiction of the local program;
- Providers who have findings of noncompliance identified are required to submit a Corrective Action Plan (CAP) within 45 days of receipt of their monitoring report. The provider's CAP must include an analysis completed by the provider of the root cause of the noncompliance and all activities they will implement to correct the noncompliance;
- All CAPs are reviewed and approved by Department staff within 60 days of receipt and providers are formally notified in writing if their CAP has been approved, or needs further information;
- Written technical assistance is provided by Department staff, which is included in the Department's CAP response letter, should a provider need to revise their CAP;
- Additional technical assistance is also provided by phone call by Department staff to providers who are having difficulty providing sufficient correction activities in their CAPs;
- Contractor staff also conducts on-site verification of correction reviews within 90 days subsequent of approval of the provider's CAP for those providers with significant findings of noncompliance. This review is conducted to determine if CAP activities have been fully implemented and correction of compliance at 100% can be verified. A subset of child records is reviewed to verify correction of noncompliance.

The Department also requires submission of a subset of child records within 100 days of approval of the provider's CAP, for those providers who have no more than two findings of noncompliance, to determine if CAP activities have been fully implemented and correction of noncompliance can be verified at 100%.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

The findings of noncompliance were verified as corrected at the individual child level in the New York State Early Intervention Program data systems.

While conducting the on-site review, the contractor staff determined that each individual finding of noncompliance has been corrected at the specific child level within one year, unless the child is no longer within the jurisdiction of the local program. This is accomplished by review of the child record in its entirety to ensure that although the initial IFSP meeting may

have been later than 45 days subsequent to the child's referral, an IFSP meeting was eventually held for the child.

**Correction of Findings of Noncompliance Identified Prior to FFY 2012**

	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2012 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY2011	4	2	2

**FFY 2011 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

For the verification of systemic correction for local data findings, local programs that did not achieve 100% compliance in a given federal fiscal year were notified in writing of their noncompliance. Local data for subsequent years were checked, and local programs that were found to have a rate of 100% in a subsequent year for that compliance indicator were counted as having corrected the noncompliance. The finding was counted as timely corrected (within one year of notification) if the 100% rate was in the FFY subsequent to the date of notification. The finding was counted as subsequently corrected (i.e. corrected, but not timely) if the local program had a rate of 100% in a later FFY, but had not been timely corrected.

Two of the four local programs with a finding of noncompliance in FFY 2011 have achieved 100% compliance for timely IFSPs, as documented in the review of the data for FFY 2013, and have been verified as corrected.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

For each child with the original finding of noncompliance identified, a review of data in New York State Early Intervention Program data systems verified that either the IFSP meeting was subsequently held or the child was no longer under the jurisdiction of the New York State Early Intervention Program.

**FFY 2011 Findings Not Yet Verified as Corrected**

*Actions taken if noncompliance not corrected*

Two of the four local programs with a finding of noncompliance in FFY 2011 have improved but have not yet achieved 100% compliance for timely IFSPs as demonstrated in the review of the data for FFY 2013, so these two local programs have not been verified as corrected.

One of these local programs received a determination of needs assistance due in large part to their ongoing poor performance in this indicator. As a result of this determination, intensive technical assistance along with frequent data reports and communication were provided by Department staff. While these two local programs did not achieve 100%, considerable improvement was made. One program improved from **79.6% to 93.1%**, while the other program improved from **72.7% to 87.9%**.

Efforts to achieve 100% compliance in these two local programs will be continued in FFY 2014 and FFY 2015. Both local programs are large and provide evaluations and arrange for IFSP meetings for thousands of children every year.

## Indicator 8: Early Childhood Transition

### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### FFY 2013 SPP/APR Data

Number of toddlers with disabilities exiting Part C	27,068
Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	16,008

Provide additional information about this indicator (optional)

The number of toddlers with disabilities exiting Part C and who were potentially eligible for Part B Preschool Special Education was reported in the federal 618 table submitted to the US Department of Education.



## Indicator 8A: Early Childhood Transition

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	83.30%	87.10%	81.10%	93.90%	90.20%	89.60%	90.80%	96.30%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

## Indicator 8A: Early Childhood Transition

### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### FFY 2013 SPP/APR Data

Source	Date	Description	Data	Overwrite Data
<a href="#">Indicator 8</a>	1/7/2015	Number of toddlers with disabilities exiting Part C	27,068	1,194
<a href="#">Indicator 8</a>	1/7/2015	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	16,008	1,006

Data include only those toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday.

- Yes
- No

Number of children exiting Part C who have an IFSP with transition steps and services	Number of toddlers with disabilities exiting Part C	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
1,184	1,194	96.30%	100%	99.16%	Did Not Meet Target	No Slippage

\* FFY 2012 Data are editable on the Historical Data and Targets page.

Number of documented delays attributable to exceptional family circumstances (this number will be subtracted from the number of toddlers with disabilities exiting Part C when calculating the FFY 2013 Data)	0
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#### What is the source of the data provided for this indicator?

- State monitoring
- State database

Provide the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period).

Data were collected for a sample of toddlers exiting the New York State Early Intervention Program between July 1, 2013 and June 30, 2014.

#### Describe how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

In accordance with the sampling procedures approved by the US Department of Education Office of Special Education Programs (OSEP), the Department is using a geographically representative random sampling approach for collecting transition information. The sample was representative of the population exiting NYSEIP based on race, ethnicity, sex, and age.

Local programs completed a self-assessment tool developed by Department staff for use when exiting toddlers' records were resident in the legacy data system, called the Kids Integrated Data System (KIDS). For those exiting toddlers whose records were resident in the new web-based centralized New York Early Intervention System (NYEIS), the required transition data has been incorporated in NYEIS and was collected as children exited the program. In addition, each local program received data reports for exiting children whose records were in NYEIS to facilitate a review to ensure accuracy of data and document any necessary corrections to the data with respect to required transition steps and services.

Provide additional information about this indicator (optional)

There were 1,194 toddlers selected from 58 municipalities for the sample. Of the 1,194 toddlers, 1,006 were determined to be potentially eligible for the Part B Preschool Special Education Program.

All toddlers exiting NYSEIP are expected to have timely transition planning regardless of whether they are determined to be potentially eligible for the Part B Preschool Special Education Program. Of the 1,194 toddlers in the sample, 1,172 toddlers had timely transition planning, and 12 infants and toddlers had documented exceptional family circumstances which caused a delay in the transition steps and services in the IFSP. These infants and toddlers have been included in the numerator and denominator, as allowed by OSEP.

## Indicator 8A: Early Childhood Transition

### Required Actions from FFY 2012

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table, **not including correction of findings**

New York must report on technical assistance received in FFY 2013 and the results of that technical assistance. Department staff participated in technical assistance calls and webinars provided by the US Department of Education Office of Special Education Programs (OSEP), the Northeast Regional Resource Center (NERRC), and the Early Childhood Technical Assistance (ECTA) Center. The NYS Part C Data Manager spoke with colleagues from nearby states about the systems in place in those states to comply with federal requirements for the Annual Performance Report indicators. Department staff participated in Department-sponsored training and professional development in the area of quality improvement and performance management methodology.

Department staff worked closely with the municipalities to clarify questions about the required transition steps and services and the timeline to complete those steps. This targeted assistance resulted in an improvement from **96.3% in FFY 2012 to 99.16% in FFY 2013**. One of the main reasons why performance on this indicator was less than 100% was that the transition steps were not documented properly. The local programs reviewed their processes and procedures, and reported transition is discussed at each Individualized Family Service Plan (IFSP) meeting. The local programs will continue to work with service coordinators and other staff to ensure that all transition discussions are documented properly in children's IFSP. Department staff have developed reports for local programs to alert them to toddlers who will be turning three in the next 120 to 150 days to ensure that transition steps and services occur in a timely manner.

**Indicator 8A: Early Childhood Transition**  
**Correction of Previous Findings of Noncompliance**

*Monitoring Priority: Effective General Supervision Part C / Effective Transition*

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Correction of Findings of Noncompliance Identified in FFY 2012**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
2	2	0	0

**FFY 2012 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

Both findings of noncompliance were subsequently verified as corrected at the systemic level.

New York State continues to implement its rigorous verification of correction process which consists of the following:

- Identification of findings of noncompliance with IDEA requirements that are determined during on-site monitoring reviews conducted by NY State’s contractor;
- All findings of noncompliance are identified and formal, written reports of findings are issued within 90 days of the on-site review;
- While conducting the on-site review, the contractor staff determines that each individual case of noncompliance has been corrected within one year, unless the child is no longer within the jurisdiction of the local program;
- Providers who have findings of noncompliance identified are required to submit a Corrective Action Plan (CAP) within 45 days of receipt of their monitoring report. The provider’s CAP must include an analysis completed by the provider of the root cause of the noncompliance and all activities they will implement to correct the noncompliance;
- All CAPs are reviewed and approved by NY State Department staff within 60 days of receipt and providers are formally notified in writing if their CAP has been approved, or needs further information;
- Written technical assistance is provided by NY State Department staff, which is included in the Department’s CAP response letter, should a provider need to revise their CAP;
- Additional technical assistance is also provided by phone call by NY State Department staff to providers who are having difficulty providing sufficient correction activities in their CAPs;
- NY State contract staff also conducted on-site verification of correction reviews within 90 days subsequent of approval of the provider’s CAP for those providers with significant findings of noncompliance. This review is conducted to determine if CAP activities have been fully implemented and correction of compliance at 100% can be verified. A subset of child records is reviewed to verify correction of noncompliance;

NY State also requires submission of a subset of child records within 100 days of approval of the provider’s CAP, for those providers who have no more than two findings of noncompliance, to determine if CAP activities have been fully implemented and correction of noncompliance can be verified at 100%.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

While conducting the on-site review, the contractor staff determined that each individual finding of noncompliance has been corrected at the specific child level within one year, unless the child is no longer within the jurisdiction of the local program.

This is accomplished by review of the child record in its entirety to ensure that although the transition activities were not completed within the required timeline, the activities did occur or the child was no longer under the jurisdiction of the Part C Early Intervention Program.

**Correction of Findings of Noncompliance Identified Prior to FFY 2012**

	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2012 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
None			

## Indicator 8B: Early Childhood Transition

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	95.30%	97.80%	90.10%	82.60%	87.70%	95.00%	90.00%	92.80%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

**Indicator 8B: Early Childhood Transition**

**FFY 2013 Data**

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**FFY 2013 SPP/APR Data**

Source	Date	Description	Data	Overwrite Data
<a href="#">Indicator 8</a>	1/7/2015	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	16,008	1,006

**Data include notification to both the SEA and LEA**

- Yes
- No

Number of toddlers with disabilities exiting Part C where notification to the SEA and LEA occurred at least 90 days prior to their third birthday for toddlers potentially eligible for Part B preschool services	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
978	1,006	92.80%	100%	97.22%	Did Not Meet Target	No Slippage

\* FFY 2012 Data are editable on the Historical Data and Targets page.

Number of parents who opted out (this number will be subtracted from the number of toddlers with disabilities exiting Part C who were potentially eligible for Part B when calculating the FFY 2013 Data)	0
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**Describe the method used to collect these data**

In accordance with the sampling procedures approved by the US Department of Education Office of Special Education Programs (OSEP), the Department is using a geographically representative random sampling approach for collecting transition information. The sample was representative of the population exiting the Part C program based on race, ethnicity, sex, and age.

Local programs completed a self-assessment tool developed by Department staff for use when exiting toddlers' records were resident in the legacy data system, called the Kids Integrated Data System (KIDS). For those exiting toddlers whose records were resident in the new web-based centralized New York Early Intervention System (NYEIS), the required transition data has been incorporated in NYEIS and was collected as children exited the program. In addition, each local program received data reports for exiting children whose records were in NYEIS to facilitate a review to ensure accuracy of data and document any necessary corrections to the data with respect to required transition steps and services.



Do you have a written opt-out policy? Yes

Provide additional information about this indicator (optional)

The New York State Department of Health notified the New York State Education Department (SED), which is the State Education Agency (SEA), of all (100%) toddlers enrolled in NYSEIP who may be potentially eligible for the Part B Preschool Special Education Program and for whom the parents have not opted out of notifying the education agency of their toddler's potential eligibility.

Of the 1,194 toddlers in the sample, 1,006 were potentially eligible for the Part B Preschool Special Education Program. Of the 1,006 potentially eligible toddlers, 850 toddlers had timely notification sent to the LEA, and 128 families opted out of the notification process. These toddlers have been included in the numerator and denominator, as allowed by OSEP.

## Indicator 8B: Early Childhood Transition

### Required Actions from FFY 2012

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

In addition, the State must demonstrate, in the FFY 2013 APR, that the remaining four uncorrected findings of noncompliance identified in FFY 2011 were corrected.

#### Responses to actions required in FFY 2012 response table, **not including correction of findings**

New York must report on technical assistance received in FFY 2013 and the results of that technical assistance. Department staff participated in technical assistance calls and webinars provided by the US Department of Education Office of Special Education Programs (OSEP), the Northeast Regional Resource Center (NERRC), and the Early Childhood Technical Assistance (ECTA) Center. The NYS Part C Data Manager spoke with colleagues from nearby states about the systems in place in those states to comply with federal requirements for the Annual Performance Report indicators. Department staff participated in Department-sponsored training and professional development in the area of quality improvement and performance management methodology.

Department staff worked closely with the municipalities to clarify questions about the required transition steps and services and the timeline to complete those steps. This targeted assistance resulted in an improvement from **92.8% in FFY 2012 to 97.42% in FFY 2013**. One of the main reasons why the notification did not occur in FFY 2013 was due to the challenge of completing all transition steps and services in a timely manner when toddlers are referred close to their third birthday. Department staff will continue to work with municipalities and service coordinators to make sure they understand the requirements and timeline for the notification of the LEA. Department staff have developed reports for local programs to alert them to toddlers who will be turning three in the next 120 to 150 days to ensure that transition steps and services occur in a timely manner.

**Indicator 8B: Early Childhood Transition**  
**Correction of Previous Findings of Noncompliance**

*Monitoring Priority: Effective General Supervision Part C / Effective Transition*

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Correction of Findings of Noncompliance Identified in FFY 2012**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2012**

	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2012 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY2011	4	4	0

**FFY 2011 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

There were four findings of noncompliance in FFY 2011 that were not verified as corrected as of the FFY 2012 Annual Performance Report. No monitoring or data findings were issues in FFY 2012. Work continued with the local programs in noncompliance in FFY 2012. New data findings of noncompliance were issued to local programs in FFY 2013.

For the verification of systemic correction for local data findings, local programs that did not achieve 100% compliance in a given federal fiscal year were notified in writing of their noncompliance. Local data for subsequent years were checked, and local programs that were found to have a rate of 100% in a subsequent year for that compliance indicator were counted as having corrected the noncompliance. The finding was counted as timely corrected (within one year of notification) if the 100% rate was in the FFY subsequent to the date of notification. The finding was counted as subsequently corrected (i.e. corrected, but not timely) if the local program had a rate of 100% in a later FFY, but had not been timely corrected.

All four of the local programs with a finding of noncompliance in FFY 2011 have achieved 100% compliance for timely services as demonstrated in the review of the data for FFY 2013, so these local programs have been verified as corrected.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

For each toddler for whom the original finding of noncompliance was made, it was verified that the transition steps and services occurred or that the toddler was no longer in the jurisdiction of the Part C Early Intervention Program.

## Indicator 8C: Early Childhood Transition

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	37.10%	53.70%	78.90%	63.60%	75.10%	77.50%	80.00%	91.80%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

**Indicator 8C: Early Childhood Transition**

**FFY 2013 Data**

Monitoring Priority: Effective General Supervision Part C / Effective Transition

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**FFY 2013 SPP/APR Data**

Source	Date	Description	Data	Overwrite Data
<a href="#">Indicator 8</a>	1/7/2015	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	16,008	1,006

Data reflect only those toddlers for whom the Lead Agency has conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services

- Yes
- No

Number of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties at least nine months prior to the toddler’s third birthday for toddlers potentially eligible for Part B	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
301	1,006	91.80%	100%	88.53%	Did Not Meet Target	Slippage

\* FFY 2012 Data are editable on the Historical Data and Targets page.

Number of toddlers for whom the parent did not provide approval for the transition conference (this number will be subtracted from the number of toddlers with disabilities exiting Part C who were potentially eligible for Part B when calculating the FFY 2013 Data)	666
Number of documented delays attributable to exceptional family circumstances (this number also will be subtracted from the number of toddlers with disabilities exiting Part C who were potentially eligible for Part B when calculating the FFY 2013 Data)	0

**Explanation of Slippage**

The New York State Department of Health (Department) is committed to ensuring timely transition steps and services. Department staff worked closely with the municipalities to clarify questions about the required timely transition steps and services and the timeline to complete those steps. While timely transition steps on the IFSP (indicator 8a) and timely notification of the LEA (indicator 8b) improved, timely transition conferences (indicator 8c) declined.

One of the main reasons why the transition conference did not occur in a timely manner was confusion over the timeline when toddlers are referred close to their third birthday. The timeline to complete the evaluation, hold the Individualized Family Service Plan (IFSP) meeting, and ensure that all steps for transition, including the transition conference, occur at least 90 days before children's third birthdays, was challenging for local programs. There was also confusion over the requirement to invite the LEA chairperson to the transition conference.

Department staff will continue to work with municipalities and service coordinators to ensure they understand the requirements and timeline for the transition conference. Department staff have developed reports for local programs to alert them to toddlers who will be turning three in the next 120 to 150 days to ensure transition steps and services occur in a timely manner.

**What is the source of the data provided for this indicator?**



State monitoring



State database that includes data for the entire reporting year

**Provide the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period).**

Data were collected for a sample of toddlers exiting the New York State Early Intervention Program between July 1, 2013 and June 30, 2014.

**Describe how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.**

In accordance with the sampling procedures approved by the US Department of Education Office of Special Education Programs (OSEP), the Department is using a geographically representative random sampling approach for collecting transition information. The sample was representative of the population exiting the Part C program based on race, ethnicity, sex, and age.

Local programs completed a self-assessment tool developed by Department staff for use when exiting toddlers' records were resident in the legacy data system, called the Kids Integrated Data System (KIDS). For those exiting toddlers whose records were resident in the new web-based centralized New York Early Intervention System (NYEIS), the required transition data has been incorporated in NYEIS and was collected as children exited the program. In addition, each local program received data reports for exiting children whose records were in NYEIS to facilitate a review to ensure accuracy of data and document any necessary corrections to the data with respect to required transition steps and services.

**Provide additional information about this indicator (optional)**

Of the 1,194 toddlers in the sample, 1,006 were potentially eligible for the Part B Preschool Special Education Program. Of the 1,006 potentially eligible toddlers, 666 families declined the transition conference. Of the remaining 340 toddlers, 267 had timely transition conferences, and 34 infants and toddlers had documented exceptional family circumstances which caused a delay in the transition conference. These toddlers have been included in the numerator and denominator, as allowed by OSEP.

## Indicator 8C: Early Childhood Transition

### Required Actions from FFY 2012

*Monitoring Priority: Effective General Supervision Part C / Effective Transition*

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

In addition, the State must demonstrate, in the FFY 2013 APR, that the remaining four uncorrected findings of noncompliance identified in FFY 2011 were corrected.

#### Responses to actions required in FFY 2012 response table, **not including correction of findings**

New York must report on technical assistance received in FFY 2013 and the results of that technical assistance. Department staff participated in technical assistance calls and webinars provided by the US Department of Education Office of Special Education Programs (OSEP), the Northeast Regional Resource Center (NERRC), and the Early Childhood Technical Assistance (ECTA) Center. The NYS Part C Data Manager spoke with colleagues from nearby states about the systems in place in those states to comply with federal requirements for the Annual Performance Report indicators. Department staff participated in Department-sponsored training and professional development in the area of quality improvement and performance management methodology.

Department staff worked closed with the municipalities to clarify questions. The Department developed and distributed a Service Coordinator Tool Kit, which includes the requirements and timeline for transition. A webinar was held on July 2, 2014 to review the requirements and timeline for transition steps and services, as well as how to properly document transition steps and services. Department staff will work closely with local programs (municipalities) with less than 100% compliance in indicator 8c in FFY 2014-2015.

**Indicator 8C: Early Childhood Transition**  
**Correction of Previous Findings of Noncompliance**

*Monitoring Priority: Effective General Supervision Part C / Effective Transition*

Compliance indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Correction of Findings of Noncompliance Identified in FFY 2012**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

*Please explain why no findings of noncompliance were identified when you reported a failure to be in compliance in your last APR.*

No monitoring or data findings of noncompliance were issued in FFY 2012. Work continued with the local programs in noncompliance in FFY 2011. New data findings of noncompliance were issued to local programs in FFY 2013.

**Correction of Findings of Noncompliance Identified Prior to FFY 2012**

	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2012 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY2011	4	1	3

**FFY 2011 Findings of Noncompliance Verified as Corrected**

*Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements*

There were four findings of noncompliance in FFY 2011 which had not been verified as corrected as of the FFY 2012 Annual Performance Report.

One of the local programs with a finding of noncompliance in FFY 2011 has achieved 100% compliance as demonstrated in the review of the data for FFY 2013, so this local program has been verified as corrected.

For the verification of systemic correction for local data findings, local programs that did not achieve 100% compliance in a given federal fiscal year were notified in writing of their noncompliance. Local data for subsequent years were checked, and local programs that were found to have a rate of 100% in a subsequent year for that compliance indicator were counted as having corrected the noncompliance. The finding was counted as timely corrected (within one year of notification) if the 100% rate was in the FFY subsequent to the date of notification. The finding was counted as subsequently corrected (i.e. corrected, but not timely) if the local program had a rate of 100% in a later FFY, but had not been timely corrected.

*Describe how the State verified that each LEA corrected each individual case of noncompliance*

For each toddler for whom the original finding of noncompliance was made, it was verified that the transition steps and services occurred or that the toddler was no longer in the jurisdiction of the Part C Early Intervention Program.

**FFY 2011 Findings Not Yet Verified as Corrected**

*Actions taken if noncompliance not corrected*



Three of the four local programs have not achieved 100% compliance for timely transition conferences as demonstrated in the review of the data for FFY 2013, so these local programs have not been verified as corrected. Technical assistance was provided to these local programs.

More work needs to be done in FFY 2014-2015 with these local programs, as well as other local programs whose performance declined from FFY 2012 to FFY 2013. Efforts will be focused on training service coordinators, as well as developing clearer, more concise documentation, along with webinars and targeted technical assistance. Department staff have developed reports for local programs to alert them to toddlers who will be turning three in the next 120 to 150 days to assist them in ensuring transition steps and services occur in a timely manner. New data findings of noncompliance were issued in FFY 2013. Local programs are working to correct these findings.

## Indicator 9: Resolution Sessions

### Historical Data and Targets

Monitoring Priority: Effective General Supervision Part C / General Supervision

Results indicator: 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).

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Historical Data

Baseline Data:

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥								
Data								

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

#### FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥						

#### Targets: Description of Stakeholder Input

## Indicator 9: Resolution Sessions

### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / General Supervision

Results indicator: 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).

(20 U.S.C. 1416(a)(3)(B) and 1442)


#### Prepopulated Data

Source	Date	Description	Data	Overwrite Data
EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/12/2013	3.1 Number of resolution sessions		
EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/12/2013	3.1(a) Number resolution sessions resolved through settlement agreements		

#### FFY 2013 SPP/APR Data

3.1 Number of resolution sessions	3.1(a) Number resolution sessions resolved through settlement agreements	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
					Incomplete Data	n/a

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

 Provide additional information about this indicator (optional)

## Indicator 9: Resolution Sessions

### Required Actions from FFY 2012

*Monitoring Priority: Effective General Supervision Part C / General Supervision*

Results indicator: 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).

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table

**Indicator 10: Mediation**

**Historical Data and Targets**

Monitoring Priority: Effective General Supervision Part C / General Supervision

Results indicator: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B) and 1442)

**Historical Data**

Baseline Data: 2005

FFY	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		82.00%	82.00%	82.00%	82.00%	82.00%	82.00%	82.00%
Data	80.00%	96.00%	97.00%	87.00%	81.13%	94.89%	92.08%	95.51%

Key:  Gray – Data Prior to Baseline  Yellow – Baseline  Blue – Data Update

**FFY 2013 - FFY 2018 Targets**

FFY	2013	2014	2015	2016	2017	2018
Target ≥	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%

**Targets: Description of Stakeholder Input**

The State Performance Plan/Annual Performance Report (SPP/APR) was presented to and discussed with the Early Intervention Coordinating Council (EICC) to obtain stakeholder input on the SPP/APR, including revisions to targets, on December 9, 2014.

Preliminary data were presented on SPP/APR Indicator 10, including historical trend data and targets, and rationale for the proposed targets. The EICC endorsed the Department's proposed targets in a unanimous vote.

## Indicator 10: Mediation

### FFY 2013 Data

Monitoring Priority: Effective General Supervision Part C / General Supervision

Results indicator: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B) and 1442)


#### Prepopulated Data

Source	Date	Description	Data	Overwrite Data
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1.a.i Mediations agreements related to due process complaints	2	
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1.b.i Mediations agreements not related to due process complaints	63	
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1 Mediations held	68	

#### FFY 2013 SPP/APR Data

2.1.a.i Mediations agreements related to due process complaints	2.1.b.i Mediations agreements not related to due process complaints	2.1 Mediations held	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data	Status	Slippage
2	63	68	95.51%	90.00%	95.59%	Met Target	No Slippage

\* FFY 2012 Data and FFY 2013 Target are editable on the Historical Data and Targets page.

 Provide additional information about this indicator (optional)

## Indicator 10: Mediation

### Required Actions from FFY 2012

*Monitoring Priority: Effective General Supervision Part C / General Supervision*

Results indicator: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Actions required in FFY 2012 response table

None

#### Responses to actions required in FFY 2012 response table

No actions were required.

## Indicator 11: State Systemic Improvement Plan

### Baseline and Targets

Monitoring Priority: General Supervision

Results indicator: The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

#### Baseline Data

FFY	2013
Data	

#### FFY 2014 - FFY 2018 Targets

FFY	2014	2015	2016	2017	2018
Target					

#### Description of Measure

#### Targets: Description of Stakeholder Input



## Indicator 11: State Systemic Improvement

### Plan

#### Data Analysis

*Monitoring Priority: General Supervision*

**Results indicator: The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.**

#### Data Analysis

A description of how the State identified and analyzed key data, including data from SPP/APR indicators, 618 data collections, and other available data as applicable, to: (1) select the State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families, and (2) identify root causes contributing to low performance. The description must include information about how the data were disaggregated by multiple variables (e.g., EIS program and/or EIS provider, geographic region, race/ethnicity, socioeconomic status, gender, etc.) As part of its data analysis, the State should also consider compliance data and whether those data present potential barriers to improvement. In addition, if the State identifies any concerns about the quality of the data, the description must include how the State will address these concerns. Finally, if additional data are needed, the description should include the methods and timelines to collect and analyze the additional data.

## Indicator 11: State Systemic Improvement

### Plan

#### Analysis of State Infrastructure

*Monitoring Priority: General Supervision*

**Results indicator: The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.**

#### Analysis of State Infrastructure to Support Improvement and Build Capacity

A description of how the State analyzed the capacity of its current infrastructure to support improvement and build capacity in EIS programs and/or EIS providers to implement, scale up, and sustain the use of evidence-based practices to improve results for infants and toddlers with disabilities and their families. State systems that make up its infrastructure include, at a minimum: governance, fiscal, quality standards, professional development, data, technical assistance, and accountability/monitoring. The description must include current strengths of the systems, the extent the systems are coordinated, and areas for improvement of functioning within and across the systems. The State must also identify current State-level improvement plans and other early learning initiatives, such as Race to the Top-Early Learning Challenge and the Home Visiting program and describe the extent that these new initiatives are aligned, and how they are, or could be, integrated with, the SSIP. Finally, the State should identify representatives (e.g., offices, agencies, positions, individuals, and other stakeholders) that were involved in developing Phase I of the SSIP and that will be involved in developing and implementing Phase II of the SSIP.

## Indicator 11: State Systemic Improvement

### Plan

#### Measurable Result for Infants and Toddlers with Disabilities

*Monitoring Priority: General Supervision*

**Results indicator:** The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

#### **State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and Their Families**

A statement of the result(s) the State intends to achieve through the implementation of the SSIP. The State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families must be aligned to an SPP/APR indicator or a component of an SPP/APR indicator. The State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families must be clearly based on the Data and State Infrastructure Analyses and must be a child- or family-level outcome in contrast to a process outcome. The State may select a single result (e.g., increase the rate of growth in infants and toddlers demonstrating positive social-emotional skills) or a cluster of related results (e.g., increase the percentage reported under child outcome B under Indicator 3 of the SPP/APR (knowledge and skills) and increase the percentage trend reported for families under Indicator 4 (helping their child develop and learn)).

*Statement*

*Description*

## Indicator 11: State Systemic Improvement Plan

### Selection of Coherent Improvement Strategies

*Monitoring Priority: General Supervision*

**Results indicator: The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.**

#### Selection of Coherent Improvement Strategies

An explanation of how the improvement strategies were selected, and why they are sound, logical and aligned, and will lead to a measurable improvement in the State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families. The improvement strategies should include the strategies, identified through the Data and State Infrastructure Analyses, that are needed to improve the State infrastructure and to support EIS program and/or EIS provider implementation of evidence-based practices to improve the State-identified result(s) for infants and toddlers with disabilities and their families. The State must describe how implementation of the improvement strategies will address identified root causes for low performance and ultimately build EIS program and/or EIS provider capacity to achieve the State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families.

## Indicator 11: State Systemic Improvement Plan

### Theory of Action

*Monitoring Priority: General Supervision*

**Results indicator:** The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

#### Theory of Action

A graphic illustration that shows the rationale of how implementing the coherent set of improvement strategies selected will increase the State's capacity to lead meaningful change in EIS programs and/or EIS providers, and achieve improvement in the State-identified Measurable Result(s) for Infants and Toddlers with Disabilities and their Families.

**Submitted Theory of Action:** No Theory of Action Submitted



Provide a description of the provided graphic illustration (optional)

## Certify and Submit your SPP/APR

I certify that I am the Director of the State's Lead Agency under Part C of the IDEA, or his or her designee, and that the State's submission of its IDEA Part C State Performance Plan/Annual Performance Report is accurate.

**Selected:** Designated by the Lead Agency Director to certify

Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part C State Performance Plan/Annual Performance Report.

Name: Kirsten Siegenthaler

Title: Part C Data Manager

Email: [Kirsten.Siegenthaler@health.ny.gov](mailto:Kirsten.Siegenthaler@health.ny.gov)

Phone: 518-474-7832