

Table A – Oklahoma Part C

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
<p>Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. (20 USC 1416(a)(3)(A) and 1442)</p>	<p>On page 6 of the SPP, Oklahoma State Department of Education (OSDE) reported that timely services are defined as the child and family having services after the IFSP is written. The Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1) require that the lead agency provide the early intervention services that are consented to by the parent as soon as possible after the IFSP meeting. OSEP assumes that the IFSP "written" date is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p>	<p>The State must confirm in the FFY 2005 APR, due February 1, 2007, that its starting date (which is when the IFSP is written) is when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2).</p>
<p>Indicator 2: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.¹ (20 USC 1416(a)(3)(A) and 1442)</p>	<p>While the State's targets for provision of services to infants and toddlers in natural environments do not demonstrate an increase, because the State reported more than 95% of infants and toddlers receiving services in natural environments, there is no expectation that an increase in that percentage is necessary. OSEP appreciates the State's efforts to serve infants and toddlers with disabilities in natural environments to the maximum extent appropriate to the child's needs.</p>	<p>No action required</p>

¹ At the time of the release of this package, revised forms for collection of 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State reported data collections.

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<p>Indicator 3: Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <ul style="list-style-type: none"> 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. <p>(20 USC 1416(a)(3)(A) and 1442)</p>	<p>Other:</p> <p>On page 15 of the SPP, OSDE reported that it would use a pilot program in SFY 2006. However, an evaluation of the sampling plan for Indicator 3 indicated that it was not technically sound (see OSEP’s February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish entry-level data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>	<p>Other:</p> <p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State’s FFY 2005 APR. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>
<p>Indicator 4: Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. <p>(20 USC 1416(a)(3)(A) and 1442)</p>	<p>Other:</p> <p>An evaluation of the sampling plan for Indicator 4 indicated that it was not technically sound (see OSEP’s February 14, 2006 memorandum). Data will lack validity if based on a sampling plan that is not technically sound. OSEP is concerned because your plan is to use these invalid data to establish baseline data for this indicator. The submission of invalid data is inconsistent with Federal statute and regulations, including section 616(b)(2)(B) of the IDEA, and will affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>	<p>Other:</p> <p>As indicated in the February 14, 2006 OSEP memorandum, if a revised sampling plan has not been accepted by OSEP by the time the State submits its FFY 2005 APR on February 1, 2007, the State must submit a revised sampling methodology that describes how data were collected with the State’s FFY 2005 APR. In the FFY 2005 APR, you also need to explain how your State addressed the deficiencies in the data collection noted in the attachment to the OSEP memorandum. If you decide not to sample, but rather gather census data, please inform OSEP and revise your SPP accordingly.</p>

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<p>Indicator 7: Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C’s 45-day timeline. (20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <p>The State reported a 94.03% level of compliance for Indicator 7 in the SPP, specifically the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(2), and 303.342(a) to complete the evaluation and assessment and hold an initial IFSP meeting within 45 days after it receives a referral for a child. While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p> <p>On page 36 of the SPP, OSDE reported that it reviewed data submitted by 25 early intervention sites. However, it included data from only 20 early intervention sites in its calculation of baseline data. OSDE stated that the five sites not included were considered to be outside the norm. OSEP cannot determine whether the data being outside the norm indicates noncompliance in this area or whether the data is excluded because it does not measure compliance. OSDE must include data from all sites from which it collects data in the APR due February 1, 2007.</p>	<p>Noncompliance:</p> <p>In the APR, due February 1, 2007, the State must include progress data from all sites monitored and baseline data for the 5 sites not reported or an explanation for why five sites were not included in the baseline data. OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. Failure to include all of the required data may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>

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<p>Indicator 8: Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday including:</p> <ul style="list-style-type: none"> A. IFSPs with transition steps and services; B. Notification to LEA, if child potentially eligible for Part B; and C. Transition conference, if child potentially eligible for Part B. <p>(20 USC 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance:</p> <p>The State reported 95.82%, 97.39% and 95.32% levels of compliance respectively for Indicators 8A (the requirements of 34 CFR §§303.148(b)(4) and 303.344(h)), 8B (the requirements of 34 CFR §303.148(b)(1)) and 8C (the requirements of 34 CFR §303.148(b)(2)(i)) in the SPP regarding timely transition planning. While these levels of compliance are below 100% and require improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p> <p>On pages 41-42 of the SPP, OSDE reported that it reviewed data submitted by 25 early intervention sites. However, it included data from only 20 early intervention sites in its calculation of baseline data. OSDE stated that the five sites not included were considered to be outside the norm. OSEP cannot determine whether the data being outside the norm indicates noncompliance in this area or whether the data is excluded because it does not measure compliance. OSDE must include data from all sites from which it collects data in the APR due February 1, 2007. See Table B for additional discussion of 8C.</p>	<p>Noncompliance:</p> <p>In the APR, due February 1, 2007, the State must include progress data from all sites monitored and baseline data for the 5 sites not reported or an explanation for why five sites were not included in the baseline data. OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. Failure to include all the required data may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p> <p>See Table B for additional discussion of 8C.</p>

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<p>Indicator 9: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>Noncompliance: The State reported a 73.91% level of compliance for Indicator 9 in the SPP. OSDE reported that for some of the noncompliance identified, local sites were not given a full year to correct the noncompliance. On page 47 of the SPP, OSDE reported that in reporting its baseline data for Indicator 9, it evaluated for accuracy, checked and corrected data entry errors, and eliminated outliers. OSEP is unable to determine OSDE’s criteria for eliminating outlying data and whether that data would have indicated noncompliance had it been reported. The requirements at 34 CFR §303.501 require that lead agencies monitor all programs used by the State to carry out Part C. OSEP is unable to determine whether OSDE has met this requirement because the State did not provide its criteria for eliminating outlying data. See Table B for discussion of 9B.</p>	<p>Noncompliance: The State must include data and analysis demonstrating that it has monitored all programs used by the State to carry out Part C and report all monitoring data in the APR, due February 1, 2007. The State must ensure that this noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with this requirement. The State should review and, if necessary revise, its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR, that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA. See Table B for discussion of 9B.</p>
<p>Indicator 14: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B) and 1442)</p>	<p>(1) While the State provided information indicating that mechanisms are in place for ensuring that all State-reported data (under section 618 of the IDEA, in the SPP and in the APRs) are 100% accurate, OSDE did not provide baseline data indicating the percentage of State-reported data that was accurate. In addition, information provided under other indicators of the SPP (e.g., Indicators 7 and 8) reported that the data provided were not complete. As noted above, on pages 36, 41-42 and 47, OSDE reported that it did not include data from all program</p>	<p>(1) As noted above under Indicators 7, 8, and 9, OSDE should reconsider the baseline data provided for Indicator 14 of the SPP and provide accurate information, including improvement activities, in the APR, due February 1, 2007. Failure to accurately report information in this indicator may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>

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	<p>sites monitored.</p> <p>(2) While OSDE’s target for Indicator 14 stated that the state would employ mechanisms to ensure accuracy, allowing OSEP to make inferences regarding the State’s intended targets, the State did not explicitly indicate that its targets are 100% for both <u>timely data</u> and <u>accurate data</u> reports.</p>	<p>(2) The State must revise its targets in the APR, due February 1, 2007, to clarify that it is the State’s intent to reach 100% accuracy and 100% timeliness regarding data reported, whether to OSEP or to the public, under section 618 of the IDEA, in the SPP and in the APRs.</p>