

Indicator 12: Early Childhood Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

Data to be taken from State monitoring or State data system.

Measurement

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child's third birthday under 34 CFR §303.211 or a similar State option.

Provide detailed information about the timely correction of child-specific and regulatory/systemic noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2024 SPP/APR, the data for FFY 2023), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

If the State did not issue any findings because it has adopted procedures that permit its LEAs to correct noncompliance prior to the State's issuance of a finding (i.e., pre-finding correction), the explanation within each applicable indicator must include how the State verified, prior to issuing a finding, that the LEA has corrected each individual case of child-specific noncompliance and is correctly implementing the specific regulatory requirements.

12 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Baseline Year	Baseline Data
2005	67.00%

FFY	2019	2020	2021	2022	2023
Target	100%	100%	100%	100%	100%
Data	97.62%	93.94%	89.09%	94.12%	70.06%

Targets

FFY	2024	2025
Target	100%	100%

FFY 2024 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	161
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	16
c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	59
d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	6
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	30
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	3

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2023 Data	FFY 2024 Target	FFY 2024 Data	Status	Slippage
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	59	106	70.06%	100%	55.66%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

From FFY 2023 to FFY 2024, the Indicator 12 percentage decreased by 14.50 percentage points. The state has identified several likely reasons for this slippage. First, LEAs across the state have reported pervasive staffing shortages/challenges and high staff turnover that have resulted in delays in processing referrals and ensuring that evaluations were complete, and if eligible, IEP meetings were held with IEPs ready to be implemented by a child's third birthday. LEAs reported that over 19% of delays were due to LEA scheduling issues or internal challenges, including staffing shortages or staff availability. Additionally, LEAs reported challenges with parent communications and scheduling that also contributed to increased noncompliance and thus the observed slippage for FFY 2024. LEAs reported that over 21 percent of the delays were due to challenges with parent communication or parent scheduling delays. Finally, over 6% were due to delays in referrals from Part C to Part B. Much like with LEAs, there continues to be staffing shortages and challenges in early intervention programs that likely contributed to delays in communications from Part C to Part B.

In addition, four of the largest LEAs in the state (in top 20 in terms of student population) impacted statewide data due to the large percentage of their students represented in the FFY 2023 Indicator 12 data set. These large LEAs have been substantially affected by staffing shortages and staff turnover, thus contributing to the overall noncompliance reported by the state. The Indicator 12 compliance percentage for these for LEAs decreased an average of 44 percentage points from FFY 2023 to FFY 2024, indicating their impact on the overall statewide slippage. Further, these four large LEAs accounted for over 30% of the total Indicator 12 records and accounted for over 36% of the noncompliant records reported for Indicator 12. As such, the decrease in compliance for these four large LEAs affected the overall state data and contributed to the slippage.

Number of children who served in Part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f

47

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

In FFY 2024, there were 47 records that were determined noncompliant.

For records in which children were determined not eligible after their third birthdays, the range of days beyond the third birthday was 2 to 142. For records in which children were determined eligible, 19 children had their eligibility completed by their third birthday and for the remaining records, the range of days beyond their third birthday was 1 to 178. These eligible children had IEPs implemented after their third birthdays, with the range of days beyond the third birthday being 1 to 135.

Reasons for delay included late referrals from Part C to the LEA, parent-related delays (e.g., scheduling), and LEA-related delays (e.g., scheduling, staffing shortages and challenges).

Attach PDF table (optional)

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

State database that includes data for the entire reporting year

Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.

The SEA uses a census-level data collection for this indicator. The Part C Lead Agency submits data through a secure data file transfer system, regarding all children referred to a school district to the SEA. The SEA collates this data and verifies the referral through the statewide student information system (SIS). This SIS contains documentation of the referral, the eligibility determination and, if the child is eligible, the student's IEP. This allows the SEA to determine district compliance with the Part C to Part B transition requirements. By using this method, the SEA can account for all children in the state who transition from Part C to Part B.

Provide additional information about this indicator (optional)

N/A

Correction of Findings of Noncompliance Identified in FFY 2023

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
22	22	0	0

FFY 2023 Findings of Noncompliance Verified as Corrected

Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements

In FFY 2023, there were 22 LEAs that were the source of noncompliance for the 47 individual records with noncompliance. The state issued written findings and required the 22 LEAs to complete a corrective action plan (CAP) that required the LEAs to drill down into and take steps to correct the root cause of the noncompliance to prevent it from recurring. After completion of the CAP and correction of the child-specific noncompliance, the state conducted a subsequent data review of new student records to evaluate compliance with regulatory requirements. Through these activities, the state verified that the 22 LEAs that were the source of noncompliance are now correctly implementing the regulatory requirements with 100% compliance, consistent with QA 23-01.

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

The 47 individual cases of noncompliance reported in FFY 2023 were required to be corrected, albeit past the child’s third birthday, to ensure an eligibility determination was made and, when eligible, an IEP was developed and implemented. LEAs with the 47 cases of noncompliance were required to submit evidence of such actions and the state verified that each of the 47 individual cases of noncompliance were corrected, consistent with QA 23-01.

If procedures have been adopted that permit LEAs to correct noncompliance prior to the State’s issuance of a finding (i.e., pre-finding correction), describe how, for instances of noncompliance discovered in FFY 2023, the State verified: (1) that the source of noncompliance is correctly implementing the regulatory requirements; and, (2) each individual case of noncompliance was corrected.

N/A

Correction of Findings of Noncompliance Identified Prior to FFY 2023

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2023 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

12 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2023, the State must report on the status of correction of noncompliance identified in FFY 2023 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2024 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2023: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP QA 23-01. In the FFY 2024 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2023, although its FFY 2023 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2023. If the State did not issue any findings because it has adopted procedures that permit its LEAs to correct noncompliance prior to the State’s issuance of a finding, the explanation must include how the State verified, prior to issuing a finding, that the LEA has corrected each individual case of child-specific noncompliance and is correctly implementing the specific regulatory requirements.

Response to actions required in FFY 2023 SPP/APR

For information on the correction of findings of noncompliance for FFY 2023, please see the section titled “Correction of Findings of Noncompliance Identified in FFY 2023.”

12 - OSEP Response

12 - Required Actions