Attachment 1: Part C Indicator C 9 Worksheet

Instructions for Completing the C-9 Worksheet

Indicator C-9 is to determine whether the State's general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification (notification to the public agency that the State has concluded that the public agency is not complying with a statutory or regulatory provision). This indicator is measured as the percent of noncompliance corrected within one year of identification.

States are directed to reflect monitoring data collected through the components of the State's general supervision system, including on-site visits, self-assessments, local performance plans and annual performance reports, desk audits, data reviews, complaints, due process hearings, etc. Additionally, according to the OSEP Instructions for the Indicators/Measurement table, States are to group areas of noncompliance by monitoring priority areas and areas of noncompliance.

Key Terms

- **Monitoring Activities** are described in the documents Developing and Implementing an Effective System of General Supervision: Part B (January 2007) and in the FAQs Regarding Identification and Correction (September 2008). Specific activities of monitoring include, but are not limited to Early Intervention Services (EIS) Program self-assessments or local annual performance reports, data reviews, desk audits, on-site visits or other activities to ensure compliance.
- **Dispute Resolution: Hearings and Complaints** are also described in the General Supervision document referenced above. These include the tracking of timely correction of noncompliance identified through complaints and due process actions. States must include any noncompliance identified in a due process hearing decision, whether or not the parent prevailed in the hearing.
- **Finding** is defined as a written notification from the State to an EIS Program that contains the State's conclusion that the EIS Program is in noncompliance, and that includes the citation of the regulation and a description of the quantitative and/or qualitative data supporting the State's conclusion of noncompliance with the regulation. For example, if the State lead agency issues a report in September 2009 based on an EIS program's FFY 2008 (July 1, 2008 through June 30, 2009) data, the finding is determined to be made in FFY 2009.
- **Correction** is defined as the State requiring the EIS Program to revise any noncompliant policies, procedures and/or practices and the State verifies through follow-up review of data, other documentation and/or interviews that the noncompliant policies, procedures and/or practices have been revised and the noncompliance has been corrected. The State should notify the EIS Program in writing that the noncompliance is corrected. For purposes of the SPP/APR reporting, timely correction occurs when noncompliance is corrected (including the State's verification that it is corrected) as soon as possible but no later than one year from the identification of noncompliance.

Organization of the C-9 Worksheet:

- **The worksheet is organized by individual indicators or cluster of indicators.**

- **Note**: When indicators are "clustered" the State does not need to report separately on each indicator in the cluster. Rather, the number of EIS Programs, numbers of findings, etc. should be grouped within that cluster.

- **There are five columns on the worksheet:**
  1. Indicator/Indicator Clusters
  2. General Supervision System Components
  3. Number of EIS Programs Issued Findings
  4. Number of Findings of noncompliance identified
  5. Number of Findings of noncompliance for which correction was verified no later than one year from identification

- **For each indicator/indicator cluster, there are two sub-rows that are**
  - Monitoring Activities
  - Dispute Resolution

<u>Completing the Worksheet:</u>

Column 1 - Indicator/Indicator Cluster Column - Lists the SPP/APR indicators individually or within a cluster of indicators. At the end of the worksheet, there are additional rows titled - *Other areas of noncompliance (can be grouped topically)* . These rows may be used by a State to list other areas of noncompliance that the State has not reported under other indicators/ indicator clusters. The State must list the area of noncompliance.

Column 2 - General Supervision Components Column – Represents all elements that comprise the State's Monitoring Activities and Dispute Resolution processes. The first sub-row of Monitoring Activities may include Self-Assessment, Local APR, Data Reviews, Desk Audits, or On-Site Visits. This sub-row also has an "Other" option to indicate the list of monitoring activities may not be all inclusive. The second sub-row refers to the Dispute Resolution: Complaints and Hearings processes.

Column 3 - Number of EIS Issued Findings of Noncompliance – Represents the number of EIS Programs for which the State identified through a written conclusion or report findings of noncompliance. The date of the written conclusion(s) or report of findings to the EIS Program is used to report the number EIS Programs monitored, not the date of the monitoring activity.

Notes:
- An EIS Program may have an on-site visit in one fiscal year and the written notification of findings of noncompliance is sent to the EIS Program in the next fiscal
- Federal Fiscal Year (FFY) begins July 1 of each year and ends June 30 of the next

Column 4 - (a) Number of Findings of noncompliance identified – Represents the number of identified findings of noncompliance for the indicator/ indicator cluster. States must include every finding of noncompliance with a requirement of the IDEA in their data for Indicators C9/B15. The date of the written conclusion or report of findings to the local program is used, not the date of the monitoring activity. The same FFY date range is used for Column 3 and Column 4.

Column 5 - (b) Number of Findings of noncompliance for which Correction was Verified no later than one year from identification – Represents the number of findings from Column 4 for which the State verified correction no later than one year from identification.

Sum the numbers down Column 4 and Column 5.

Percent of noncompliance corrected within one year of identification – Divide the sum of Column 5 by the sum of Column 4 and multiply 100.

Indicator/Indicator Clusters	General Supervision System Components	# of EIS Programs Issued Findings in FFY 2009 (7/1/09 through 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 through 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	5	5
	Dispute Resolution: Complaints, Hearings			
2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	
	Dispute Resolution: Complaints, Hearings			
3. Percent of infants and toddlers with IFSPs who demonstrate improved outcomes	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	
	Dispute Resolution: Complaints, Hearings			
4. Percent of families participating in Part C who report that early intervention services have helped the family	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	
	Dispute Resolution: Complaints, Hearings			
5. Percent of infants and toddlers birth to 1 with IFSPs	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	
6. Percent of infants and toddlers birth to 3 with IFSPs	Dispute Resolution: Complaints, Hearings			
7. 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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	3	10	10
	Dispute Resolution: Complaints, Hearings			

Indicator/Indicator Clusters	General Supervision System Components	# of EIS Programs Issued Findings in FFY 2009 (7/1/09 through 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 through 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
8. The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
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;	Dispute Resolution: Complaints, Hearings	2	2	2
8. The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
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	Dispute Resolution: Complaints, Hearings	1	1	1
8. The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
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.	Dispute Resolution: Complaints, Hearings	1	1	1

Indicator/Indicator Clusters	General Supervision System Components	# of EIS Programs Issued Findings in FFY 2009 (7/1/09 through 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 through 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
OTHER AREAS OF NONCOMPLIANCE:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
OTHER AREAS OF NONCOMPLIANCE:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
OTHER AREAS OF NONCOMPLIANCE:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Sum the numbers down Column a and Column b			19	19
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	100.00%

Note: To add more rows for Other areas of noncompliance, highlight row 25, right click and choose Insert.
Repeat - there are now two new rows. Highlight rows 26 and 27. Copy these rows.
Highlight rows 25 and 26. Paste. Following these steps will allow the calculation to work correctly.