Table A – Washington Part C

Issues Identified in the State Performance Plan

SPP Indicator	Issue	Required Action
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)	Noncompliance: On page 45 in the SPP, Washington indicated that four (66%) of six local lead agencies monitored were found in noncompliance with the Part C timely delivery of IFSP early intervention service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). Other: In the SPP, page 4, Washington reported its timely standard as "an IFSP service will begin within 30 days of the start date on the signed IFSP, unless there is documentation that the parent requests a delay in the start of the service or services." The State's timely standard begins with a starting point that is not consistent with the Part C regulations at 34 CFR §§303.342(e) and 303.344(f)(1). The "IFSP service initiation date" is established by the IFSP team, which includes the parent and may serve as the standard, but the State may not add an additional period to this date.	Noncompliance: Washington must ensure that this noncompliance is corrected within one year of its identification and demonstrate compliance with this requirement in the FFY 2005 APR due February 1, 2007. Washington 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. Other: The State must revise its timely standard and may use a starting point consistent with the Part C regulations, such as when a parent consents to the provision of early intervention services under 34 CFR §303.404(a)(2). Alternatively, the State may use the "IFSP initiation date" as its standard but may not add a time period to this date and it must monitor the implementation of this standard to ensure that this date is reasonable when applied to individual IFSPs. The State must submit its revised standard and data based on this standard in the FFY 2005 APR, due February 1, 2007.

SPP Indicator	Issue	Required Action
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)	Noncompliance: See Table B. Other: In the SPP, page 8, Washington reported that the percentage of children it served in FFY 2004 in the combined categories of home and programs for typically developing children was 45% and that the national baseline average was 83%. In the SPP, Washington established performance targets ranging from 65% in the first year (by 2006) to 90% (by 2010).	Noncompliance: See Table B. Other: Washington's established targets will improve results for serving infants and toddlers with disabilities by providing early intervention services in natural environments to the maximum extent appropriate. OSEP looks forward to reviewing data in the APR, due February 1, 2007, that reflects improved performance in this indicator. As noted in Table B, OSEP also looks forward to Washington's data demonstrating compliance with the IFSP natural environments requirements in 34 CFR §§303.12, 303.18 and 303.344(d)(1)(ii).
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)	Noncompliance: See Table B.	Noncompliance: See Table B.

[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.

SPP Indicator	Issue	Required Action
Indicator 8: Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including: A. IFSPs with transition steps and services; B. Notification to LEA, if child potentially eligible for Part B; and C. Transition conference, if child potentially eligible for Part B. (20 USC 1416(a)(3)(B) and 1442)	Noncompliance: 8A: On page 46 in the SPP, the State reported a 66% level of compliance (four of six local lead agencies) with the Part C transition plans requirements at 34 CFR §§ 303.148(b)(4) and 303.344(h). 8B: The State did not provide baseline data in the SPP in response to this indicator regarding the LEA notification requirements in 34 CFR §303.148(b)(1). 8C: See Table B.	Noncompliance: 8A: Washington must ensure that this noncompliance is corrected within one year of its identification and demonstrate compliance with this requirement in the FFY 2005 APR due February 1, 2007. Washington 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. 8B: The State must include, in the FFY 2005 APR, due February 1, 2007, data from FFY 2005 (July 1, 2005 through June 30, 2006) that demonstrate compliance with the requirements in 34 CFR §303.148(b)(1). 8C: See Table B. Failure to include the data in 8A and 8B will affect OSEP's determination of the State's status under section 616(d) of the IDEA.

SPP Indicator	Issue	Required Action
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)	Noncompliance: As noted above and in Table B, Washington reported compliance in the range of 33% to 66% with Indicators 1, 7, and 8 and with related requirements in Indicator 2. The State further reported that all of the local lead agencies with identified noncompliance submitted approved corrective action plans. Washington did not provide data that indicate if identified noncompliance was corrected within one year of identification.	Noncompliance: Washington must ensure that this noncompliance is corrected within one year of its identification and demonstrate compliance with this requirement in the FFY 2005 APR due February 1, 2007. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.
Indicator 13: Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)	Other: (1) Washington included targets and improvement activities regarding mediation; however, baseline data indicated that the total number of mediations requested was fewer than ten. OSEP guidance on developing the SPP indicated that targets and improvement activities were not needed until the number of mediations requested totaled 10 or greater. (2) The State established a target of 95% for mediation. The consensus among mediation practitioners is that 75-85% is a reasonable rate of mediations that result in agreements and is consistent with national mediation success rate data. A higher mediation goal, while appropriate for some States, may not be appropriate if it results in agreements that are not voluntarily implemented. It is better to have a lower percentage of viable, implemented agreements than a higher percentage of agreements, some of which are not voluntarily implemented.	Other: (1) Washington may remove the targets and improvement activities related to mediation in the APR, due February 1, 2007, if the number of mediations for 2004-2005 is less than 10. In a reporting period when the number of mediations reaches 10 or greater, the State must develop targets and improvement activities, and report them in the corresponding APR. (2) If the State is required to establish a target in a future APR because it meets the threshold of ten or more mediation requests, the State may want to review its target to determine if an adjustment is needed and submit the revised target in that APR.