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To Whom It May Concern:

Attached is Nevada's revised Annual Performance Report (APR) FFY 2011 to provide clarification and update subsequent findings information for three (3) indicators. The U.S. Office of Special Education Programs (OSEP) issued a preliminary response to Nevada's APR on April 30, 2013, indicating additional information or clarification was needed for three (3) Indicators. Revisions have been made to these specified indicators, as requested and areas where additional information has been provided are highlighted and the page numbers are identified below.

**1. Clarification: Indicator 1:**

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

The OSEP preliminary response table stated:

*"The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2009 and FFY 2010 APRs, was advised of available technical assistance, and was required to report, with the FFY 2011 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State did not report on the technical assistance sources from which the State received assistance for this indicator and did not report on the actions the State took as a result of that technical assistance."*

**State Response:**

FFY 2011 APR, Indicator 1, Page 7

Nevada's FFY 2011 APR has been updated to include the required information regarding technical assistance received by the State relative to this indicator and the actions taken as a result of that technical assistance.

**2. Clarification: Indicator 8. C.**

Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the lead agency has:

- 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 birthday for toddlers potentially eligible for Part B preschool services.

The OSEP preliminary response table stated:

*"The State reported that it used data from a State database to report on this indicator. The State further reported that it did not use data for the full reporting period (July 1, 2011-June 30, 2012), but the State did not, as required by the Indicator Measurement Table, describe how the time period in which the data were collected accurately reflects data for infants and toddlers with IFSPs for the full reporting period."*

**State Response:**

FFY 2011 APR, Indicator 8.C., Pages 3 and 5

Nevada's FFY 2011 APR has been updated to include clarification as to how the data for the period reported is representative of all children in the State. In addition, the State has provided updated information on subsequent correction of noncompliance for this indicator, which has been verified since the APR original submission.

**3. Clarification: 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.

The OSEP preliminary response table stated:

*"The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2009 and FFY 2010 APRs, was advised of available technical assistance, and was required to report, with the FFY 2011 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State did not report on the technical assistance sources from which the State received assistance for this indicator and did not report on the actions the State took as a result of that technical assistance."*

**State Response:**

FFY 2011 APR, Indicator 9, Pages 3 and 5

Nevada's FFY 2011 APR has been updated to include the required information regarding technical assistance received by the State relative to this indicator and the actions taken as a result of this technical assistance. In addition, the State has provided updated information on subsequent correction of two (2) findings of noncompliance for this indicator relative to Procedural Safeguards, which have been verified since the APR original submission.

The State would like to thank OSEP for the opportunity to provide this clarification and is happy to provide any further information that may be needed. No revisions to the State Performance Plan (SPP) are being submitted at this time. A complete revised version of the FFY 2011 APR with changes noted above and the most recent versions of the SPP will be posted on the State of Nevada website under: <http://health.nv.gov/BEIS.htm>.

Sincerely,



Laura Valentine,  
Nevada Part C Coordinator

**Attachments:**

- NV FFY 2011 Amended APR

cc: Priscilla Irvine, OSEP Project Office for the State of Nevada  
Tina Gerber-Winn, Deputy Administrator, Aging and Disability Services Division

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

**Monitoring Priority: Early Intervention Services In Natural Environments**

**Indicator 1:** 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)

**Measurement:**

Percent = [(# of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner) divided by the (total # of infants and toddlers with IFSPs)] times 100.

Account for untimely receipt of services, including the reasons for delays.

FFY	Measurable and Rigorous Target
FFY 2011	100%

**Nevada’s Definition of Timely Services:**

Early intervention services identified on the initial and subsequent Individualized Family Service Plans (IFSP) of an eligible child, including IFSP reviews, will be provided to the child and family as soon as possible following the family’s consent to implement the IFSP. Determination of whether or not services are provided in a timely manner will be based on:

- A. Initiation of new services within 30 days from the date the parents provided consent for the IFSP service; or
- B. The projected IFSP initiation date as determined by the IFSP team and indicated on the IFSP. This may include services such as periodic follow-up or service needed on an infrequent basis (ex. on a quarterly basis).

**Actual Target Data for FFY 2011:**

Statewide:

Data for this indicator are compiled from program monitoring conducted in FFY 2011. Statewide data for this reporting period are based on a selection of records from each of the State’s nine (9) early intervention programs and are as follows:

- 324 child records were reviewed that had new IFSP services added during the data period being reviewed.
- 217 child records had all new services initiated in a timely manner.
- 15 records had at least one (1) service initiated past the required timeline due to family circumstances.
- 232 children were compliant for receiving all new early intervention services on their IFSPs in a timely manner
- Percent = (232 /324 \*100 = 72%)

Nevada has chosen to include in the calculation the number of children where the only reason for delay in services was due to family circumstances. The number is included in both the numerator and the denominator. The data showed 217 of the 324 (67%) of the records reviewed were compliant for timely initiation of all IFSP services. Of the 107 records identified as not timely for service initiation, the sole reason for the delay in initiation of services in 15 records was due to family circumstances. This brought the total number of records that meets compliance requirements for this indicator to 232 (72%). Family circumstances documented as resulting in delay in initiation of services included:

- Family request for a specific day for beginning services beyond the timeline;
- Child or Family Illness resulting in rescheduling of appointments;
- Family cancellation or rescheduling of appointments; and
- Family no-showed for appointment.

The remaining 92 records were found to be noncompliant because at least one (1) service on the IFSP was delayed due to program issues.

#### Process for Selection of Programs for Monitoring:

The IDEA Part C Office requires all early intervention service provider programs to participate in the monitoring process on an annual basis. A total of nine (9) early intervention service provider programs statewide were providing comprehensive early intervention services during this reporting period. Data were gathered through child records and included all IFSP junctures (initial, annual and all reviews, including 6-month reviews and any other reviews requested by the family or the program). The timeframe covered in the review of child records was July 1, 2011 through March 31, 2012. Records to be reviewed were selected randomly and were required, at a minimum, to represent either 10% or 20% of enrollment, depending on the size of the program. It was felt this number of records was sufficient to accurately evaluate the program's performance relative to all children served by the program.

#### Result of FFY 2011 Monitoring

A total of nine (9) programs were monitored for compliance with timely initiation of IFSP services in FFY 2011. Of these:

- Five (5) programs were found to be at 100% compliance for the reporting period – no finding was issued
- One (1) program was found to have on-going noncompliance from previous reporting periods.
- Three (3) programs included in the FFY 2011 monitoring did not meet requirements for this indicator; however, the letters of finding were not issued by the IDEA Part C Office until the FFY 2012 reporting period. These findings will be reported in the FFY 2012 APR.

Two (2) underlying issues were identified as the primary reasons for untimely initiation of services through the monitoring process:

- Insufficient personnel to provide needed services due to lack of funding, especially in the State operated programs; and
- Insufficient documentation of the reason (family or program circumstances) the service was delayed; therefore, responsibility defaulted to the program.

#### Complaints:

Four (4) programs were each issued a new finding relative to this indicator and were a result of a complaint filed by the Nevada Disability Advocacy and Law Center (NDALC) in October 2011. Findings were issued in February 2012.

One (1) program was also issued a new finding in the reporting period relative to this indicator based on an individual child complaint.

In total, five (5) new findings of noncompliance were issued in FFY 2011 relative to timely initiation of services. One program was found to have on-going noncompliance. All programs with newly

identified noncompliance were notified by the IDEA Part C Office that noncompliance must be corrected as soon as possible and, at a maximum, within one year from the notification of the noncompliance. The programs were also required to develop a Corrective Action Plan (CAP) including activities reasonably calculated to ensure timely correction of the noncompliance. In the case of the program with ongoing noncompliance, the program was required to review the existing CAP to evaluate the need for modifying activities to ensure the program achieves correction.

#### **Timely Correction of FFY 2011:**

Two (2) programs with findings of noncompliance resulting from complaint investigation in FFY 2011 have been verified already to have timely correction of the noncompliance. One (1) program was verified to have corrected based on program self-assessment in June 2012 and the second (2) program was verified to have achieved correction based on new data gathered during an on-site verification visit in December 2012. Details on these corrections will be reported in the FFY 2012 APR.

#### **OSEP July 2012 Response Table:**

*The State must demonstrate, in the FFY 2011 APR, that the State is in compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1). Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.*

*The State must demonstrate, in the FFY 2011 APR, that the remaining seven uncorrected noncompliance findings identified in FFY 2008 and the one remaining uncorrected noncompliance finding identified in FFY 2006 were corrected.*

*The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2011 APR, that it has corrected this noncompliance.*

*When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has initiated services, although late, for any child whose services were not initiated in a timely manner, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.*

*If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary.*

#### **Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

Data for FFY 2011 shows Nevada made significant progress in performance relative to this indicator over the performance reported in FFY 2010.

- In FFY 2010, 195 of 343 (57%) of the records reviewed during program monitoring were found to be compliant for timely initiation of all new services specified on the IFSP.
- In FFY 2011, 232 of 324 (72%) of the records reviewed during program monitoring were found to be compliant for timely initiation of all new services specified on the IFSP.

This demonstrates an **improvement of 15%** over the previous reporting period.

**Correction of Findings from FFY 2010:**

The status of new findings of noncompliance issued in FFY 2010, as well as noncompliance identified as ongoing from previous reporting periods, for Indicator 1 is as follows:

Table 1.A: Status of Noncompliance in FFY 2010

Activity	# of Programs Involved for FFY 2010	# of New Findings in FFY 2010	# Findings of Noncompliance Ongoing From Previous Reporting Period(s)	# of Programs Involved
Monitoring	8	0	1 (2006)	1
Complaint Investigation	1	2	7 (2008)	1 program; 1 statewide
	Totals	2	8	

No new findings were issued to programs as a result of monitoring activities in FFY 2010. However, one (1) program was found to have on-going noncompliance from previous reporting periods. Two (2) findings of noncompliance were issued to one (1) early intervention program in FFY 2010 (1 in January/1 in February, 2011) based on the investigation of individual child complaints.

**Correction of Noncompliance Identified in FFY 2010:**

Individual Child Correction:

Relative to the findings identified through complaint investigation, the IDEA Part C Office verified services were provided to the children, though late. In addition, based on meetings convened with the families, a remedy was provided (either compensatory services or reimbursement if the family had obtained the service from an outside entity) for the delay in services per agreement established between the program and the family.

Correctly Implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1):

New data was reviewed via TRAC database reports for July through December 2011. The program with the two (2) new complaint findings issued in FFY 2011 had no children waiting beyond required timelines for initiation of new IFSP services. In addition, new data gathered during the FFY 2010 monitoring process (covering the period of July 1, 2010 through March 31, 2011) showed 27 of 27 (100%) child records reviewed were compliant for initiation of all new IFSP services in a timely manner. The program was notified of timely correction of the identified noncompliance.

In summary, two (2) new findings of noncompliance were issued in FFY 2010 for this indicator related to complaints. Both (100%) were corrected in a timely manner.

The following summary table has been updated to reflect correction data for this indicator between FFY 2005 and FFY 2011.

Table 1.B: Identification and Correction of Noncompliance for FFY 2005 – FFY 2011

FFY	Number of New Findings of Noncompliance Related to Indicator 1	Number of Findings for which Correction was Verified within One Year	Number of Findings for which Correction was Subsequently Verified (Date)	Number of Findings of Noncompliance Remaining
FFY 2005	1	0	1 (January 2011)	0
FFY 2006	2	1	0	1
FFY 2007	6	5	1 (January 2010)	0
FFY 2008 (Amended)	14	6	1 (December 2010)	7

FFY 2009	3	2	1 October 2011	0
FFY 2010	2	2	0	0
FFY 2011	5	Correction will be reported in the FFY 2012 APR		

**Correction of Findings Issued as a Result of Complaint Investigations in FFY 2008:**

Nevada provided clarification to OSEP on April 17, 2012 relative to the FFY 2010 APR regarding FFY 2008 findings of noncompliance resulting from individual child complaints for this Indicator. Prior to OSEP’s June 3, 2010 response table to the State’s 2009 APR submission, the IDEA Part C Office interpreted correction of findings for individual child complaints as the point of verification that the program had complied with the terms of the order issued by the IDEA Part C Office for correcting on behalf of the individual child and family. Notice of correction and closure had been issued to the program in keeping with this interpretation. Data on correction of these findings were reported according to this understanding in the FFY 2008 and subsequent APRs.

Communication with the State’s OSEP Project Officer and clarification provided in the June 3, 2010 OSEP response table indicated individual child complaints could not be considered “corrected” until it was also verified the program was implementing the related requirement for all children. Based on this clarification, the results for these findings were reviewed and reinterpreted in accordance with the 09-02 memo and the FFY 2010 APR was amended to reflect the findings from individual child complaints for FFY 2008.

Nevada reported in the amended FFY 2010 APR that seven (7) new findings of noncompliance identified in FFY 2008 relative to this Indicator could still not be verified as corrected. These findings were a result of:

- One (1) administrative complaint filed by NDALC – currently one (1) early intervention service provider program has not been able to demonstrate the requirements relative to this indicator are being met for all children; and
- Six (6) individual child complaints within one (1) early intervention service provider program.

Individual Child Correction:

The IDEA Part C Office has verified individual child correction has occurred for all children involved in these complaints. Services were provided, though late, and it has been verified compensatory services have been provided per written agreements established with the families involved. However, these complaints remain open pending verification the program involved is implementing the requirement for all children.

The process of correction for the individual child requires the program to:

- convene a meeting (within a specified period of time) with the family to review the IFSP and address the initiation of service, if this had not already occurred;
- develop a written signed agreement with the family to provide a remedy for the services missed during the delay in initiation or to provide compensation if the service had been secured by the family from another resource during the period of delay;
- submit a copy of the signed agreement to the IDEA Part C Office within a specified timeline from the date of signature by the family;
- submit documentation to the IDEA Part C Office within a specified timeline demonstrating the specifications of the plan have been carried out.

Correctly Implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1):

One (1) early intervention program was notified of a finding of noncompliance with this indicator by the IDEA Part C Office in FFY 2008 in each of six (6) individual child complaint investigations. At this time, the program also had on-going noncompliance for this indicator from FFY 2006 program monitoring. The IDEA Part C Office has verified the program has met all specifications outlined in the

order for correction of these complaints relative to the individual children and their families in accordance with the timeline established for each complaint. However, as of the submission of this APR, the program has not been able to demonstrate it is fully implementing this requirement for all children enrolled.

#### **Remaining Finding of Noncompliance from FFY 2006**

One (1) early intervention program had one (1) finding of noncompliance identified for this indicator in FFY 2006. It is noted this finding was issued prior to the issuance of the OSEP 09-02 Memorandum. This program has operated under a CAP since the initial finding was issued in FFY 2006 and progress has fluctuated over time. The finding was not corrected as of the submission of the FFY 2008 and FFY 2009 APRs. The program, again, did not achieve correction in FFY 2010 and experienced significant slippage. As a result of the FFY 2010 monitoring, the program was notified a focused monitoring would be conducted by the IDEA Part C Office in FFY 2011.

This early intervention program is located in the most densely populated region of the State. The IDEA Part C Office has verified the program is implementing required policies and procedures for ensuring correction for all individual children (services are provided for each child, though late, and a remedy for delay is offered to the family). The on-going noncompliance is systemic as it cannot be verified that the requirements for timely services are currently being implemented for all children.

#### **Underlying Causes of Noncompliance:**

The primary issues underlying the on-going noncompliance for this program continue to be identified as:

- Insufficient personnel capacity to serve the number of children being referred and the number determined eligible for early intervention services due to State fiscal crisis.
- A State hiring freeze which resulted in a high number of vacancies.
- Specific personnel shortages in Speech Language Pathologist and Instructional Aides to provide behavior services.
- Lack of competitive salaries for professional therapist.
- Decrease in workforce capacity for existing personnel due to the state mandated furlough for all employees.

#### **Specific Actions Taken by the Program to Address the Noncompliance:**

- Increased number of provider agreements with private agencies providing therapy services [Currently the number stands at eleven (11)].
- Actively working on provider agreements with additional community providers for provision of needed services.
- Program personnel have been sent to specialized training for provision of Vision services as this was an area of need.
- Additional comprehensive early intervention service provider programs have been added in the Southern region to the maximum degree possible within available funding resources.
- A monthly tracking system has been implemented to make staff aware of timelines approaching for needed services.
- Additional hours have been offered to contract personnel to assist with eliminating children on wait list for services.
- Approval has been obtained to hire additional Developmental Specialists to provide special instruction services.

#### **Enforcement:**

1. The program is required to continue to implement the activities from the CAP and verify the correction of any individual child records found to be noncompliant during the Self-Assessment as soon as possible, but no later than one year from the date of submission of the Self-Assessment

report. A list of these records and identified noncompliance must continue to be maintained by the program.

2. The program is required to submit quarterly progress reports which include status of compensatory services provided for individual child correction, and updates on the status of activities specified in the CAP.
3. The program is required to submit all supporting documentation to the IDEA Part C Office for correction of individual child records with the quarterly progress reports.
4. New data is reviewed monthly via TRAC reports on the number of children enrolled in the program who are past the timeline for service initiation specified in the IFSP in order to monitor the program's progress. These data are also included in the Lead Agency's Case Load Evaluation and Organization (CLEO) report and reported to the Legislative Interim Finance Committee (IFC).
5. A focused monitoring of the program will be conducted by the IDEA Part C Office in FFY 2012.

A key underlying issue identified as impacting the State's ability to correct the noncompliance for this indicator was availability of funds to ensure the appropriate number of service providers to initiate and provide all needed services. Nevada was provided technical assistance through the Western Regional Resource Center (WRRC) and the National Early Childhood Technical Assistance Center (NECTAC) in order to address the noncompliance with timely initiation of IFSP services. In March of 2012, a strategic planning meeting was convened by the Nevada Interagency Coordinating Council. The meeting was facilitated by consultants from WRRC and NECTAC. At that time, a review of the system was conducted in order to identify "what's working and what's not". Priorities for improving the system were identified with specific recommendations including:

- Providing additional training to personnel to promote efficiency and effectiveness of services;
- Pursuing a single line of authority within the Department of Health and Human Services (DHHS) to improve efficiency and oversight of the early intervention system;
- Exploring alternative approaches to service delivery (ex. teletherapy) to maximize available resources;
- Promoting parent choice as a key component of the system; and
- Reviewing how budgets are built for the early intervention system, including efficiency in accessing all payor sources and pursuing options for additional fiscal resources.

A follow-up ICC meeting was facilitated by WRRC and NECTAC by teleconference in May 2012 to expand on information and for a status check on recommendations resulting from the strategic planning meeting. Ongoing technical assistance has been provided by the TA centers on an as-needed basis.

As a result of the TA support provided by WRRC and NECTAC, the following actions were taken:

- The lead agency began to look at restructuring the early intervention system within the Department with emphasis on establishing a clear single line of authority for the system and to ensure greater flexibility in the distribution of available funds;
- A Finance Subcommittee of the ICC was formed to review the efficiency of the utilization of current funding sources and potential new revenue streams to support early intervention services;
- Additional Part C funds were directed to support direct services by the Aging and Disability Services Division; and
- The Governor's budget proposed a significant increase in State general fund for the early intervention system and was passed by the Legislature in May 2013.

**Discussion of Improvement Activities:**

1. All early intervention programs, as a part of the comprehensive monitoring process, will develop a CAP that includes steps to correct noncompliance as soon as possible but not later than one year from the date of issuance of a finding related to the timely delivery of early intervention services. Early Intervention Program Managers, 2010-2012. **This activity is ongoing.**
  - *In FFY 2011, four programs were required to create or review and update a Corrective Action Plan (CAP) based on the results of findings issued as a result of complaint investigation.*

**Impact:**

*Two (2) programs have been verified to have completed timely correction for the findings issued in February 2012. Verification is pending for one (1) program with a new finding and for one (1) program that has long-standing noncompliance for this indicator.*

2. Program managers will monitor child data on a quarterly basis to ensure services are being implemented in a timely manner for all children with an initial IFSP and for any subsequent services added to an IFSP. Program Managers and IDEA Part C staff, 2006-2012. **This activity is ongoing.**
  - *On a monthly basis, the IDEA Part C Office compiles and submits a report to each program reflecting the number of children per program waiting beyond required timelines for any service on their IFSP. This information is also presented at meetings of the Department Heads, to the State Interagency Coordinating Council (ICC) and the State Legislative Interim Finance Committee (IFC).*

**Impact:**

- *There is increased awareness, both in the public and the government arena, regarding the issues relative to this indicator. More stakeholders are tracking the State's progress for this indicator.*

3. Create partnerships with community providers to provide services to children when Nevada Early Intervention Services (NEIS) does not have a provider available to implement the services on the IFSP. Regional Program Managers, 2005-2012. **This activity is ongoing.**
  - *Early intervention service provider programs have established procedures for utilizing independent discipline specific resources through community-based providers, when services would otherwise be delayed due to the lack of availability on the caseload of an internal provider. The majority of early intervention service provider agencies operate some version of this option for families, most often when third party billing for services is an option. The Northwest program has assigned a dedicated service coordinator to work with families who were interested in this option to ensure appropriate coordination of services across agency lines as the family may continue to be enrolled for other services on the IFSP. Implementation of these procedures is based on parent agreement when third-party payment is an option.*
4. Develop budget requests for future legislative sessions which document the need for additional personnel if data indicates regions cannot maintain timely service delivery. The Nevada State Health Division (NSHD) in conjunction with the Aging and Disability Services Division (ADSD), IDEA Part C Office, 2008-2014. **This activity is ongoing.**
  - *The IDEA Part C Office assisted the NSHD, as requested, in compiling data to support budget preparation for the 2011 Legislative session. Feedback is also provided to the Office of the Director of Health and Human Services regarding budget and services provision via data reports.*

**Impact:**

- *The IFC created a specific subcommittee to review the State's system of early intervention services including operational and budgetary needs to ensure services are provided to children and families.*
5. Conduct on-site focused monitoring activities with early intervention programs that have on-going noncompliance, demonstrate a low level of performance and/or when significant slippage is identified to determine the root causes of poor performance and failure to achieve timely correction of noncompliance. The IDEA Part C Office, 2010-2012. **This activity is ongoing.**
- *This activity was not implemented for FFY 2011 due to personnel shortages within the IDEA Part C Office. It is being rescheduled for FFY 2012.*

### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 – 2013**

#### New Activity to be Added to the State Performance Plan (SPP) Indicator 1 (#8):

The Lead Agency will develop and implement a plan for the reorganization of Nevada's system of early intervention services within the Lead Agency. A single line of authority for all components of the early intervention system will be created through the ADSD. This will include integration of the direct service component into ADSD, rather than having system oversight and service delivery components operate through separate Divisions. Director's Office, Nevada Department of Health and Human Services, July 1, 2013 – June 30, 2014

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

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

**Indicator 12:** 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) (20 U.S.C. 1416(a)(3)(B) and 1442)

**Measurement:**

Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Target
FFY 2011	Targets through FFY 2013 to be determined once baseline data are available.

**Actual Target Data for FFY 2011:**

No due process hearing requests were filed in FFY 2011. Because of the lack of hearing requests, the measurement formula cannot be applied for this indicator.

OSEP July 2012 Response to Nevada’s FFY 2010 APR:

*The State reported, as of January 31, 2012, that no resolution sessions were held during the reporting period.*

*The State reported fewer than ten resolution sessions held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.*

*Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.*

*OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.*

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

There were no resolution sessions held in FFY 2011 due to the lack of due process hearing requests that were filed in this reporting period. Because no resolution sessions were held in FFY 2011, no explanation of progress or slippage is required.

Nevada Part C follows the Part B Due Process Hearing regulations. Information regarding the process for and resolution procedures are outlined in State Policies for Nevada Early Intervention Services.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012-2013**

When activities are required for this indicator all proposed targets will be extended through FFY 2013.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

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

**Indicator 13:** Percent of mediations held that resulted in mediation agreements.

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

**Measurement:**

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
FFY 2011	Targets through FFY 2013 will be determined once baseline data are available

**Actual Target Data for FFY 2011:**

No mediation request was submitted during FFY 2011 therefore, no mediation sessions were held during FFY 2011.

OSEP July 2012 Response to Nevada’s FFY 2010 APR :

The State reported, as of January 31, 2012, that no mediations were held during the reporting period.

The State reported fewer than ten mediations held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.

Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.

OSEP looks forward to reviewing the State’s data in the FFY 2011 APR.

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

Nevada cannot report on progress or slippage for this reporting period. Baseline will be established when there are 10 or more mediation requests.

Nevada Part C has an established system for responding to requests for mediation. A pool of trained mediators is available and funds are set aside each year should a request be submitted. Procedures for requesting mediation are outlined in the Parent Handbook that is given to all families at the time of eligibility determination.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012-2013**

When activities are required for this indicator all proposed targets will be extended through FFY 2013.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

Monitoring Priority: Effective General Supervision Part C / General Supervision

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)

Measurement:

State reported data, including 618 data, State performance plan, and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count and settings and November 1 for exiting and dispute resolution); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the “Indicator 14 Data Rubric” for reporting data for this indicator (see Attachment 2).

FFY	Measurable and Rigorous Target
2011	<ul style="list-style-type: none"> <li>a. Submitted on or before due dates -- <b>100%</b></li> <li>b. Accurate, including covering the correct year and following the correct measurement. -- <b>100%</b></li> </ul>

Actual Target Data for FFY 2011:

- a. The IDEA Part C Office submitted 618 data reports Table 1 and 2 by February 1, 2012 and Table 3 and Table 4 on November 1, 2012. The Annual Performance Report (APR) for Federal Fiscal Year (FFY) 2011 was submitted by the due date of February 15, 2013. Utilizing the Scoring Rubric for Indicator 14, Nevada scored **100%** on this indicator.
- b. The IDEA Part C Office has implemented numerous procedures to assure data are valid and reliable as identified in the activities below; Nevada scored **100%** on this indicator.

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:

Nevada has consistently met its compliance target of 100% for this indicator for the past three (3) reporting periods (FFY 2009, FFY 2010 and FFY 2011). Therefore, progress or slippage is not relevant for this reporting period.

For the first half of FFY 2011 reporting period, Nevada continued to utilize the Tracking Resources and Children (TRAC III) data base for collecting and reporting data on the performance of the Part C system. In January 2012, the revised web-based TRAC IV system was released. Data from the TRAC III system continued to be available to the IDEA Part C Office for final data verification and analysis through June 31, 2012. At that time, data from the TRAC III system was archived for future reference, as needed.

Ensuring Data Accuracy:

Following the roll-out of the TRAC IV system, early intervention service provider programs were required to maintain a combination of both electronic and paper versions of data while functioning of the system was being verified. A contract was maintained with the developers of the revised system and they worked with the Part C Data Manager to ensure functionality of the system. Data accuracy continued to be ensured through key components of the statewide mandated forms and the TRAC data collection system. Key components for ensuring data accuracy include:

- The system design included some data required entry fields; the user can only move forward with data entry if these fields are completed;
- The system utilizes User ID and Password to authenticate access to the database, each User ID is setup with a security level at the time of assignment;
- The application identifies all data changes in a record with a date/time stamp and by the last user to access the record;
- Training on the TRAC IV system was provided to all service providers initially and continued to be available through the IDEA Part C Office;
- The Part C Data Manager operated a “help-desk” for service providers and maintained a list of issues identified to be resolved with the system developers;
- Data reports continued to be pulled and reviewed, at a minimum, on a quarterly basis. Any errors found are reviewed, researched and sent to the individual program(s) for correction in the database before final data reports are generated.

**OSEP Response to Nevada’s FFY 2010 APR:**

*The State’s FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.*

*OSEP appreciates the State’s efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540. In reporting on Indicator 14 in the FFY 2011 APR, the State must use the Indicator 14 Data Rubric.*

Given the State has maintained 100% compliance for this indicator for three consecutive reporting periods (FFY 2009 – FFY 2011), it is presumed the State Performance Plan (SPP) activities being implemented are appropriate and effective for ensuring data accuracy and supporting timely reporting. Improvement activities for this indicator will not be reviewed for this reporting period.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 - 2013**

No revisions to improvement activities are being made for Indicator 14 at this time.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

**Monitoring Priority: Early Intervention Services In Natural Environments**

**Indicator 2:** Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings.

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

**Measurement:** 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)

FFY	Measurable and Rigorous Target
2011	96% of children received services in the home or community-based settings

**Actual Target Data for 2011:**

The following data are provided using the Tracking Resources and Children (TRAC) child data collection system as collected for **618 data on December 1, 2011.**

Statewide: **2,544** children had an Individual Family Service Plan (IFSP) on December 1, 2011, of which 2,362 (93%) received their primary services in the home or community based settings.

Nevada’s performance in FFY 2011 of **93%** did not meet the target of 96% established in the State Performance Plan (SPP) for the provision of services in natural environments.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2011:**

As reflected in Table 2.A., Nevada has traditionally maintained a lengthy history of providing a high percentage of early intervention services in settings identified as natural environments of the child and family. Nevada’s performance of 93% in FFY 2011 represents 5% slippage from the 98% reported for FFY 2010 and does not meet the State Performance Plan (SPP) target. This is the first time the State has not met the performance target for this indicator since it was originally established.

The underlying cause for the slippage, based on data gathered through program monitoring and complaint investigations, was:

- Programs providing early intervention services in settings not consistent with IDEA criteria for natural environments;
- Failure to provide appropriate justifications when provision of services occur in settings other than those identified as natural environments for the individual child and family; and

- In order to expedite initiation of services when no provider was available within the program, private providers were utilized (plans to transition the child to a natural environment were not indicated).

This is a performance indicator. Low program performance is utilized as a trigger for the IDEA Part C Office to verify individual decisions made about service settings outside of the child and family’s natural environment. The State’s criteria for issuing a finding to early intervention service providers for this indicator is based on the lack of appropriate justification for providing services in settings that do not meet IDEA requirements for natural environments.

In FFY 2011, a total of nine (9) programs were monitored under this indicator utilizing data reported in the December 1, 2011 child count. Program performance was reflected in monitoring response letters issued by the IDEA Part C Office. The status of individual programs for this indicator was as follows:

- Five (5) programs met or exceeded the state target of 96%;
- Four (4) programs did not meet the State target. Of these programs:
  - two (2) had on-going noncompliance [one (1) from FFY 2010; one (1) from FFY 2009],
  - one (1) was issued a new finding of noncompliance in FFY 2011; and
  - one (1) program was issued a finding in the timeframe that will be reported in the FFY 2012 APR.

Findings resulting from complaint investigations:

In FFY 2011, four (4) early intervention programs were issued a total of nine (9) findings of noncompliance as a result of complaint investigations.

- Five (5) findings were issued to two (2) programs based on the investigation of individual child complaints; and
- Four (4) findings of noncompliance were issued [one (1) each to four (4) programs] as a result of investigation of an Administrative Complaint filed by the Nevada Disability Advocacy and Law Center (NDALC).

The majority of the findings issued during this reporting period were found to be a direct result of the July 1, 2011 directive issued by the Nevada State Health Division (NSHD) to State operated programs under their management to revert to a model of clinic based services.

Table 2.A.: Longitudinal Data on Provision of EI Services in Natural Environments

Program	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010	FFY 2011
Statewide	98.5%	99.6%	99.5%	99.7%	99.5%	98%	93%

This data compares statewide performance percentages from FFY 2005 to FFY 2011 in providing services in natural environments.

**OSEP Response to the FFY 2010 APR - Indicator 2:**

*OSEP July 2012 Response Table:*

*The State’s FFY 2010 reported data for this indicator are 98%. The State’s data reflect a high level of performance for this indicator. The State met its FFY 2010 target of 96%.*

*The State’s FFY 2011 data for provision of services to infants and toddlers in natural environments are at or greater than 96%. There is no expectation that an increase in that percentage is necessary. OSEP appreciates the State’s efforts to improve performance and assumes that the State is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).*

**Correction of Non-Compliance Identified in FFY 2010**

One (1) program monitored in FFY 2010 was issued a finding of noncompliance relative to this indicator. This program traditionally maintained a high level of performance in this indicator. The program was issued a finding by the IDEA Part C Office on June 30, 2011 based on a performance level of 95% for services provided to Part C eligible children and families. Appropriate justifications for provision services in settings that do not meet IDEA requirements for natural environments were not provided. The maximum of one (1) year allowable for correction of the noncompliance was June 30, 2012. The program went through the self-assessment process again in the spring of 2012 based on compiled data for the first three quarters (July 1 2011 – March 31, 2012) of the fiscal year. At that time, the data showed the program had a 4% slippage from the previous year (performance at 91%), which triggered the IDEA Part C Office to determine if appropriate justifications were provided for services not provided in settings that would meet IDEA requirements. Again, appropriate justifications for provisions of services were not provided.

**Correction of Non-Compliance Identified in FFY 2009**

One (1) program monitored in FFY 2009 was issued a finding of noncompliance relative to this indicator. This was a new program operating under a provider agreement with the NSHD to provide a comprehensive early intervention program for Part C eligible children and families. The program was a private provider of therapy services for various age levels and had traditionally operated as a clinic-based service provider. This was the first year the program participated in the monitoring process. The program was issued a finding by the IDEA Part C Office on June 30, 2010 based on a performance level of 63% for services provided to Part C eligible children and families. This was significantly below the State target of 96%. The maximum of one (1) year allowable for correction of the noncompliance was June 29, 2011. The program went through the self-assessment process again in the spring of 2011 based on compiled data for the first three quarters (July 1, 2010 – March 31, 2011) of the fiscal year. At that time, the data showed the program had made progress (performance at 70%) but had not achieved full correction. Appropriate justifications for provision of services in settings that do not meet IDEA requirements for natural environments were not provided.

**Individual Child Correction:**

Data is maintained on children identified through the monitoring process as not having services provided in their natural environment and not having appropriate justification for the current setting for services. Programs were required to reconvene IFSP teams to review the settings where services were being delivered and, if there was no appropriate justification for providing service in alternative settings, they were required to transition the child's services into a setting identified as appropriate to the child and family unless the child was no longer enrolled in the program. Correction for individual children is verified by the IDEA Part C Office.

**Correctly implementing 34 CFR §§303.344(d), 303.13(a)(8), 303.26, and 303.126:**

As of the submission of this APR, the programs with noncompliance in this indicator from FFY 2010 and FFY 2009 have not been able to demonstrate they are fully implementing this requirement for all children enrolled.

**Actions Taken by the IDEA Part C Office to Address Correction of the Noncompliance Identified in Two Programs in FFY 2009 and FFY 2010:**

- Training was provided for one (1) program's agency personnel. All program personnel were required to participate in monthly trainings provided by the IDEA Part C Office that covered the full scope of IDEA requirements related to the provision of early intervention services. The same training was presented twice each month to better accommodate the scheduling of services with families and children.
- Both programs were required to review and update the activities in their Corrective Action Plan (CAP) in conjunction with their IDEA Part C Office contact and establish quarterly performance targets for FFY 2010 and FFY 2011.
- Both programs were required to identify members of an internal Quality Assurance team and submit a list of the members to the IDEA Part C Office.

- Both programs were required to submit quarterly reports on progress toward reaching targets included in the CAP.
- Both programs were required to ensure all service locations on the IFSP and in the TRAC data system are accurately reflecting where the service(s) are being providing.

Improvement activities particularly relevant to this reporting period include the following:

**Activity 1: Development of Community Partnerships. This activity is ongoing.**

The activities below reflect some of the partnerships created to provide opportunities for children to receive early intervention in settings, other than the home, that meet the IDEA definition of natural environments.

- *There are currently 20 active developmental groups throughout the Southern region. These groups are located at various locations in the community. This allows families to participate in a group within their local community, and promotes developing relationships with other families and to model interventions through play and promote social skills. New developmental groups are being developed through Memorandums of Understanding with other appropriate community programs.*
- *Other early intervention service provider programs throughout the state that also operate child care programs have utilized the program's child care center to offer opportunities for incorporating interventions within the child care program. This allows the children enrolled in early intervention services an opportunity to play with typically developing peers. Qualified early intervention personnel assist during the playgroup sessions to demonstrate embedding intervention strategies in the play environment.*
- *The Northwest region continued the Explore and Learn Playgroups with Family to Family Connection, local community agencies including gymnastic programs, the Wee Read times at the library, and a local apartment complex. The Northeast and Northwest regions have a partnership with Early Head Start and provide services within that agency. The Northeast region maintains a strong collaborative relationship with Early Head Start and is collaborating with a new Migrant Head Start program as well.*
- *The Northwest region has contracts with child care centers and home child care programs as early intervention partners and serves children within those programs as part of the natural environment.*
  - *New Playgroups have been developed within partnerships. There are a total of 17 playgroups available to families.*
  - *The collaboration with Early Head Start through an expansion grant application to co-locate with early intervention continues with playgroups.*
  - *The Early Intervention Partners Project continues to offer services supporting up to 25 children in child care centers in Reno, Carson, and Rural areas.*
- *American Indian Population— the Northwest program is building a collaborative relationship with Indian Health Services with the local Native American tribes in order to serve more children.*

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012.**

All ongoing activities will be continued through FFY 2012.

## Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

## Monitoring Priority: Early Intervention Services in Natural Environment

**Indicator 3:** 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)

**Measurement:**

Outcomes:

- 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.

Progress categories for A, B and C:

- a. Percent of infants and toddlers who did not improve functioning = [(# of infants and toddlers who did not improve functioning) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers = [(# of infants and toddlers who improved functioning to reach a level comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers = [(# of infants and toddlers who maintained functioning at a level comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes:**

**Summary Statement 1:** Of those infants and toddlers who entered or exited early intervention below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program.

**Measurement for Summary Statement 1:**

Percent = # of infants and toddlers reported in progress category (c) plus # of infants and toddlers reported in category (d) divided by [# of infants and toddlers reported in progress category (a) plus # of infants and toddlers reported in progress category (b) plus # of infants and toddlers reported in progress category (c) plus # of infants and toddlers reported in progress category (d)] times 100.

**Summary Statement 2:** The percent of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned 3 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = # of infants and toddlers reported in progress category (d) plus [# of infants and toddlers reported in progress category (e) divided by the total # of infants and toddlers reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

FFY	Measurable and Rigorous Targets
2011	<p><b>Outcome A:</b> Summary Statement 1: 68.5% Summary Statement 2: 40.4%</p> <p><b>Outcome B:</b> Summary Statement 1: 69.9% Summary Statement 2: 37.3%</p> <p><b>Outcome C:</b> Summary Statement 1: 71.3% Summary Statement 2: 41.2%</p>

Actual Target Data for FFY 2011

Summary Statement	Actual FFY 2010 (% of Children)	Actual FFY 2011 (% of Children)	Targets FFY 2011 (% of Children)
<b>Outcome A: Positive social-emotional skills (including social relationships)</b>			
1. 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 exited the program. <i>Formula: <math>c+d/a+b+c+d</math></i>	65.9%	<b>67.5%</b>	<b>68.5%</b>
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. <i>Formula: <math>d+e/a+b+c+d+e</math></i>	41.2%	<b>41.2%</b>	<b>40.4%</b>
<b>Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)</b>			
1. 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 exited the program. <i>Formula: <math>c+d/a+b+c+d</math></i>	70.5%	<b>71.8%</b>	<b>69.9%</b>
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. <i>Formula: <math>d+e/a+b+c+d+e</math></i>	39%	<b>37.8%</b>	<b>37.3%</b>
<b>Outcome C: Use of appropriate behaviors to meet their needs</b>			
1. 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 exited the program. <i>Formula: <math>c+d/a+b+c+d</math></i>	69.6%	<b>72.9%</b>	<b>71.3%</b>
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. <i>Formula: <math>d+e/a+b+c+d+e</math></i>	44.3%	<b>44.4%</b>	<b>41.2%</b>

Progress Data for Part C Children FFY 2011

<b>A. Positive social-emotional skills (including social relationships):</b>	<b>Number of children</b>	<b>% of children</b>
a. Percent of children who did not improve functioning	12	0.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	382	28.0%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	409	30.0%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	410	30.0%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	152	11.1%
<b>Total</b>	<b>1365</b>	<b>100%</b>
<b>B. Acquisition and use of knowledge and skills (including early language/communication):</b>	<b>Number of children</b>	<b>% of children</b>
a. Percent of children who did not improve functioning	9	0.7%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	350	25.6%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	490	35.9%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	426	31.2%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	90	6.6
<b>Total</b>	<b>1365</b>	<b>100%</b>
<b>C. Use of appropriate behaviors to meet their needs:</b>	<b>Number of children</b>	<b>% of children</b>
a. Percent of children who did not improve functioning	7	0.5%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	336	24.6%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	416	30.5%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	508	37.2%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	98	7.2
<b>Total</b>	<b>1365</b>	<b>100%</b>

**OSEP Response to the FFY 2010 APR - Indicator 3:**

OSEP July 2012 Response Table:

The State’s reported data for this indicator are:

<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	68.3	65.9	68.4
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	69.7	70.5	69.8
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	71.1	69.6	71.2
<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	40.2	41.2	40.3
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	37.1	39	37.2
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	41	44.3	41.1

These data represent progress and slippage from the FFY 2009 data. The State met part of its FFY 2010 targets for this indicator.

OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.

The State must report progress data and actual target data for FFY 2011 in the FFY 2011 APR.

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

The data collected for infants and toddlers who received six (6) months or longer of early intervention services for FFY 2011-2012 were collected using the Child Outcome Summary Form (COSF) 7-point rating scale. In FFY 2011, two (2) new agencies entered into agreement with the State to provide early intervention services. However, due to the short length of time these programs were operational, no exit data is available. Progress data was reported by nine (9) early intervention programs for FFY 2011. Nevada is reporting 1365 of 1495 (91%) of infants and toddlers who exited services with a program length of six (6) months or longer. In FFY 2010, Nevada reported 92% of progress data for infants and toddlers who received services for six (6) months or longer. This fiscal year, Nevada has a representation of 91%, which is a 1% decrease compared to FFY 2010. Analysis of this year’s data indicates 130 infants and toddlers were not accounted for this fiscal year (based on the number of children who received six (6) months of service prior to exiting) compared to 107 last fiscal year. The reasons are due to the following:

- Received an entry but did not receive intervention for the entire six months timeframe due to loss of contact with families.
- Received an entry; however, they did not receive an exit due to a lack of internal tracking processes.

- Received an exit; however, they did not receive an entry. Therefore, the infant and toddlers progress could not be accounted for.

Comparing FFY 2010 actual summary statement data to FFY 2011 actual summary statement data, there was slippage in summary statement two (2) for Outcome B. However, progress was demonstrated in all the other outcomes. Nevada met five (5) of the six (6) established targets, with the exception of Outcome A, summary statement one (1). Last year, Nevada met four (4) of the six (6) targets. Significant progress has been demonstrated in meeting the targets for FFY 2011 compared to FFY 2010. The number of children with progress data has increased, however Nevada's representation of progress data for infants and toddlers has decreased by one (1) percent. Improving the quality of the data continues to be a priority.

Along with the challenge of high staff turnover and the growing number of agencies entering into agreement with the State to provide early intervention services, local programs have set a high priority on the training of new staff in the use of the COSF and in the area of age-appropriate development in order to appropriately compare Part C eligible children to typically developing peers, which has and continues to be an area of difficulty. Nevada is continuing to implement activities which put a greater emphasis on quality assurance for system improvements at the local program level. This is in an effort to identify any areas of concern when there is suspect data to ensure internal validity and reliability.

Nevada is continuing to strive for a higher percentage of data for measuring infants and toddlers progress after receiving early intervention services. Based on the decisions made to effectively improve Nevada's data collection system related to this indicator, a number of protocols were created. The protocols were developed to ensure all children who received services for six (6) months or longer are having an entry and exit COSF completed. Although Nevada does not have 100% representation of all infants and toddlers in services for six (6) months or longer, the number of children with progress data has increased from year to year. Protocols have also been developed to improve the State's efforts with increasing the representativeness of progress data to ensure all children who have received services for six (6) months or longer are having an entry and exit COSF completed.

#### **State Performance Plan Activity Update:**

Activity 1: To improve the quality and accuracy of data, Nevada's Advisory Child Outcome Task Force reviews random samples of completed COSF forms to identify possible errors in the data submitted, as well as to identify reoccurring trends which leads to insufficient information being provided to support ratings. **This activity is ongoing.**

- *Nevada's Advisory Child Outcome Task Force continues to meet on a quarterly basis to review decisions made to date and make modifications as needed. During this time, the group also does quality assurance spot checks on random samples of completed COSF's submitted by each region. This activity also ensures that if there are trends reoccurring, staff are trained appropriately.*

Activity 2: To assist programs with ensuring children entering early intervention services have data entered at both entry and exit, Crystal Reports have been created by the IDEA Part C Data Manager. This information is sent to the early intervention programs on a monthly basis to assist them with keeping track of required entries and exits. **This activity is ongoing.**

*The following reports are being generated:*

- *Children entering services who will have a program length of six (6) months or longer,*
- *Third (3) birthdays of children who have received services for six (6) months or longer, and*
- *Exit reports for children who exited the program and have received services for six (6) months or longer.*

Activity 3: A protocol was developed to ensure that children who leave early intervention services unexpectedly, the most current assessment information are utilized for determining outcome status regardless of when the child exits. **This activity is ongoing.**

- *Implementing this protocol and the use of the HAWAII allows early intervention providers to track progress data on a continuous basis and on all children even if they exit prior to their third birthday.*

Activity 4: Local early intervention programs have established an internal system for cross checking COSF forms, to ensure internal validity and reliability of the data. **This activity is ongoing.**

- *Periodically service providers will have quality assurance reviews by their supervisors to evaluate the appropriateness and accuracy of scoring on the curriculum based assessment, since this is the tool most widely used in determining the rating on the COSF.*

Activity 5: Early intervention program personnel who are familiar with the HAWAII continue to train all new staff on the administration of the HAWAII. **This activity is ongoing.**

- *All new personnel who enter the early intervention system are properly trained on the administration and calculation of the assessment tool for the purposes of eligibility, documentation of child's strengths and needs, and progress towards achieving child outcomes.*
- *If a child has received six (6) months of intervention and the program loses contact with the family, the IFSP team will complete an exit COSF. The rating is based on the child's chronological age, utilizing the most current evaluation/assessment information, progress notes, observations, etc. to determine an appropriate rating.*

Activity 6: The HAWAII curriculum-based assessment was selected. Each region has begun utilizing the HAWAII as part of the evaluation and assessment process. This curriculum based assessment is also being utilized for the purpose of program planning and documentation of child's strengths and needs, and progress toward achieving child outcomes, 2008-2012. **This activity is ongoing.**

Activity 7: Training in the area of typical development is being implemented at the local program level to ensure quality child outcome ratings. **This activity is ongoing.**

- *Local early intervention providers have implemented ongoing training with staff in the area of age appropriate development and measuring Part C eligible children against typically developing peers.*

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012**

Although Nevada had slippage in Outcome A, summary statement two (2), the State's improvement activities have been reviewed and no changes are being made at this time.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

**Monitoring Priority: Early Intervention Services In Natural Environments**

**Indicator 4:** 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)

**Measurement:**

- A. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family know their rights) divided by the (# of respondent families participating in Part C)] times 100.
- B. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs) divided by the (# of respondent families participating in Part C)] times 100.
- C. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family help their children develop and learn) divided by the (# of respondent families participating in Part C)] times 100.

FFY	Measurable and Rigorous Target
FFY 2011	A. Know their rights – 94% B. Effectively communicate their children’s needs – 93% C. Help their children develop and learn – 91%

**Actual Target Data for FFY 2011:**

Data for this indicator is generated through the annual Part C Family Survey. For the FFY 2011 (SFY 2012) reporting period, **surveys were sent to a total of 1,686 families** who had been enrolled in early intervention services for at least six (6) months. A total of **279 surveys were returned** for a return rate of **16.5%**. The results are as follows:

**A. Know Their Rights**

Statewide: This data is based on responses to Question 5 on the SFY 2012 Annual Family Survey which states, *“Early Intervention helps me know and understand my parent rights.”*

The total number of families responding to Question 5 was 278. Of those responding, 263 (95%) reported they agree that early intervention had helped their family know

their rights under the IDEA. 198 respondents indicated they Strongly Agree and 65 indicated they Agree.  
**263/278 = 95%.**

Nevada's performance in FFY 2011 of 95% exceeded the state target of 94%.

### **B. Effectively Communicate Their Children's Needs**

Statewide: This data is based on responses to Question 15 on the SFY 2012 Annual Family Survey which states, *“Early Intervention helps me effectively communicate my child's needs.”*

The total number of families responding to Question 15 was 279. Of those responding, 255 (91%) reported early intervention services were effective in communicating their child's needs. Of the 279 total responses 169 chose Strongly Agree and 86 chose Agree.  
**255/279 = 91%.**

Nevada's performance in FFY 2011 of 91% is slightly below the state target of 93%.

### **C. Help Their Children Develop and Learn**

Statewide: This data is based on responses to Question 2 of the SFY 2012 Annual Family Survey which states, *“My Early Intervention providers show me how I can help my child develop and learn.”*

The total number of families responding to Question 2 was 279. Of those responding, 269 (96%) reported they agree early intervention service providers show them how to help their child develop and learn. Of the 269 responses 200 chose Strongly Agree and 69 chose Agree.  
**269/279 = 96%.**

Nevada's performance in FFY 2011 of 96% exceeded the state target of 91%.

#### **Survey Process:**

Nevada's Annual Family Survey for FFY 2011 was conducted through agreement with the Nevada Center for Excellence in Disabilities (NCED) at the University of Nevada, Reno (UNR). The Survey was developed by a stakeholder workgroup and consists of twenty questions designed to obtain input from families regarding their participation in early intervention services. In addition to responding to the survey questions, families are also encouraged to provide individual comments. For FFY 2011, the Survey was sent to all families who had a child enrolled in early intervention services for a period of six (6) months or more as of the date the mailing list is generated from the TRAC IV data system. All surveys were sent in both English and Spanish.

Survey results were analyzed on a statewide basis but were also disaggregated by each early intervention program in the State. All personally identifiable information specific to the family or any individual service provider is redacted prior to public reporting. The published survey results include parent comments and are distributed to all early intervention programs for review of performance and parent comments. As a result, programs may discuss issues with direct service personnel to ensure parent's concerns are being addressed. This data supports individual programs in program planning and improvement. In addition, the complete survey report will be posted on Nevada's website and disseminated to the Nevada Interagency Coordinating Council (ICC), regional programs, Nevada State Health Division (NSHD) Administration, Aging and Disability Services Division (ADSD) and the Department of Health and Human Services (DHHS).

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

Nevada’s performance for the FFY 2011 reporting period exceeded the targets established in the Part C State Performance Plan (SPP) for Outcomes A and C for this Indicator. The State did not meet the performance target for Outcome B in this reporting period. The overall performance in FFY 2011 in relationship to SPP targets was basically consistent with performance in FFY 2010.

**Outcome A.:**

For both FFY 2010 and FFY 2011, the State exceeded targets. In FFY 2010, performance exceeded the target by three (3) percentage points; in FFY 2011, by two (2) percentage points.

**Outcome B.:**

For Outcome B, the State was one (1) percentage point below target in FFY 2010 and two (2) percentage points below the target in FFY 2011. This represented slippage of one (1) percentage point from FFY 2010 to FFY 2011 in meeting the State target. However, given the variables inherent in the survey process, this is not considered to be a significant difference.

**Outcome C.:**

The State exceeded the established target for Outcome C by two (2) percentage points for both FFY 2010 and FFY 2011.

Table 4.A. Comparison of Performance Relative to State Targets for FFY 2010 and FFY 2011

Outcomes	FFY 2010 Target	FFY 2010 Performance	FFY 2011 Target	FFY 2011 Performance
A. Know their rights	93%	96%	94%	96%
B. Effectively communicate their children’s needs	92%	91%	93%	91%
C. Help their children develop and learn	90%	92%	91%	93%

**Rate of Return:**

As reflected in Table 4.B., Nevada had slippage in the rate of return for the Annual Family Survey for FFY 2011/SFY 2012. The rate of return of surveys for FFY 2011 decreased to 16.5% from the FFY 2010 reporting period which was 22.4%. One factor impacting the rate of return was the delay in finalizing the contract between the Aging and Disability Services Division (ADSD) and the University of Nevada, Reno. Since the finalization was late in completion, there was not sufficient time to complete follow-up efforts employed in previous years to increase the number of responses from families. The contract was established for a two-year period; therefore, this will not be an issue for FFY 2012.

Table 4.B. Longitudinal Data on Rate of Return for Annual Part C Family Survey

Period	# Surveys Distributed	# Surveys Returned	Rate of Return
FFY 2009/SFY 2010	1,167	203	17.4%
FFY 2010/SFY 2011	1,422	319	22.4%
<b>FFY 2011/SFY 2012</b>	<b>1,686</b>	<b>279</b>	<b>16.5%</b>

The list of families generated for distribution of surveys is based on point-in-time data and includes all children with an active IFSP that have received services for at least (six) 6 months as of the date the list is generated. Since the data includes all children enrolled at that time, the data is representative of the race/ethnicity breakdown of families served. The survey is distributed to all families in English and in Spanish. Table 4.C. reflects the breakdown the survey distribution and responses by race/ethnicity.

Table 4.C. Race/Ethnicity Breakdown for Surveys Distributed/Returned for FFY 2011

Race Ethnicity	Total Distributed	% of Total	Total # Returned	% of Total
White	707	41.9%	140	50.2%
Hispanic/Latino	647	38.4%	97	34.8%
Black or African American	118	7.0%	13	4.7%
Asian	57	3.4%	10	3.6%
American Indian or Alaska Native	4	0.2%	0	0.0%
Two or More Races	137	8.1%	18	6.5%
Native Hawaiian or Other Pacific Islander	15	0.9%	0	0.0%
Unknown	1	0.1%	1	0.4%
	<b>1686</b>	<b>100%</b>	<b>279</b>	<b>100.0%</b>

Analysis of the data shows the lowest number of returns was from the American Indian or Alaska Native and the Native Hawaiian or other Pacific Islander communities. These were also the groups with the lowest enrollment, with the exception of the “unknown” category. Of the four (4) surveys distributed to American Indian or Alaska Native families and the 15 surveys sent to Native Hawaiian or Other Pacific Islander families, no surveys were returned. While these are typically low response groups, future survey procedures will look at ways to obtain responses from all groups.

The percent of response from families in the Black or African American, the Two or More Races and the Hispanic/Latino categories were slightly less than the percent of the total surveys distributed to these communities. The percent of total responses from families in the White and Asian communities exceeded the corresponding percent of total surveys distributed.

Table 4.D. Comparison of Percent of Return by Race/Ethnicity FFY 2010 to FFY 2011

Race Ethnicity	FFY 2010 (N=319)		FFY 2011 (N=279)	
	Total # Returned	% of Total	Total # Returned	% of Total
White	183	57.4%	140	50.2%
Hispanic/Latino	87	27.3%	97	34.8%
Black or African American	14	4.4%	13	4.7%
Asian	14	4.4%	10	3.6%
American Indian or Alaska Native	0	0.0%	0	0.0%
Two or More Races	19	6.0%	18	6.5%
Native Hawaiian or Other Pacific Islander	0	0.0%	0	0.0%
Unknown	2	0.6%	1	0.4%
	<b>319</b>	<b>100.0%</b>	<b>279</b>	<b>100.0%</b>

The group with the largest increase in percent of returned surveys from FFY 2010 to FFY 2011 was the Hispanic/Latino community. The group with the most decrease in the percentage of surveys returned was the White community.

The IDEA Part C Office will request the ICC Child Find Committee review this data and assist regions with strategies for increasing involvement for low response groups for the FFY 2012/SFY 2013 survey.

**State Performance Plan Activity Update**

Activity 1: Analyze the data from the survey, and develop strategies to increase return rate from under-represented populations, to ensure it is representative of the state population including race/ethnicity, geographic region, and age population. **This activity is ongoing.**

- *Data is analyzed to ensure representation from each county in the state, each early intervention program, and race/ethnicity groups.*

Activity 2: The results of the family survey were presented to the ICC for review and analysis for program improvement. The survey results were also reviewed with program administrators and supervisors. Early intervention programs are encouraged to review parent comments to determine if there are areas for program improvement. **This activity is ongoing.**

- *The family survey results relative to this indicator were presented to the ICC as part of the APR review.*

Activity 3: The UNR NCED continues to develop, disseminate, receive and analyze the data, from the annual family survey and submit a final report to the IDEA Part C Office. **This activity is ongoing.**

- *The IDEA Part C Office, along with Early Intervention leadership and members of the ICC will discuss alternative methods for dissemination and data analysis.*

### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012**

#### New Activity to be Added to the State Performance Plan (SPP) Indicator 4 (#6):

The Lead Agency will work with stakeholders (e.g., parent representatives, providers, etc.) to review the current family survey and determine if changes need to be made to survey questions, if the target percentage should be changed, or if other changes and/or parent input is needed regarding survey questions. IDEA Part C Office, FFY 2012 - 2013

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

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

**Indicator 5:** Percent of infants and toddlers birth to 1 with IFSPs compared to national data.

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

**Measurement:**

Percent=[(# of infants and toddler birth to 1 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100 compared to national data.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2011</b>	<b>The target established for this reporting period is .85%</b>

**Actual Target Data for FFY 2011:**

The following data are generated through the Tracking Resources and Children (TRAC) data system as collected and reported for 618 data on **December 1, 2011**.

Statewide: On December 1, 2011, a total of **423 infants statewide, ages birth to one (1) year**, had an Individualized Family Service Plan (IFSP). This number divided by the U.S. Office of Special Education Programs (OSEP) projection of 36,675 for the State's total population of infants, birth to age one (1) for 2011 indicates **1.15% of the infant population** had an IFSP.  
**(423/36,675 = 1.15%)**

Nevada exceeded the established State Performance Plan (SPP) target of .85% for the birth-to-one year population served in FFY 2011 and the national target of 1%. The State also exceeded the national average of 1.02%. The State ranked 23<sup>th</sup> in 2011 for the percent of population served compared to the 50 states and the District of Columbia and Puerto Rico.

Table 5.A. OSEP General Population Estimates for Nevada Infants, Ages Birth to One (1) Year

<b>Federal Fiscal Year</b>	<b>Population Estimate</b>	<b>Change in Population (+/-)</b>	<b>Percent of Change (+/-)</b>
2006	37,901	+3,715	+10.87%
2007	40,917	+3,016	+7.96%
2008	40,346	-571	-1.40%
2009	40,286	- 60	- .15%
2010	36,505	* -3,781	-10.36%
<b>2011</b>	<b>36,675</b>	<b>+ 170</b>	<b>+.5%</b>

Table 5.A. reflects OSEP's projections for the State's total population of infants ages birth to one (1) year and the percent of change in the general population from 2006 through 2011. (\*Correction of error in FFY 2010 APR - had stated as -3,681)

Table 5.B. Infants Ages Birth to 1 Year with IFSP on December 01

Federal Fiscal Year	# Infants with IFSP	Change in # w/IFSP	% Population Serve	Percent of Change (+/-)
2006	255	+93	.67%	
07	372	+ 117	.91%	+ 45.88%
2008	263	-109	.65%	-29.30%
2009	253	-10	.63%	-3.80%
2010	372	+ 119	1.02%	+ .47%
<b>2011</b>	<b>423</b>	<b>+51</b>	<b>1.15%</b>	<b>+13.7%</b>

Table 5.B. reflects the number of infants reported as having an IFSP on December 1 of each year from 2006 through 2011 and the percent of the general population of with an IFSP on December 1 of each year. This table shows there was an increase in the number of infants, ages birth to one (1) year, reported in the December 1, 2011 Child Count compared to the December 1, 2010 count.

Nevada, again, had improvement in this indicator for the FFY 2011 reporting period. As reflected in Table 5A and 5B above, there was an increase of 51 (.13.7%) infants and toddlers, age birth-to-one with an IFSP on December 1, 2011 over the same date in FFY 2010. There was a slight increase in the general population for this age group in FFY 2011; however, the rate of increase for the number of children served (13.7%) surpassed the rate of increase in the general population (.5%).

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

Given the State exceeded all targets for this reporting period and has demonstrated consistent improvement in this indicator for FFY 2010 and FFY 2011, it is presumed the activities being implemented are appropriate and are supporting an effective child find system. Improvement activities for this indicator will not be reviewed for this reporting period.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1.

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

**Indicator 6:** Percent of infants and toddlers birth to 3 with IFSPs compared to national data.

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

**Measurement:**

Percent=[(# of infants and toddler birth to 3 with IFSPs) divided by the (population of infants and toddlers birth to 3)] times 100 compared to national data.

FFY	Measurable and Rigorous Target
2011	The target established for this reporting period is 2%

**Actual Target Data for FFY 2011:**

The following data are generated through the Tracking Resources and Children (TRAC) data system as collected and reported for 618 data on **December 1, 2011**.

Statewide: On December 1, 2011 a total of **2,544** infants and toddlers in Nevada, ages birth to three (3) years, had an active Individualized Family Service Plan (IFSP). This number divided by the U.S. Office of Special Education Programs (OSEP) estimate of 109,973 (Table C1-9) for the State’s general population of infants and toddlers, birth to age 3, indicates that **2.31%** of the population was represented in the December 1, 2011 count. **(2,544/109,973 = 2.31%)**

Based on the December 1, 2011 data, the State met the established State Performance Plan (SPP) target and the national target of 2%. The state was slightly below the national average of 2.79% percent for the birth to three (3) year old population served in this reporting period. Nevada ranked 36<sup>th</sup> in 2011 for the percent of population served compared to the 50 states and the District of Columbia and Puerto Rico. This was an improvement of three (3) positions over the State’s ranking in 2010.

Nevada, again, had significant improvement in this indicator for the FFY 2011 reporting period. There was an increase of 200 in the number of eligible infants and toddlers, age birth to three (3) years, with an IFSP on December 1, 2011 over the number reported in FFY 2010. As reflected in Table 6.A., the State had a slight reduction in overall population for this age group for this reporting period. However, the number of infants and toddlers with disabilities with an IFSP on December 1, 2011 continued to increase as reflected in Table 6.B.

Table 6.A. OSEP General Population Estimates, Infants and Toddlers Ages Birth to Three (3)

Year	# General Population	+/- Change From Previous Year	% Change From Previous Year
2006	111,945	+8,028	+7.78%
2007	119,218	+7,273	+6.5%
2008	121,331	+2,113	+1.77%
2009	122,929	+ 1,598	+1.32%
2010	111,905	-11,024	-8.97%
<b>2011</b>	<b>109,973</b>	<b>-1,932</b>	<b>-1.7%</b>

Table 6.A. provides data on Nevada’s population growth for infants and toddlers, age birth to three (3) years, from FFY 2006 to FFY 2011 as indicated by general population estimates released annually by OSEP.

Table 6.B. Infants and Toddlers Ages Birth to 3 with IFSP on December 01

Year	# Infants with IFSP	+/- Number w/IFSP	% Population Served	+/- % of Change From Previous Year
2006	1,520	+103	1.36%	Maintained
2007	1,986	+ 466	1.67%	+30.6%
2008	2,052	+66	1.69%	+ 3.32%
2009	1,892	-160	1.54%	- 8.46%
2010	2,344	+452	2.09%	+ .55%
<b>2011</b>	<b>2,544</b>	<b>+ 200</b>	<b>2.31%</b>	<b>+8.5%</b>

Table 6.B. reflects the statewide trend in the number and percent of infants and toddlers, age birth to Three (3) years, with an IFSP on December 1 from 2006 thru 2011.

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

Given the State exceeded all targets for this reporting period and has demonstrated consistent improvement in this indicator for FFY 2010 and FFY 2011 for both Indicators 5 and 6, it is presumed the activities being implemented are appropriate and are supporting an effective child find system. Improvement activities for this indicator will not be reviewed for this reporting period. The IDEA Part C Office and the ICC Child Find Committee will continue to track performance for this indicator on a quarterly basis to ensure the State Child Find System continues to function in an effective manner.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012**

No revisions to improvement activities are being made for Indicators 5 and 6 at this time.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

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

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

**Measurement:**

Percent = [(# of eligible infants and toddlers with IFSPs for whom an initial evaluation and initial assessment and an initial IFSP meeting was conducted within Part C’s 45-day timeline) divided by the (# of eligible infants and toddlers evaluated and assessed for whom an initial IFSP meeting was required to be conducted)] times 100.

FFY	Measurable and Rigorous Target
FFY 2011	100%

**Actual Target Data for FFY 2011:**

The performance data for this indicator are taken from the Tracking Resources and Children (TRAC) database and represent the period of July 1 through December 31, 2012. Because this data includes all children with an initial evaluation and initial assessment and an initial IFSP meeting conducted during the timeframe, it is determined to be representative of the all children served during this reporting period. Data for this reporting period shows:

- 1,051 children had an initial evaluation and initial assessment and an initial IFSP meeting was conducted in the first two quarters of FFY 2011
- 911 children had the initial IFSP meeting conducted within 45 days from referral
- 134 children did not have their IFSP developed within 45 days from referral due to family exceptions
- 1,045 initial IFSPs were compliant with the 45-day timeline
- **Percent = (1,045/1,051)\*100 = 99.4%**

Documented family circumstances for not meeting the 45-day timeline included the following:

- Family cancelled appointments
- Child was hospitalized or ill
- Parent could not schedule the appointment within 45 days
- Parent had a personal or medical emergency and was not available for appointments

Program circumstances resulting in programs not meeting the 45-day timeline for the remaining six (6) children were primarily due to cancellations of a session by a member of the multidisciplinary team due to illness or family emergencies. This resulted rescheduling of the evaluation or IFSP meeting to a date that was past the required 45-day timeline.

Selection of Programs for Monitoring:

All early intervention service provider programs in the State are required to participate in the Part C monitoring process annually. As part of each early interventions program's annual self-assessment process, performance is evaluated utilizing data from the TRAC data system for the specified period. While verification of TRAC data is conducted, on at least a quarterly basis by the Part C Data Manager, the monitoring process also includes a second level of verification during child record reviews. Each program was required to submit their self-assessment report to the IDEA Part C Office no later than May 31, 2012. The IDEA Part C Office conducted review and verification of the data submitted in the report and issued findings, as appropriate. Data gathered and reviewed as part of the FFY 2011 monitoring are being reported in the APR; however, program findings based on this data were not issued for this indicator until the FFY 2012 reporting period.

Result of FFY 2011 Monitoring

A total of nine (9) programs were monitored for compliance with 45-day timeline requirements in FFY 2011 and findings were issued in FFY 2012 as follows:

- Seven (7) programs were found to be at 100% compliance for the reporting period – no finding was issued
- One (1) program was found to have on-going noncompliance from FFY 2010
- One (1) program was issued a new finding of noncompliance for this indicator based on FFY 11 monitoring; however, the finding was not issued until the FFY 2012 reporting period.

OSEP July 2012 Response Table:

*The State's FFY 2010 reported data for this indicator are 94%. These data represent progress from the FFY 2009 data of 69%. The State did not meet its FFY 2010 target of 100%.*

*The State reported that the one finding of noncompliance identified in FFY 2009 for this indicator was corrected in a timely manner.*

*The State reported that it used data from a State database to report on this indicator. The State further reported that it did not use data for the full reporting period (July 1, 2010-June 30, 2011), and the State described how the time period in which the data were collected accurately reflect data for infants and toddlers with IFSPs for the full reporting period.*

*The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.*

*The State must demonstrate, in the FFY 2011 APR, that the State is in compliance with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.*

*When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (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 conducted the initial evaluation, assessment, and IFSP meeting, although late, for any child for whom the 45-day timeline*

*was not met, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.  
If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary.*

**Correction of Noncompliance from FFY 2010:**

Verification of Individual Child Correction:

- Individual child correction was verified for all children where noncompliance was identified in the three (3) early intervention service (EIS) programs in FFY 2010. Data in the TRAC data system showed an IFSP was developed for all children, though late.

Verification Program is Correctly Implementing 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a).

- Progress for each of the three (3) programs with identified noncompliance was monitored on a quarterly basis through data reports from the TRAC data system. New data compiled for the FFY 2011 program self-assessments showed two (2) programs had achieved timely correction of the noncompliance by the second (2) quarter of FFY 2011.
- One (1) program could not be verified to have correction of noncompliance as of the end of the one (1) year maximum timeline (June 30, 2012) for timely correction. As of close of the one (1) year maximum timeline, data showed the program to be substantially compliant with performance of 97.6% but had slight slippage from the 98% reported for FFY 2010.

Enforcement:

The IDEA Part C Office continued to monitor the program’s progress on a quarterly basis through TRAC data reports. These reports showed the program demonstrated progress for the last two (2) quarters of FFY 2011.

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

The State continued to demonstrate progress in this indicator in the FFY 2011 reporting period. Performance reported in the FFY 2010 APR showed the program performance at 94%. The performance for FFY 2011 was based on the period covered for monitoring of early intervention services programs and is at 99.4%.

**Table 7.A. Longitudinal Statewide Data on 45-day Timeline**

Percent of Evaluations and IFSPs Completed within 45-Days of Referral	FFY 2009	FFY 2010	FFY 2011
	69%	94%	99.4%

Table 7.A. reflects the State’s longitudinal performance relative to the 45-day timeline requirements.

**State Performance Plan Activity Review and Update:**

Activity 1: Explore the use of centralized evaluation teams to expedite eligibility determination and IFSP development, 2006, Program Managers. ***This activity is ongoing.***

- *Each of the early intervention programs in the three (3) regions of the State has developed a team process for determining eligibility. For some programs, personnel are designated as part of a core team and have standard weekly assignments for conducting Multidisciplinary and Scheduling Teams (MDTs). The State operated programs have moved to an electronic scheduling system. This has created more internal efficiency for assigning staff to MDTs and to reassign staff if someone is out sick or on vacation versus cancelling the MDT meeting. The*

*scheduling system also allows for greater flexibility in scheduling other families when appointments are cancelled.*

- *Early intervention programs have developed internal processes and schedules for addressing issues related to compliance in this indicator. The programs with well established internal quality assurance teams have been very successful in improving documentation of circumstances resulting in delays in meeting the 45-day timeline.*
- *Programs have improved processes for inputting clearer documentation in the TRAC database regarding contact with families and staff to help eliminate scheduling errors as well as proper coding for exceptions.*
- *New policies and procedures have been developed and implemented in the Nevada Early Intervention Services (NEIS) South program for MDTs. This has assisted in meeting compliance requirements relative to the 45-day timeline.*
- *NEIS South implemented a pilot project to determine the most efficient method to meet the 45-day timeline and still meet the needs of the child and family. It was determined that completing the evaluation and determination of eligibility and developing the initial IFSP in one meeting was helpful in meeting the required timeline. The family survey supported this method, reporting better engagement and satisfaction with the process.*
- *NEIS Northwest modified the program intake form by adding a section to reflect the date that must be met to ensure compliance with the 45-day timeline. A Crystal Report is run monthly, identifying children whose timeline is at 30 days and the process is not yet completed. Supervisors contact the service coordinators to ensure the timeline is on track to be completed timely.*

Activity 2: Consider use of incentives to reward programs that consistently meet the 45-day timeline from referral to IFSP development, 2007-2012 Program Managers – ***This activity is ongoing.***

- *Given the current State economic issues, early intervention programs are limited in their abilities to provide broad-based incentives. However, most early intervention programs have developed internal processes for recognition of performance of both individuals and teams. The IDEA Part C Office and individual programs provides a variety of program acknowledgements through newsletters, Fast Notes from program managers, and recognition at weekly and quarterly management meetings in an effort to recognize the hard work of all staff related to correction of noncompliance. Program's correction of noncompliance is also reported to the State Interagency Coordinating Council (ICC).*

#### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012-13**

Nevada has made continuous progress in this indicator for the last two (2) reporting periods. Therefore, it is presumed the activities being implemented are appropriate and effective and are not required to be reviewed at this time.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

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

**Indicator 8:** 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)

**Measurement:**

- A. Percent = [(# of children exiting Part C who have an IFSP with transition steps and services) divided by the (# of children exiting Part C)] times 100.
- B. Percent = [(# of children exiting Part C and potentially eligible for Part B where notification to the LEA occurred) divided by the (# of children exiting Part C who were potentially eligible for Part B)] times 100.
- C. Percent = [(# of children exiting Part C and potentially eligible for Part B where the transition conference occurred) divided by the (# of children exiting Part C who were potentially eligible for Part B)] times 100.

Account for untimely transition conferences, including reasons for delay.

FFY	Measurable and Rigorous Target
FFY 2011	100%

**Actual Target Data for FFY 2011:**

**A. Individual Family Service Plans (IFSP) with transition steps and services.**

Statewide: The compliance percentage for this indicator was derived from data gathered through child records as part of the monitoring and general supervision process. Individual plans are reviewed for timeliness and to verify inclusion of appropriate steps and service. Data was gathered from nine (9) early intervention programs across the State. Of the 157 records reviewed for children exiting Part C, 149 exited with appropriate transition plans. All (100%) plans reviewed were developed within required timelines but eight (8) plans did not include all required components. Of the eight (8), four (4) plans had not appropriately addressed procedures to prepare the child for changes in service delivery, four (4) had not

addressed discussion with, or training of, parents regarding future placements or other matters related to the transition and two (2) plans had not addressed the additional information to be transmitted to the local education agency (LEA), with parent consent, to support continuity of services.

**Percent =  $149/157 \times 100 = 95\%$**

#### **B. Notification to the Local Education Agency (LEA), if child potentially eligible for Part B**

Statewide: The compliance percentage for this indicator was derived using the Tracking Resources and Children (TRAC) child data collection system. In completing the 618 data for Table 3, Report on Infants and Toddlers Exiting Part C Programs, Nevada used the categories under Program Completion for FFY 2011 (2011-2012) to calculate the number of children exiting Part C and potentially eligible for Part B (Nevada defined potentially eligible as all Part C eligible children since Nevada has a restrictive eligibility definition). There were 1,183 children who were potentially eligible for Part B services and will shortly turn three (3) years of age and 1,168 children exiting Part C where notification to the LEA occurred through the IDEA Part C Office. The IDEA Part C Office verified the remaining 15 children had been notified at the local program level, which resulted in 100% compliance. Children who were referred less than 45 days prior to their third (3) birthday are not included in this calculation.

School districts where there were no children potentially eligible received notifications that stated there were no children in their district who were potentially eligible for Part B during the reporting period.

**Percent =  $1,183/1,183 \times 100 = 100\%$ .**

#### **C. Transition conference, if child potentially eligible for Part B**

Statewide: Final data for this indicator was compiled from the TRAC data system. The first two (2) quarters of data were compiled for program monitoring and the data is being reported based on this data. For the first two (2) quarters of FFY 2011, the total unduplicated number of children exiting Part C that required a transition conference with the LEA was 552. Of the 552,

- 496 had the transition conference conducted in a timely manner;
- 56 had a transition conference, though late; and
- 36 were late due to family circumstances; and
- 20 were late due to program circumstances.

As a result, the total number of transition conferences compliant with requirements for this reporting period is 532 (496 timely conferences plus 36 conferences late due to family exceptions). This calculation does not include children referred to the early intervention system less than 90 days prior to their third birthday.

**Percent =  $532/552 \times 100 = 96\%$**

Documented family circumstances resulting in conferences not conducted less than 90 days prior to the child's third birthday included:

- Parent/child had a medical emergency or was ill;
- Family cancelled scheduled meeting and was unable to reschedule within timeline;
- Parent not available to schedule the appointment within required timeline; or
- Family declined transition conference.

#### **State Performance FFY2011**

**8.A.**

The IDEA Part C Office implemented a monitoring process requiring all established early intervention programs to complete an annual self-assessment. The compliance percentage for this indicator was derived from data gathered through child records as part of the monitoring and general supervision process. Program self-assessment reports were submitted by each program not later than May 31, 2012. This allowed the IDEA Part C Office time to verify data reflected in the report and issue findings to programs within the fiscal year reflected in the data being reported. This provides a more current reflection of program performance and more timely intervention in areas that may be problematic for the program. Performance for FFY 2011 was found to be at 95%. Two (2) programs were found to have noncompliance; however, the findings were not issued until FFY 2012 and will be reported in the FFY 2012 APR.

**8.B.**

The IDEA Part C office implemented a new version of the TRAC data system (TRAC IV) in January 2012. Data from TRAC IV was used to implement procedures for notifications to the State Education Agency (SEA) and Local Education Agencies (LEA) to monitor performance in 8.B. In completing the 618 data for Table 3, Report on Infants and Toddlers Exiting Part C Programs, Nevada used the categories under Program Completion for FFY 2011 (2011-2012) to calculate the number of children exiting Part C and potentially eligible for Part B. Notification lists were pulled from the database and sent to the SEA and LEAs on a quarterly basis July 1, 2011 through March 2012. Beginning April 2012, notifications were sent on a monthly basis. The State maintained performance of 100% in this reporting period.

**8.C.**

Compliance with Indicator 8.C. was monitored through the TRAC IV data system. Data reported for the FFY 2011 reporting period represents the first two (2) quarters of the fiscal year (July 1, 2011 – December 31, 2012). Data for FFY 2011 shows the State's performance at 96%. One (1) program was found to have a new finding of noncompliance but the finding was not issued until the FFY 2012 reporting period. **Since the data utilized for this area was pulled from the data system and included all children having a transition conference within the data period, the data is representative of all children to whom this indicator is applicable in the reporting period.**

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

**8A. Progress and Slippage FFY 2011**

The State had slippage in this area from FFY 2010 to FFY 2011. The State's performance in this area was 100% in FFY 2010. In FFY 2011, performance was at 95%. Nine (9) early intervention programs were monitored. One (1) program was found to be at 68% compliance; however, the finding of noncompliance was not issued until the FFY 2012 reporting period. This was the program's first year of comprehensive monitoring. Steps have been implemented to ensure timely correction including training and technical assistance regarding comprehensive transition planning for eligible children and their families.

**Correction of Findings of Noncompliance From FFY2010:**

OSEP July 2012 Response to NV FFY 2010 APR:

*The State's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 98%. The State met its FFY 2010 target of 100%.*

*The State reported that both of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.*

*OSEP appreciates the State's efforts in achieving compliance with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) and 20 U.S.C. 1436(a)(3) and (d)(8).*

No findings were issued for Indicator 8.A. in FFY 2010. Therefore, no corrections were required.

Table 8.A. Longitudinal Findings and Correction of Noncompliance

FFY	Number of Findings of Noncompliance Related to Indicator 8.A	Number of Findings for which Correction was Verified within One Year	Number of Findings for which Correction was Subsequently Verified (Date)	Number of Findings of Noncompliance Remaining
FFY 2008	3	2	1	0
FFY 2009	2	2	0	0
FFY 2010	0	NA		
FFY 2011	*0	NA		

\* Findings from FFY 2011 monitoring were not issued until the FFY 2012 monitoring period.

**8.B. Progress and Slippage – FFY 2011**

Nevada maintained performance at 100% compliance from FFY 2010 to FFY 2011. The State continues to provide notification required under Indicator 8.B to the State Education Agency (SEA) and Local Education Agencies (LEA) from the State level. The data are issued by the IDEA Part C Office utilizing the TRAC database; therefore, this is not a compliance requirement for local early intervention service providers. Nevada used exit categories under Program Completion for FFY 2011 (2011-2012) to calculate the number of children exiting Part C and potentially eligible for Part B.

The IDEA Part C Office continues to utilize a two step process to verify every child potentially eligible for Part B services is included in the LEA notification. Notification lists were pulled from the database and sent to the SEA and LEAs on a quarterly basis July 1, 2011 through March 2012. Beginning April 2012, notifications were sent on a monthly basis. The Part C Data Manager verifies through the TRAC data system every child has had notification submitted. This includes cross-walking Exit Data from the TRAC Data system with the list of all children included on the notification lists. For any child not included on the notification list due to late entry into the system, it is verified that notification has been sent to the LEA by the local early intervention service provider program.

**Correction of Findings of Noncompliance From FFY2010:**

<p>OSEP July 2012 Response to NV FFY 2010 APR:</p> <p>The State's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p> <p>OSEP appreciates the State's efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
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No findings were issued for Indicator 8.B. in FFY 2010. Therefore, no corrections were required.

Table 8.B. Longitudinal Findings and Correction for Noncompliance

FFY	Number of Findings of Noncompliance Related to Indicator 8C	Number of Findings for which Correction was Verified within One Year	Number of Findings for which Correction was Subsequently Verified (Date)	Number of Findings of Noncompliance Remaining
FFY 2008	0	NA		
FFY 2009	0	NA		
FFY 2010	0	NA		
FFY 2011	0	NA		

**8. C. Progress and Slippage - FFY 2011**

Nevada had slight slippage for this indicator from FFY 2010 (97%) to FFY 2011 (96%). The performance of early intervention service providers are tracked relative to this indicator on a quarterly basis. Nine (9) programs were monitored in FFY 2011 for compliance with Indicator 8.C. requirements. Of the nine (9), one (1) program was found to have noncompliance; however, the finding was not issued until the FFY 2012 reporting period. FFY 2011 was this program’s first year for comprehensive monitoring since they began providing early intervention services. The program was notified of the requirement to correct the noncompliance as soon as possible, but not later than one year from the date of the finding. One (1) program was found to have on-going noncompliance from FFY 2010.

Table 8.C. Findings and Correction of Noncompliance

FFY	Number of Findings of Noncompliance Related to Indicator 8.C	Number of Findings for which Correction was Verified within One Year	Number of Findings for which Correction was Subsequently Verified (Date)	Number of Findings of Noncompliance Remaining
FFY 2008	0	NA		
FFY 2009	3	3	0	0
FFY2010	3	2	1	0
FFY 2011	*0			

\* Findings from FFY 2011 monitoring were not issued until the FFY 2012 monitoring period.

**Correction of Noncompliance identified in FFY2010**

OSEP July 2012 Response to NV FFY 2010 APR:

*The State’s FFY 2010 reported data for this indicator are 97%. These data represent progress from the FFY 2009 data of 95%. The State did not meet its FFY 2010 target of 100%.*

*Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.*

*When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) (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 conducted a transition conference, although late, for any child potentially eligible for Part B whose transition conference was not timely, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.*

*If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary.*

Three (3) findings of noncompliance were issued in FFY 2010. Verification of correction of noncompliance by the IDEA Part C Office was as follows:

Individual Child Correction:

The IDEA Part C Office verified through TRAC data reports that all children had a transition conference conducted, though late.

Correctly Implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II))

Program performance for this indicator is monitored through the TRAC data system. New data for programs are pulled on a quarterly basis. The IDEA Part C Office verified timely correction for two (2) of the three (3) programs with a finding in this indicator from FFY 2010 through new data reports that showed the programs had facilitated timely transition conferences for all (100%) relevant children. The IDEA Part C Office conducted a focused monitoring of the program with the remaining finding of noncompliance in February 2013. Based on new data gathered during this monitoring, the program was notified of subsequent correction on March 7, 2013.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:**

Activity 1: The IDEA Part C Office continues to implement a process to notify the LEAs on a quarterly basis of all children potentially eligible for Part B. In addition, the local early intervention programs notify the LEAs on a per child basis during the transition process from Part C to Part B, so children that are missed in the Part C statewide report are captured at the local program level with parental consent.

**This activity is ongoing**

- *The Part C Data Manager pulled data of children exiting who are potentially eligible for Part B services quarterly, including the previous three months and the following three month time period for the first three (3) quarters and monthly thereafter. This overlap was created to ensure the LEA receives notification for all children even those that may have been late referrals and only in the program for a short period of time.*
- *The local early intervention programs support families in transitioning to the LEAs on a per child basis during the transition process from Part C to Part B. Any child that may be missed in the Part C statewide report are captured at the local program.*
- *New providers have also developed policies and procedures to ensure local school districts are notified of potentially eligible children. The Northwest and Northeast regions have developed a tickler system; a list of children who will be transitioning from early intervention two months before the required 90 days.*

Activity 2: Regularly scheduled meetings are held between local programs and the local school district representatives to ensure timely transition and data sharing. **This activity is ongoing.**

- *Early intervention programs in the Southern region continue to meet quarterly with school district staff and transition liaisons to ensure timely transition meetings. Through the collaborative effort of the early intervention programs in the south and Clark County School District (CCSD) personnel, CCSD has reached compliance with having Individualized Education Programs (IEPs) completed and held prior to the child's third (3) birthday. This improvement has been attributed to the diligent efforts of the early intervention programs to notify CCSD of children who will potentially be transitioning to the LEA six to seven months prior to the child's third (3) birthday.*
- *In the Northwest region, supervisors from the early intervention programs meet with the school district representatives two (2) times per month to ensure timely transition.*

Activity 3: The IDEA Part C Office will collaborate with the Nevada Department of Education to update the existing Memorandum of Understanding (MOU), which will serve as a model for local early intervention programs and school districts. Part C Coordinator and 619 Coordinator, FFY 2009-2012.

- *Early Intervention Program Managers, LEA Special Education Administration and/or Early Childhood Special Education personnel for rural counties met to develop specific written procedures to support the MOUs developed and further ensure timely transition in the rural areas.*

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012 – 2013****New Activity to be Added to the State Performance Plan (SPP) Indicator 8 (#15):**

The IDEA Part C Office will collaborate with the Nevada Department of Education to develop and implement a training component for Part C personnel and local school district consistent with the revised Transition Agreement between the Departments. IDEA Part C Office Personnel, FFY 2012-2013.

Part C State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development: See Page 1 – Introduction

Monitoring Priority: Effective General Supervision Part C / General Supervision

**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)

**Measurement:**

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 9 Worksheet" to report data for this indicator (see Attachment 1).

FFY	Measurable and Rigorous Target
2011	100%

**Actual Target Data for FFY 2011:**

- a. 11 new findings of noncompliance were made in FFY 2010.
- b. 6 corrections were verified to be completed as soon as possible but in no case later than one year from identification.

Percent = 6 divided by 11 x100 or **55%**

Table 9.A. Timely Correction of FFY 2010 Findings of Noncompliance (corrected within one (1) year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010, through June 30, 2011) (Sum of Column (a) on the Indicator C 9 Worksheet)	<b>11</b>
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the EIS programs of the finding) (Sum of Column (b) on the Indicator C 9 Worksheet)	<b>6</b>
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>5</b>

INDICATOR C-9 WORKSHEET				
Indicator/Indicator Clusters	General Supervision System Components	# of EISPs Issued Findings in FFY 2010 (7/1/10 to 6/30/11)	(a) # of Findings of noncompliance identified in FFY 2010 (7/1/10 to 6/30/11)	(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	0	0	0
	Dispute Resolution: Complaints, Hearings	2	2	2
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	1	1	0
	Dispute Resolution: Complaints, Hearings	0	0	0
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	0
	Dispute Resolution: Complaints, Hearings	0	0	0
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	0
	Dispute Resolution: Complaints, Hearings	0	0	0
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	0
6. Percent of infants and toddlers birth to 3 with IFSPs	Dispute Resolution: Complaints, Hearings	0	0	0
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	3	2
	Dispute Resolution: Complaints, Hearings	0	0	0

# APR Template – Part C

NEVADA

State

Indicator/Indicator Clusters	General Supervision System Components	# of EISPs Issued Findings in FFY 2010 (7/1/10 to 6/30/11)	(a) # of Findings of noncompliance identified in FFY 2010 (7/1/10 to 6/30/11)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
8. 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:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
8. Percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the lead agency has:  B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the child resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	NA	NA	NA
	Dispute Resolution: Complaints, Hearings	0	0	0
8. Percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:  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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	3	3	2
	Dispute Resolution: Complaints, Hearings	0	0	0
Procedural Safeguards	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	2	0
	Dispute Resolution: Complaints, Hearings	0	0	0
	Dispute Resolution: Complaints, Hearings			
<b>Sum the numbers down Column a and Column b</b>			<b>11</b>	<b>6</b>

Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100

**55%**

**FFY 2010 Selection of Programs for Monitoring**

The IDEA Part C Office requires all early intervention service provider programs that have been in operation at least one (1) year to participate in the monitoring process on an annual basis. Eight (8) programs participated in the monitoring process in FFY 2010.

**FFY 2010 Monitoring Process**

A notice was issued to the programs in February 2011 to initiate the monitoring process along with forms and documents to support the process. All programs completed a Self-Assessment in conjunction with the IDEA Part C Office and submitted a final report not later than May 31, 2011. Programs were required to maintain an internal Quality Assurance (QA) Team process and the IDEA Part C Office liaison to the program interacted with this team on a regular basis. Programs with identified noncompliance from program monitoring relative to an indicator were issued one (1) finding for that indicator. Programs were also issued one (1) finding per complaint for each indicator where noncompliance was identified through complaint investigation.

Data collected, analyzed and reported as part of the self-assessment and verification process included:

- data gathered through child record reviews (Indicators 1 and 8.A.);
- data from the TRAC data system (Indicators 2, 5, 6, 7 and 8.C.);
- data from the Child Outcomes tracking system (Indicator 3);
- results of the Annual Part C Family Outcomes survey (Indicator 4); and
- data from complaints, mediations and due process tracking system (All indicators, as appropriate).

**Findings Issued**

Review and verification of each program’s report and supporting data was conducted by the IDEA Part C Office liaison. As a result, new findings were issued relative to five (5) indicators in FFY 2010 as reflected in Table 9.A. above. A written notification of findings was issued to all programs, as appropriate, not later than June 30, 2011. The notice of findings included a citation of the regulatory requirement for which the program had been noncompliant. In indicators where the program’s performance was found to be less than substantially compliant (94% or below), a finding was issued and the program was required to generate a written Corrective Action Plan (CAP) in conjunction with the IDEA Part C Office. The plan included identification of underlying issues contributing to the failure to meet requirements and strategies to change policies and procedures, as appropriate, and identify persons responsible for ensuring implementation of stated activities, targets, and projected timelines for correction. If the program was found to be performing at 95% to 99%, a finding was issued in writing but the program was not required to develop a formal CAP. The program was notified that all noncompliance must be corrected as soon as possible but no later than one (1) year from written notification. The IDEA Part C Office conducted periodic follow-up to track progress, provided technical assistance and verified corrections.

Table 9.B. – Findings and corrections for FFY 2010 per APR Indicator

Indicator	# Programs	# Findings	As a Result of:	# Verified Timely Corrections	Subsequent Corrections
Indicator 1:	1	2	Complaint Investigation	2	0
Indicator 2	1	1	Program Monitoring	0	0
Indicator 7	3	3	Program Monitoring	2	0
Indicator 8.c.	3	3	Program Monitoring	2	1
State: Procedural Safeguards	2	2	Program Monitoring	0	2
Totals		11		6	

OSEP Response Table to the FFY 2010 APR Stated:

*When reporting on correction of findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each EIS program with noncompliance identified in FFY 2010:*

- (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 EIS program, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 9 in the FFY 2011 APR, the State must use the Indicator 9 Worksheet.*

*The State's failure to correct longstanding noncompliance (from FFY 2008 and FFY 2006) raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2011 APR, that it has corrected this noncompliance.*

*Further, in responding to Indicators 1, 7, and 8C in the FFY 2011 APR, the State must report on correction of the noncompliance described in this table under those indicators.*

**Verification of Correction****Indicator 1:**Individual Child Correction:

The IDEA Part C Office verified services were provided to the children for whom noncompliance was identified through complaint investigation. In addition, a remedy (either compensatory services or reimbursement for the family if the service was obtained independently) was provided for the period of the delay in services per a written agreement established between the program and the family.

Correctly implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1):

New data was reviewed via Tracking Resources and Children (TRAC) database reports for July through December 2011. The program had no children waiting beyond required timelines for initiation of new IFSP services. In addition, new data gathered during the FFY 2010 monitoring process (covering the period of July 1, 2010 through March 31, 2011) showed 27 of 27 (100%) child records reviewed were compliant for initiation of all new IFSP services in a timely manner. The program was notified of timely correction of the identified noncompliance.

**Indicator 2:**

Findings for this indicator were based on data gathered from child record reviews. Findings are issued when it is found services are not being provided in a setting recognized as a natural environment of the child and family and there is not appropriate justification included in the Individualized Family Service Plan (IFSP) for an alternate setting. Nevada has not been able to verify correction of the one (1) finding of noncompliance for this indicator in FFY 2010 as of the submission of this report.

**Indicator 7:**Individual Child Correction:

The IDEA Part C Office verified through TRAC data reports all children had an evaluation completed and an initial IFSP meeting was held to develop the IFSP, though late.

Correctly Implementing 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a).

Program performance for this indicator was monitored through the TRAC data system. New data for programs are pulled on a quarterly basis. The IDEA Part C Office verified timely correction for the two (2) programs with a finding in this indicator from FFY 2010 through new data reports generated following the issuance of the findings that showed the programs were implementing the requirement for all (100%) new enrollments.

**Indicator 8.c.:**

Individual Child Correction:

The IDEA Part C Office verified through TRAC data reports a transition conference was conducted for each child, though late.

Correctly Implementing 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II))

Program performance for this indicator is monitored through the TRAC data system. New data for programs are pulled on a quarterly basis. The IDEA Part C Office verified timely correction for two (2) of the three (3) programs with a finding in this indicator from FFY 2010 through new data reports that showed the programs had facilitated timely transition conferences for all (100%) relevant children.

The IDEA Part C Office verified subsequent correction for the remaining program in March 2013.

**State – Procedural Safeguards:**

Child Correction:

The findings of noncompliance issued in this area were based on data gathered through review of child records to verify the program's documentation of informing families of rights and procedural safeguards, issuing appropriate prior written notice and obtaining appropriate and timely written parental consent. Since the findings were based on the program's documentation of procedures and processes and were after-the-fact, child correction is not relevant.

Correctly Implementing 34 CFR §§303.420 and 303.421

The verification that programs were correctly implementing the requirements for all children was based on gathering new information through review of child records. Nevada has verified subsequent correction for the two (2) remaining findings of noncompliance for this indicator in FFY 2010 through onsite verification visits. One (1) program was issued a notice of subsequent correction on March 15, 2013 based on new data gathered during a verification visit conducted on December 20, 2012. An on-site verification was also conducted with the second program on March 20 and 21, 2013 and the program was notified of subsequent correction on May 16, 2013. There was some delay in final analysis of data for the second program due to technical difficulty in accessing electronic child records in the system utilized by the program.

**Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:**

A key underlying issue identified as impacting the State's ability to correct noncompliance in a timely manner included shortage in resources. As reflected in Indicator 1, the Interagency Coordinating Council (ICC) and the Department of Health and Human Services (DHHS), as lead agency for the early intervention system initiated processes for an overall review of the system. Technical assistance has been provided by personnel from the Western Regional Resource Center (WRRRC) and the National Early Childhood Technical Assistance Center (NECTAC). We have received TA on various topics related to improving efficiency within the overall system. A key aspect of the TA was helping the State identify what is working well and what areas need improvement. IDEA Part C Office personnel have also participated in the regular monthly TA calls hosted by WRRRC.

Critical areas where timely correction has been an issue are timely initiation of services and provision of services in natural environments. For the specific actions taken relative to timely initiation of services, please refer to Indicator 1. With respect to correction of noncompliance with the provision of services in natural environments, numerous resources were provided to both DHHS and the ICC regarding the implementation of this requirement by the technical assistance centers. A TA call with WRRRC and

NECTAC was conducted with monitoring staff in the IDEA Part C Office in January 2013 to discuss the overall monitoring process for Indicator 2. As a result, the IDEA Part C Office has developed clearer language regarding the monitoring procedures for this indicator. Verification visits have been made with programs with noncompliance in this area to evaluate progress and provide clarification to the programs. New employee orientation has been provided to all new program personnel by the IDEA Part C Office and one chapter of the training deals specifically with this requirement.

Nevada had slippage for timely correction from FFY 2010 to FFY 2011. In the FFY 2010 APR, the percent of timely correction was 78%. The percent of timely correction for this reporting period is 55%. No additional verifications of subsequent corrections have been verified at this time. It is felt that the following factors negatively impacted the ability of the IDEA Part C Office to ensure timely correction of noncompliance from FFY 2010 to FFY 2011:

- The on-going budget crisis in the State while the number of children referred and found eligible continued to rise;
- Inability of programs to fill vacant positions or to recruit additional providers due to budget constraints;
- Conflicting messages and directives to providers from the Nevada State Health Division (NSHD) regarding practice standards and requirements; and
- Vacant position in the IDEA Part C Office from December 2011 through May 2012 – Part C Coordinator.

OSEP Response Table to the FFY 2010 APR Stated:

*The State must demonstrate, in the FFY 2011 APR, that the remaining seven findings identified in FFY 2008, and the one finding identified in FFY 2006, that were not reported as corrected in the FFY 2010 APR were corrected.*

*The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2011 APR, demonstrating that the State timely corrected findings of noncompliance identified in FFY 2010, FFY 2009 and FFY 2008 in accordance with IDEA section 635(a)(10)(A), 34 CFR §303.501, and OSEP Memo 09-02.*

*The State’s failure to correct longstanding noncompliance (from FFY 2008 and FFY 2006) raises serious questions about the effectiveness of the State’s general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2011 APR, that it has corrected this noncompliance.*

**Findings of Noncompliance - FFY 2009**

<b>Findings of Noncompliance From FFY 2009 Not Timely Corrected (corrected more than one year from identification of the noncompliance) and/or Not Corrected:</b>	
Indicator 2:	
1. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	<b>4</b>
2. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	<b>3</b>
3. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(1) minus (2)]	<b>1</b>

One (1) finding of noncompliance from FFY 2009 remains uncorrected for one (1) early intervention service provider program at the time of submission of this report. This finding is related to Indicator 2. The program is a private agency providing services through a Provider Agreement with NSHD. NSHD was the Division in charge of administration of the direct services component of the State’s early intervention (EI) system. The IDEA Part C Office’s ability to ensure correction of this noncompliance

has been complicated by the directive issued by the NSHD to State-operated programs to provide services in clinic based settings as a cost-saving measure.

The Nevada Department of Health and Human Services (DHHS) has initiated procedures to transfer responsibility for administration of the direct services component into the Aging and Disability Services Division (ADSD) effective July 1, 2013. This will create a single line of authority for administration of all components of the EI system and will be more conducive to enforcement measures.

Enforcement:

The IDEA Part C Office liaison met with program personnel to review their CAP. An on-site verification visit was also conducted in December 2012 where new data relative to this noncompliance was gathered. It was found the program was still not meeting the requirement to provide services in the natural environment of the children and families and there was no appropriate justification in the IFSP for providing services in an alternative setting. The IDEA Part C Office is establishing quarterly improvement targets for the program and the program is required to review and update activities to ensure correction is achieved. Failure to show progress toward correction of this noncompliance may result in suspension of future referrals to the program.

**Findings of Noncompliance - FFY 2008 and FFY 2006**

<b>Correction of Remaining Findings of Noncompliance from FFY 2008</b>	
1. Number of remaining FFY 2008 findings noted in OSEP's response to Nevada's FFY 2010 APR for this indicator.	7
2. Number of remaining FFY 2008 findings the State has verified as corrected	0
3. Number of remaining FFY 2008 findings the State has NOT verified as corrected in FFY 2011 [(1) minus (2)]	7

<b>Correction of Remaining Findings of Noncompliance from FFY 2006</b>	
1. Number of remaining FFY 2006 findings noted in OSEP's response to Nevada's FFY 2010 APR for this indicator.	1
2. Number of remaining FFY 2006 findings the State has verified as corrected in FFY 2011	0
3. Number of remaining FFY 2006 findings the State has NOT verified as corrected in FFY 2011 [(1) minus (2)]	1

The on-going findings of noncompliance from FFY 2006 (1) and FFY 2008 (7) are all related to APR Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. The FFY 2006 finding is a result of monitoring and the FFY 2008 findings are all a result of complaint investigation.

As reported in the FFY 2010 APR, the IDEA Part C Office has verified individual child correction for all children involved by verifying the services were provided, though late, and an appropriate remedy (ex. compensatory services or reimbursement to the family) had been provided per signed agreement with the family. However, the IDEA Part C Office has not been able to verify the program is meeting this requirement for all children. The program did demonstrate some progress based on the FFY 2011 monitoring and continues to be under a quarterly reporting requirement. Monthly data reports on the number of children enrolled in the program waiting for initiation of services beyond required timelines are generated by the IDEA Part C Office and sent to the program for review. This information is also reported to the Office of the Director in the DHHS via Case Load Evaluation and Organization (CLEO) reports.

This program is in the most populated region of the State. The primary issues underlying the on-going noncompliance continues to be insufficient personnel capacity to serve the number of children being referred and determined eligible for early intervention services. Personnel shortages are based on availability in some disciplines (ex. Speech Therapist) and State budgetary constraints. The program has increased the number of contractual arrangements with community service provider agencies to support more timely services for children and families.

The Nevada DHHS has initiated procedures to transfer responsibility for administration of the direct services component into the ADSD effective July 1, 2013. This will create a single line of authority for administration of all components of the EI system. Integration will assist with the efforts for improvement in this indicator.

**Enforcement:**

Actions taken to support the program in correction of the noncompliance included the following:

- Meet with IDEA Part C Office liaison to revise the program's CAP to identify more specific and immediate activities reasonably calculated to ensure correction of the noncompliance (**Ongoing**);
- Establish performance benchmarks for each quarter of FFY 2012 to ensure correction of the on-going noncompliance (**Extended to FFY 2012**);
- IDEA Part C Office will continue to monitor reports on assignment of children to service providers on a monthly basis and the program will be required to submit specific quarterly reports based on data gathered from child record reviews (**Ongoing**); and
- Monitor monthly caseload of community providers to ensure the maximum number of referrals can be transferred to ensure timely delivery of services (**Ongoing**).

**Critical Activities Implemented During This Reporting Period:**

Activity 1: Develop written monitoring guidelines and procedures for Part C monitoring outlining procedures for implementation, definitions of relevant terms, compliance requirements, and timeline for correction. Distribute guidelines and procedures to all early intervention programs. Procedures will include the provision that any program determined, through state general supervision procedures, to be performing at 95% or above in a specific compliance category will be issued a finding but will not be required to generate a written CAP for that area. The program must correct all individual child noncompliance and continue to work toward 100% compliance or compliance with the State established target, as appropriate. Program performance found to be below 95% will result in a finding of noncompliance and will require a written plan to correct the noncompliance as soon as possible, but in no case, later than one (1) year from identification. Programs will be required to submit interim progress reports as determined by the IDEA Part C Office. ***This activity is ongoing.***

- *All early intervention service provider programs were monitored utilizing the revised process in FFY 2011.*
- *A sub-grant continued to be in place between the NSHD, which has designated responsibility for administrative oversight of the operation of all early intervention programs, and the ADSD with specific language requiring all early intervention programs to comply with IDEA Part C requirements. Concerns related to the performance of any individual program was issued to both the individual program and the NSHD by the IDES Part C Office for collaboration in determining appropriate action to be taken.*
- *On-site technical assistance reviews were conducted with all new EI programs by the IDEA Part C Office within the first six (6) months of operation.*
- *All EI programs maintained a internal QA team process to review program data, at a minimum, on a quarterly basis. More frequent reviews were recommended, or required, for areas identified as problematic relative to compliance with IDEA Part C. The program's IDEA Part C Office liaison participated in QA team processes in a technical assistance role.*
- *Documentation for the basis of all findings, including a roster of individual child records requiring correction, was maintained by the program, as well as in the IDEA Part C Office. The IDEA Part C Office tracked this information as part of the process of verification of correction of the noncompliance.*

Activity 2: The general supervision system, including program monitoring, will be evaluated on an annual basis to determine what aspects are most effective and where changes may be appropriate. Input will be provided by system stakeholders. ***This activity is ongoing.***

- *Monitoring procedures and documents were reviewed by the IDEA Part C Office in February 2012 prior to initiation of the initiation of the monitoring process for FFY 2011/SFY 2012. No significant changes were warranted at the time.*

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012**

### New Activity to be Added to the State Performance Plan (SPP) Indicator 9 (#4):

The Lead Agency will develop and implement a plan for reorganization of Nevada's system of EI services within the Lead Agency. A single line of authority for all components of the EI system will be created through the ADSD. This will include integration of the direct service component into ADSD, rather than having system oversight and service delivery components operate through separate Divisions. Director's Office, NV Department of Health and Human Services, July 1, 2013 – June 30, 2014

**Attachment 2: Part C Indicator 14 Data Rubric**

**FFY 2011 APR - NEVADA**

<b>Indicator 14 - SPP/APR Data</b>			
<b>APR Indicator</b>	<b>Valid and reliable</b>	<b>Correct calculation</b>	<b>Total</b>
<b>1</b>	1	1	2
<b>2</b>	1	1	2
<b>3</b>	1	1	2
<b>4</b>	1	1	2
<b>5</b>	1	1	2
<b>6</b>	1	1	2
<b>7</b>	1	1	2
<b>8A</b>	1	1	2
<b>8B</b>	1	1	2
<b>8C</b>	1	1	2
<b>9</b>	1	1	2
<b>12</b>	1	1	2
<b>13</b>	1	1	2
		<b>Subtotal</b>	26
<b>APR Score Calculation</b>	<b>Timely Submission Points</b> - If the FFY 2011 APR was submitted on-time, place the number 5 in the cell on the right.		5
	<b>Grand Total</b> – (Sum of subtotal and Timely Submission Points) =		31

618 Data – Indicator 14					
Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/12	1	1	1	1	4
Table 2 – Program Settings Due Date: 2/1/12	1	1	1	1	4
Table 3 – Exiting Due Date: 11/7/12	1	1	1	N/A	3
Table 4 – Dispute Resolution Due Date: 11/7/12	1	1	1	N/A	3
				<b>Subtotal</b>	14
<b>618 Score Calculation</b>			<b>Grand Total</b> (subtotal x 2.2)		30.8

Indicator #14 Calculation	
A. APR Grand Total	31.00
B. 618 Grand Total	30.80
C. APR Grand Total (A) + 618 Grand Total (B) =	61.80
Total N/A in APR	0.00
Total N/A in 618	0.00
<b>Base</b>	<b>61.80</b>
D. Subtotal (C divided by Base*) =	1.000
E. Indicator Score (Subtotal D x 100) =	100.0

\* Note any cell marked as N/A will decrease the denominator by 1 for APR and 2.2 for 618

**ANNUAL REPORT CERTIFICATION OF THE  
INTERAGENCY COORDINATING COUNCIL  
UNDER PART C OF THE  
INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

Under IDEA Section 641(e)(1)(D) and 34 CFR §303.604(c), the Interagency Coordinating Council (ICC) of each jurisdiction that receives funds under Part C of the IDEA must prepare and submit to the Secretary of the U.S. Department of Education (Department) and to the Governor of its jurisdiction an annual report on the status of the early intervention programs for infants and toddlers with disabilities and their families operated within the State. The ICC may either: (1) prepare and submit its own annual report to the Department and the Governor, or (2) provide this certification with the State lead agency's Annual Performance Report (APR)<sup>1</sup> under Part C of the IDEA. This certification (including the annual report or APR) is due no later than February 15, 2013.

On behalf of the ICC of the State/jurisdiction of NEVADA, I hereby certify that the ICC is:  
[please check one]

1. [ ] Submitting its own annual report (which is attached); or
2. [X] Using the State's Part C APR for FFY 2011 in lieu of submitting the ICC's own annual report. By completing this certification, the ICC confirms that it has reviewed the State's Part C APR for accuracy and completeness.<sup>2</sup>

I hereby further confirm that a copy of this Annual Report Certification and the annual report or APR has been provided to our Governor.

  
\_\_\_\_\_  
Signature of ICC Co-Chairperson

1/17/13  
\_\_\_\_\_  
Date

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address or e-mail

abingham@unr.edu  
\_\_\_\_\_

Daytime telephone number

(775) 682-7863  
\_\_\_\_\_

<sup>1</sup> Under IDEA Sections 616(b)(2)(C)(ii)(II) and 642 and under 34 CFR §80.40, the lead agency's APR must report on the State's performance under its State performance plan and contain information about the activities and accomplishments of the grant period for a particular Federal fiscal year (FFY).

<sup>2</sup> If the ICC is using the State's Part C APR and it disagrees with data or other information presented in the State's Part C APR, the ICC must attach to this certification an explanation of the ICC's disagreement and submit the certification and explanation no later than February 15, 2013.

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\_\_\_\_\_  
Signature of ICC Co-Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
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<sup>1</sup> Under IDEA Sections 616(b)(2)(C)(ii)(II) and 642 and under 34 CFR §80.40, the lead agency's APR must report on the State's performance under its State performance plan and contain information about the activities and accomplishments of the grant period for a particular Federal fiscal year (FFY).

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