**Local Program Determinations**

Purpose: The Early Intervention Division is required to report annually on the performance of the State as well as each EIS program (§34 CFR 303.702) to make a local determination for each early intervention service program (34 CFR 303.700).

Scope:EI Division Staff, EIS programs and providers, other key stakeholders

### Prerequisites:

* Noncompliance and CAP tracking forms
* Local program performance reports

### Procedure: Noncompliance identified through information collected for SPP/APR reporting, during cyclical monitoring, during record reviews, during database reviews, data quality reports, for audits, through dispute resolution processes, and from other information available to the EI Division, will be considered in making EIS program determinations. Likewise, the EI Division will consider the timely correction of noncompliance identified through these methods in making EIS program determinations.

In making such determinations, each EIS program will be assigned one of the following determination levels:

* Meets Requirements
* Needs Assistance
* Needs Intervention
* Needs Substantial Intervention

The criteria for each determination level are set according to Office of Special Education Programs (OSEP) guidelines. IDEA specifies 4 levels of determination and different levels of action/intervention depending on the determination level. EIS programs will be informed of their annual determination and any required actions/interventions in the spring of each fiscal year.

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| **Monitoring Indicators** | | **Required Data Elements to be Monitored** |
| **Indicator 1 (Timely Services):**  Percent of infants and toddlers with Individual Family Service Plans (IFSPs) who receive the early intervention services on their IFSPs in a timely manner. (20 U.S.C. 1416(a)(3)(A) and 1442) | | IFSP Meeting Date, Reason for Late |
| **Indicator 7 (Initial IFSP Timelines):**  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. (20 U.S.C. 1416(a)(3)(B) and 1442) | | IFSP signed Date, Reason for late |
| **Indicator 8 (Part C to Part B Transition):**  The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: | | Discharge Date, LEA Referral Date, Transition Conference (TPC) Date, Transition Plan Date, Transition Plan Reason Code, Transition Conference Reason Code |
|  | **8A.** 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. | Discharge Date, Transition Plan Date, Transition Plan Reason Code |
| **8B**. Notified (consistent with any opt-out policy adopted by the State) the State educational agency (SEA) and the local educational agency (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 | Discharge Date, LEA Notification Date |
| **8C**. 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) | Discharge Date, Transition Conference Date, Transition Conference Reason Code |
| **Indicator 4 (Family Involvement):**  Percent of families participating in Part C who report that early intervention services have helped the family:   1. Know their rights; 2. Effectively communicate their children's needs; and 3. Help their children develop and learn. (20 U.S.C. 1416(a)(3)(A) and 1442) | | NCSEAM Survey responses:  4A. Know their rights;  4B. Effectively communicate their children's needs; and  4C. Help their children develop and learn. |
| **Data Quality (Timely and Accurate data)** | | Number of Data Quality Reports with 40+ or 5% errors |
| **Fiscal Indicator** | | Timely submission of claims at close of fiscal year |
| **Correction of Noncompliance** | | Correction of noncompliance within 1 year from notification |