

**New York Part C FFY 2008 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 78.4%. These data represent progress from the FFY 2007 data of 76.3%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 20 of 87 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that five findings were subsequently corrected by February 1, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>OSEP's February 5, 2009 verification visit letter required the State to include in the FFY 2008 APR, due February 1, 2010 valid and reliable data based on the correct measurement in this indicator. The State provided all of the required information.</p>	<p>The State must demonstrate, in the FFY 2009 APR due February 1, 2011, 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 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining 62 uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance reflected in the State's FFY 2008 data under this indicator and the 62 uncorrected FFY 2007 findings, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported 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 2009 APR, the State must describe the specific actions that were</p>

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		<p>taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 92.6%. These data represent progress from the FFY 2007 data of 91.2%. The State met its FFY</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>												
	2008 target of 89.88%.													
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationship);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>Although the State provided the correct measurement and calculations for this indicator, the State did not revise the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator in the SPP and must provide the revised measurement language.</p> <p>The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2008 reported baseline data for this indicator are:</p> <table border="1" data-bbox="548 574 1444 1122"> <thead> <tr> <th data-bbox="548 574 921 711">08-09 Infant and Toddler Outcome Baseline Data</th> <th data-bbox="921 574 1194 711"><u>Summary Statement 1</u><sup>1</sup></th> <th data-bbox="1194 574 1444 711"><u>Summary Statement 2</u><sup>2</sup></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 711 921 847"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="921 711 1194 847">59.7</td> <td data-bbox="1194 711 1444 847">52.2</td> </tr> <tr> <td data-bbox="548 847 921 1016"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="921 847 1194 1016">71.1</td> <td data-bbox="1194 847 1444 1016">50</td> </tr> <tr> <td data-bbox="548 1016 921 1122"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td data-bbox="921 1016 1194 1122">67.7</td> <td data-bbox="1194 1016 1444 1122">43.9</td> </tr> </tbody> </table>	08-09 Infant and Toddler Outcome Baseline Data	<u>Summary Statement 1</u> <sup>1</sup>	<u>Summary Statement 2</u> <sup>2</sup>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	59.7	52.2	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	71.1	50	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	67.7	43.9	<p>The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.</p> <p>The State must provide a revised SPP that reflects the revisions to the measurement language with its FFY 2009 APR.</p>
08-09 Infant and Toddler Outcome Baseline Data	<u>Summary Statement 1</u> <sup>1</sup>	<u>Summary Statement 2</u> <sup>2</sup>												
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	59.7	52.2												
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/communication) (%)	71.1	50												
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	67.7	43.9												
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <p>A. Know their rights;</p> <p>B. Effectively communicate their</p>	<p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="548 1187 1484 1344"> <thead> <tr> <th data-bbox="548 1187 1031 1344"></th> <th data-bbox="1031 1187 1142 1344">FFY 2007 Data</th> <th data-bbox="1142 1187 1253 1344">FFY 2008 Data</th> <th data-bbox="1253 1187 1365 1344">FFY 2008 Target</th> <th data-bbox="1365 1187 1484 1344">Progress</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1344 1031 1354"></td> <td data-bbox="1031 1344 1142 1354"></td> <td data-bbox="1142 1344 1253 1354"></td> <td data-bbox="1253 1344 1365 1354"></td> <td data-bbox="1365 1344 1484 1354"></td> </tr> </tbody> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress						<p>OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.</p>		
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress										

<sup>1</sup> 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 three years of age or exited the program.

<sup>2</sup> Summary Statement 2: The percentage of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned three years of age or exited the program.

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>					<b>OSEP Analysis/Next Steps</b>
children's needs; and C. Help their children develop and learn.  [Results Indicator]	A. Know their rights (%)	71	74.73	74.2	3.73%	
	B. Effectively communicate their children's needs (%)	66.09	70.17	68.69	4.08%	
	C. Help their children develop and learn (%)	80.53	82.26	85.41	1.73%	
	These data represent progress from the FFY 2007 data. The State met its FFY 2008 targets for 4A and 4B, and did not meet its target for 4C.  The State reported that the data for this indicator were collected from a response group that was not representative of the population. OSEP notes that the State included strategies or improvement activities to address this issue in the next year's APR response rate.					
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data.  [Results Indicator]	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 1.15%. These data represent progress from the FFY 2007 data of 1.04%. The State did not meet its FFY 2008 target of 1.18%.					OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data.  [Results Indicator]	The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 4.25%. These data represent progress from the FFY 2007 data of 4.11%. The State met its FFY 2008 target of 4.095%.					OSEP appreciates the State's efforts to improve performance.
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.  [Compliance Indicator]	The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.  The State's FFY 2008 reported data for this indicator are 84.8%. These data represent progress from the FFY 2007 data of 77.5%. The State did not meet its FFY 2008 target of 100%.  The State reported that 22 of 62 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that two findings were					The State must demonstrate, in the FFY 2009 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 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this

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	<p>subsequently corrected by February 1, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>indicator.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining 38 uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance reflected in the State’s FFY 2008 data under this indicator and the 38 uncorrected FFY 2007 findings, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported 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 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community</p>	<p>The State’s FFY 2008 reported data for this indicator are 93.9%. These data represent progress from the FFY 2007 data of 81.1%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 29 of 39 findings of noncompliance identified in FFY</p>	<p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h). Because the State reported</p>

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<p>services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>2007 were corrected in a timely manner and that five findings were subsequently corrected by February 1, 2010. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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.</p> <p>The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 5, 2009.</p>	<p>less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining five uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance reflected in the State’s FFY 2008 data under this indicator and the five uncorrected FFY 2007 findings, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §§303.148(b)(4) and 303.344(h) (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 developed an IFSP with transition steps and services for each child, unless the child is no longer within the jurisdiction of the EIS program (i.e., the child has exited the State’s Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>8. Percent of all children exiting</p>	<p>The State’s FFY 2008 reported data for this indicator are 82.6%. These data</p>	<p>The State must demonstrate, in the FFY</p>

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<p>Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>represent slippage from the FFY 2007 data of 90.1%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that one of two findings of noncompliance identified in FFY 2007 was corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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.</p> <p>The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 5, 2009.</p>	<p>2009 APR, that the State is in compliance with the LEA notification requirements in 34 CFR §303.148(b)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the one remaining uncorrected noncompliance finding identified in FFY 2007 was corrected.</p> <p>When reporting the correction of noncompliance reflected in the State’s FFY 2008 data under this indicator and the one uncorrected FFY 2007 finding, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §303.148(b)(1) (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 provided notification to the LEA for each child, unless the child is no longer within the jurisdiction of the EIS program (i.e., the child has exited the State’s Part C program due to age or other reasons), consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement</p>

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<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 63.6%. These data represent slippage from the FFY 2007 data of 78.9%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that none of the three findings of noncompliance identified in FFY 2007 were corrected. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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.</p> <p>The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 5, 2009.</p>	<p>activities and revise them, if necessary.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the State is in compliance with the timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate, in the FFY 2009 APR that the remaining three uncorrected noncompliance findings identified in FFY 2007 were corrected.</p> <p>When reporting the correction of noncompliance reflected in the State's FFY 2008 data under this indicator and the three uncorrected FFY 2007 findings, the State must report, in its FFY 2009 APR, that it has verified that each EIS program with noncompliance reflected in the data the State reported 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 2009</p>

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		<p>APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>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.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 79.6%. These data represent slippage from the FFY 2007 data of 91%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that 648 of 814 findings of noncompliance identified in FFY 2007 were corrected in a timely manner and that 54 findings were subsequently corrected by February 1, 2010. The State reported on the actions it took to address the 112 uncorrected FFY 2007 findings of noncompliance.</p> <p>OSEP's February 5, 2009 verification visit letter required the State to include in the FFY 2008 APR, due February 1, 2010, FFY 2008 data on the percentage of findings that NYDOH issued within its 90-day timeline. The State provided in its FFY 2008 APR all of the required information and reported that during FFY 2008, the State issued 44.03% of its findings within its 90-day timeline.</p> <p>OSEP's June 1, 2009 FFY 2007 APR response table required the State to account for its FFYs 2005 and 2006 findings. The State reported that the one outstanding FFY 2005 finding was corrected. The State reported under Indicators 8A, 8C and 9 of its FFY 2008 APR that the FFY 2006 findings were actually issued to programs in FFY 2007.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFYs 2006 and 2007 APRs, was advised of available technical assistance, and was required to report, with the FFY 2008 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.</p> <p>The State was also identified as being in need of assistance based on its FFY 2005 APR. In addition to reporting with the FFY 2008 APR on its use of</p>	<p>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 2009 APR, demonstrating that the State timely corrected noncompliance identified in FFY 2008 in accordance with IDEA section 635(a)(10)(A), 34 CFR §303.501, and OSEP Memo 09-02.</p> <p>The State must demonstrate, in the FFY 2009 APR, that the remaining 112 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected.</p> <p>In responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each EIS program with noncompliance identified in FFY 2008: (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</p>

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	<p>technical assistance, the State was also required to report to OSEP by October 1, 2009 how the technical assistance selected by the State is addressing the factors contributing to the ongoing noncompliance. The State submitted the required information on October 5, 2009.</p>	<p>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 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 9 in the FFY 2009 APR, the State must use the Indicator 9 Worksheet.</p> <p>The State must continue to report on its timeliness in issuing findings. The State must report under Indicator 9 of its FFY 2009 APR data on the percentage of FFY 2009 findings that NYDOH issued within its 90-day timeline and the timeline by which it issued those findings that were not issued within the 90-day timeline.</p>
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 100%, based on the timely resolution of 15 complaints. These data represent progress from the FFY 2007 data of 96%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it did not have any due process hearing requests that were fully adjudicated during the reporting period.</p> <p>Although the State indicated that it has adopted the Part C due process hearing procedures under 34 CFR §303.420(b), the State reported that one hearing fell outside of the reporting period due to family circumstances. It is unclear whether the State is allowing extensions due to family circumstances or other reasons. Under 34 CFR §303.423(b) of the current IDEA Part C regulations, when a State chooses to implement due process procedures under Part C, the hearing decision must be rendered within 30 days of the request for a hearing and no extensions are allowed.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p> <p>With its FFY 2009 APR, the State must clarify that it is not permitting extensions of the 30-day timeline, consistent with 34 CFR §303.423(b).</p>

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<p>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).</p> <p>[Results Indicator]</p>	<p>Not applicable.</p>	<p>Not applicable.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 87%. These data represent slippage from the FFY 2007 data of 97%. The State met its FFY 2008 target of 82%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>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.</p> <p>In reporting on Indicator 14 in the FFY 2009 APR, the State must use the Indicator 14 Data Rubric.</p>