



**Interagency
Coordinating
Council on Early
Childhood
Intervention**

March 2009

**FY 2009
Report
To the
Legislature**

**As required by
Minn. Laws 2008
125A.28**

COMMISSIONER:

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**Interagency
Coordinating
Council on
Early
Childhood
Intervention**

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Upon request, this report can be made available in alternative formats.

ESTIMATED COST OF PREPARING THIS REPORT

This report provides information which is maintained and published as Minnesota Rules by the Office of Revisor of Statutes as a part of its normal business functions. Therefore, the cost information reported below does not include the cost of gathering the data but rather is limited to the estimated cost of actually preparing this report document.

Special funding was not appropriated for the costs of preparing this report.

The estimated cost incurred by the Minnesota Department of Education in preparing this report is \$400.

Background

State accountability for student performance has gained increased attention over the past several years. Indeed, the reauthorization of the Individuals with Disabilities Education Act (IDEA) of 2004 includes a number of educational standards and provisions requiring states and local school districts to report on the learning outcomes of all students, including those enrolled in early childhood early intervention. Beginning in 2006, all states were required to develop a comprehensive statewide plan, State Performance Plan, to evaluate and improve the implementation of early intervention services for infants and toddlers with disabilities under age three (also known as Part C services).

In alignment with IDEA, the federal Office of Special Education Programs (OSEP) has identified four monitoring priorities and 14 indicators (see below) by which states can measure the effectiveness of their Part C systems. For each of the indicators, states are required to identify how they will meet measurable and rigorous targets and specify improvement activities over a six-year period in the *State Performance Plan (SPP)* found at

<http://education.state.mn.us/mdeprod/groups/Compliance/documents/Report/030882.pdf>

Every subsequent year, state performance in each indicator area is measured against a target. The targets are either compliance targets which are set by OSEP (100 percent or 0 percent) or performance targets which are set by the Minnesota Governor's Interagency Coordinating Council on Early Childhood Intervention (ICC) in conjunction with the lead agency for Part C, the Minnesota Department of Education (MDE). States must report on their performance within each indicator in the *Annual Performance Report (APR)* due February 1 each year.

The following report is a summary of the Minnesota Part C 2007 Annual Performance Report (APR). The complete, unedited version of the Minnesota APR can be accessed at the MDE Website at <http://education.state.mn.us/mdeprod/groups/Compliance/documents/Report/036856.pdf>

Please note that trend data is provided for each indicator when it is available in order to provide information on changes in Minnesota's Part C system over time.

Overview of the Annual Performance Report Development

The Governor's Interagency Coordinating Council (ICC) worked closely with staff from the Minnesota Department of Education (MDE) in the development of the APR. A subcommittee was formed to work with department staff in the development of the APR including discussion of the data, giving meaning to the results, and addressing areas of strength as well as areas of concern. During the ICC APR subcommittee meetings in January 2009, the following steps were taken:

- Data was shared for the indicators;
- Activities were reviewed;
- Progress/slippage was discussed;
- Recommendations were made for the continued inclusion of the APR in the priorities of the ICC; and,
- Final approval of the APR was granted.

Preliminary data was shared with the state's directors of special education at the December 2008 Directors' Forum. A discussion of the transition compliance requirements in Indicator 8 was also covered at this meeting.

Data included in the APR came from three sources: (1) the Minnesota Automated Reporting Student System (MARSS); (2) Minnesota's 618 data submitted during the reporting year; and, (3) the ECSE Outcomes online data system that allowed MDE to collect data for indicators 1, 3, 7 and 8 for all applicable children served under Part C.

The APR will be posted on the MDE Website and notices will be sent to stakeholders about the posting. The department also posts the performance of local educational agencies (LEAs/early intervention program sites) on its Website each year. Data are not reported to the public in instances where cell sizes are small and the publication of the data would result in the disclosure of personally identifiable information about individual children or where the data is insufficient to yield statistically reliable information. Many of the state's LEAs serve a small population and it is not possible to report the data. In these instances, reporting of data will be done jointly with other LEAs in larger administrative units, such as special education cooperatives. The data profiles will be posted in March 2009 and training will be provided for LEA staff on accessing and utilizing their data in program improvement in spring 2009.

An overview of the APR data will also be presented to a statewide coalition of advocates for discussion and feedback prior to the submission of the APR.

**Monitoring Priority:
Early Intervention Services in Natural**

Indicator 1: Percent of Infants and Toddlers with Individualized Family Service Plans (IFSPs) who Receive Services in a Timely Manner

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
90.4%	91% ¹	98.8%	98.0%

In order to ensure that the needs of children with disabilities are being met, it is important that those eligible for Part C receive the services within a timely manner. The ICC defines "timely" as being not more than 30 calendar days after the initial IFSP team meeting.

Prior to FFY 2006 reporting, Minnesota's APR data for this indicator reported the timeliness of the initial services on the child's *initial IFSP only*. Therefore, it is not possible to compare the FFY 2006 and FFY 2007 data with previous years.

The data was collected using a specially developed online system for Indicators 1, 3, 7 and 8. All children served in Part C during the reporting period were included in the system. LEAs reported the timeliness of all new services on all IFSPs for children who were in Part C during the reporting period. This data is part of the state's general supervision system and is integrated into monitoring systems at the state and local levels.

The timely delivery of services is a strength of Minnesota's Part C system. Both the FFY 2006 and FFY 2007 data indicates a 'substantial degree of compliance' as defined by OSEP as 95 percent or higher.

Timely Correction of Non-Compliance

Indicator/Area	General Supervision System Components	Number of Programs Monitored	a. Number of Findings of Non-Compliance Identified in 2006-07	b. Number of Findings from a. for which Correction was Verified in 2007-08
1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	64	12	12
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0

Completed Activities from the State Performance Plan (SPP)

During the reporting year, MDE completed activities intended to increase the state's capacity to provide timely services for infants and toddlers and their families. Please note that these are all ongoing activities as stated in the State Performance Plan (SPP).

¹ The data submitted before FFY 2006 were not complete and are not useful in making year-to-year comparisons.

- Improve data quality
- Effectively monitor for the timeliness of all IFSP services
- Communicate Part C Standards regarding year-round service delivery and timeliness of services
- Provide parents with information on timeline requirements
- Increase understanding and use of the District Data Profiles for local program improvement and compliance with federal and state requirements.

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

FFY 2007 Performance Target set by ICC of 91 percent

FFY 2004 Baseline	FFY 2005	FFY 2006	FFY 2007
89.2%	90.3%	92.3%	93.8%

Part C promotes the delivery of early intervention services in environments that are routinely used by all young children and their families. Natural environments in Minnesota include the child's home and community-based programs, such as childcare settings, where infants and toddlers without disabilities typically spend their day.

Minnesota's increased performance is attributed to an increase in the number and proportion of children served primarily at home and a corresponding decrease in the number and proportion of children served in settings designed for children with disabilities. The proportion of children who primarily received services in community settings was unchanged from FFY 2006 to FFY 2007. Of the 244 children who received early intervention in settings not considered to be natural environments, 86.5 percent were toddlers who were age 2 or older. Children who were served in environments not included in the definition of natural environment were also significantly more likely to be children whose primary disabilities were autism spectrum disorder or speech/language impairment in comparison to children served primarily in natural environments.

Completed Activities from the State Performance Plan

During the reporting year, MDE completed activities intended to increase the state's capacity to serve infants and toddlers in natural environments and to enhance the quality of early intervention provided in natural environments. Please note that these are ongoing activities as stated in the SPP.

- Effectively monitor for the appropriate use of natural environments.
- Support the Center for Inclusive Child Care (CICC) in collaboration with the Department of Human Services.
- Increase professional satisfaction with use of inclusive Early Childhood sites.
- Provide parents with information on natural environments.
- Increase understanding and use of the District Data Profiles for local program improvement.

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);**
- C. Use of appropriate behaviors to meet their needs (i.e., adaptive behaviors)**

The ICC will develop targets beginning with the submission of the FFY 2008 APR

In response to federal outcome reporting requirements and to improve interventions for young children with disabilities, Minnesota has implemented an outcome reporting system to measure the percent of infants and toddlers with IFSPs who demonstrate improved positive social-emotional skills; acquisition and use of

knowledge and skills; and use of appropriate behaviors to meet their needs. The procedures put into place throughout the state are based extensively on the work of and recommendations made by the OSEP-funded national Early Childhood Outcomes Center (ECO).

Although progress data was available on 1,059 infants and toddlers this year, the proportions of children in each of the five progress categories may not be representative of the developmental progress attainable by all children participating in Minnesota's Part C program. The length of program participation for infants and toddlers included in this first set of progress data ranged from 6 to 27 months. Most of the children who have entry data and entered Part C as infants are still participating in the program and will not exit early intervention services until the 2008-2009 reporting year.

Progress data reported in 2010 will be the baseline data for purposes of the State Performance Plan. Targets will be established at that time following the Summary Statement recommendations provided by OSEP in August 2008.

Progress Data for FFY 2007 (2007-2008):

A. Positive social-emotional skills (including social relationships):	Number of children	Percent of children
a. Percent of infants and toddlers who did not improve functioning	27	2.55%
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	309	29.18%
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach level comparable to same-aged peers	359	33.90%
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers	190	17.94%
e. Percent of infants and toddlers who maintained functioning at level comparable to same-aged peers	174	16.43%
Total	N= 1,059	100%

Acquisition and use of knowledge and skills (including early language and communication skills)	Number of Children	Percent of Children
a. Percent of infants and toddlers who did not improve functioning	19	1.79%
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	312	29.46%
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach a level comparable to same-aged peers	370	34.94%
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers	210	19.83%
e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers	148	13.98%
total	N= 1,059	100

Use of appropriate behaviors to meet their needs:	Number of children	Percent of children
a. Percent of infants and toddlers who did not improve functioning	25	2.36%
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	260	24.55%
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach a level comparable to same-aged peers	326	30.78%
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers	220	20.77%
e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers	228	21.53%
total	N= 1,059	100%

Completed Activities from the State Performance Plan

- Provide training on valid and reliable evaluation and assessment tools.
- Conduct verification visits to seven Special Education Administrative Units for the purpose of refining their implementation of the assessment process and verifying the accuracy of resulting developmental ratings.

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 child’s needs;**
- C. Help their children develop and learn**

FFY 2007 Performance Targets set by ICC of A. 80 percent B. 84 percent and C. 90 percent

Family Outcomes	FFY 2005 Baseline	FFY 2006	FFY 2007
A. Know their rights	74.2%	75	76.6%
B. Effectively communicate their children’s needs	82.1%	87%	83.1%
C. Help their children develop and learn	86.8%	90%	86.7%

A total of 2,352 children exited Minnesota’s early intervention service system between July 1, 2007 and June 30, 2008, after participating for six months or more. Included are children who exited because they turned three, met their IFSP goals, were withdrawn early by their parents, or moved out of the state. Minnesota’s established process stipulates that the ECO Family Outcome Survey is to be hand-delivered to families upon exit by their service coordinator or primary service provider. Each survey is to be accompanied by a stamped envelope addressed to MDE. A total of 892 surveys were returned by 38 percent of potential respondent families. Of those, 833 surveys included the child’s unique identifier (MARSS number) which was essential for further analysis, including the child’s race/ethnicity.

The response rates from each racial/ethnic group were compared to their proportional representation within the total group of potential respondents. All responses were weighted so that the state’s reported performance can be generalized to the statewide population of those exiting early intervention.

Technical Assistance and National Centers

During the reporting year, MDE received considerable technical assistance and support for our efforts to report and improve our performance as a state on this indicator. Specifically, staff attended regional meetings held by the North Central Regional Resource Center on issues specific to early childhood and to work associated with the SPP/APR. Of specific benefit was information shared to assist with efforts to evaluate the effectiveness of improvement activities implemented during the reporting year. High-quality, ongoing support received from the National Early Childhood Technical Assistance Center (NECTAC) and the Early Childhood Outcomes Center (ECO) helped with all aspects of work related to this indicator.

Completed Activities from the State Performance Plan

- Promotion of research-based intervention practices including training for local practitioners.
- Promote use of Primary Service Provider model of early intervention.
- Work with individual Special Education Administrative Units in order to improve their response rates.

Monitoring Priority: Effective General Supervision for

A. Minnesota served 0.62 percent compared to a range of 0.62 percent - 2.29 percent

and an average of 0.97 percent for states with moderate eligibility definitions.

B. Minnesota served 0.62 percent compared to a range of 0.28 percent – 5.00 percent an average of 1.05 percent nationally.

Indicator 5: Percent of infants and toddlers birth to one year of age with IFSPs compared to:

- A. Other states with similar eligibility definitions;**
- B. National data**

FFY 2007 Performance Target set by ICC of 0.60 percent

Performance on this indicator exceeded the target set by the ICC. Steady progress has been made in this indicator beginning with the 2004 baseline rate as seen below:

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
0.41%	0.46%	0.63%	0.62%

Much of the improvement is a result of the state's revised eligibility criteria established in Minnesota Rule 3525.1350 and the work done both during the rulemaking process and after to ensure that all partners in the system understood and correctly implemented the new criteria.

Completed Activities from the State Performance Plan

During the reporting year, MDE and its interagency partners completed activities intended to increase the state's capacity to serve infants and toddlers using the correct eligibility criteria. All of these activities are ongoing as noted in the SPP.

- Provide training on the revised Part C eligibility criteria.
- MDE and MDH statewide screening initiatives.
- Statewide Outreach and Public Awareness.
- Support local child find and outreach efforts.
- Distribute information to parents.
- Medical Home Project collaboration with local Part C providers.
- Effectively monitor for the appropriate identification of all eligible infants.

**Indicator 6: Percent of infants and toddlers
birth to 3 with IFSPs compared to:
A. Other states with similar eligibility**

A. Minnesota served 1.83 percent compared to a range of 1.46 percent-4.61 percent and an

average of 2.99 percent for states with moderate eligibility definitions.

B. Minnesota served 1.83 percent compared to an average of 2.43percent nationally. The national range is 1.19 percent - 6.94 percent, not including any at-risk populations.

Minnesota has shown consistent progress in the area of child find for children under age three from the 2004 baseline.

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
1.50%	1.56%	1.70%	1.83%

See discussion under Indicator 5 for a summary of efforts impacting performance on this Indicator.

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

Annual Compliance Target of 100 percent (OSEP requirement)

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
79.5%	83.4%	86.3%	83.9%

The current data reflects a drop in performance from last year. This drop in performance was expected due to the eligibility criteria change which resulted in an increased number of referrals to the system with 3316 children found eligible in FFY 2006 compared to 4117 in FFY 2007. Local programs were not able to increase staff to meet this demand in a short amount of time. MDE staff continue to work with the programs that are most challenged in meeting this requirement, trying to develop more efficient and effective systems for intake and evaluation.

Out of a total of 4117 newly eligible infants and toddlers during the reporting period, 83.9 percent of the evaluations were timely (2951) or untimely due to family reasons (503). 16.1 percent were untimely due to systems reasons. Further analysis showed that 51 percent of programs statewide achieved full compliance (100 percent). Of the remaining 49 percent, half had only 1 or 2 untimely evaluations. Untimeliness due to systems reasons is concentrated in a few Special Education Administrative Units (SEAUs) with 75.5 percent (499) of untimely evaluations attributed to 5 percent or six of the state's SEAUs. Three of the six SEAUs are the programs that serve not only the largest population of children in the state but also represent a greater magnitude of diversity and income-related challenges such as new immigrant families from war-torn eastern Africa, Laotian and Cambodian refugee camps; and migrant workers, most of whom do not speak English and do not understand the service system. In addition, there is a large concentration of poverty, homelessness and mobility in these areas of the state which can add challenges for establishing and maintaining contact with families and scheduling appointments.

The systemic reasons for untimeliness can be broken down into the following categories (please note that this is not an unduplicated count, several reasons could be reported for the same instance of untimeliness):

- 197 were due to difficulty coordinating the schedules of members of the evaluation team,
- 90 were referrals received just prior to a break in instruction (holiday breaks),
- 70 were referrals received outside of the school's academic year,
- 85 resulted from a communication delay from the interagency central point of intake in the community, and
- the remainder were due to staffing issues (65 for an unanticipated absence/illness of a member of the evaluation team, 55 for difficulties in securing interpreter services and 17 were due to an inability to hire staff).

Timely Correction of Noncompliance

Indicator/Area	General Supervision System Components	Number of Programs Monitored	a. Number of Findings of Non-Compliance Identified in 2006-07	b. Number of Findings from a. for which Correction was Verified in 2007-08
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.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	64	8	8

Completed Activities from the State Performance Plan

During the reporting year, MDE and its interagency partners completed activities intended to increase the state's capacity to ensure that evaluation timelines are met for infants and toddlers and their families. These activities are ongoing as noted in the SPP.

- Improve data quality by providing statewide and regional training sessions as well as individual consultations.
- Effectively monitor for the timeliness of Part evaluations.
- Communicate Part C Standards on the requirement to meet the 45-day timeline year-round, emphasizing that breaks in the school calendar year are not acceptable in Part C.
- Provide parents with information on timeline requirements.
- Increase understanding and use of the District Data Profiles for program improvement and compliance with federal and state requirements.
- Support local commitment to improving referral processes within IEIC and school systems.

As a result of the department's statewide child find/public awareness initiatives and the numerous instances communication delays between IEIC central intake and SEAUs, the ICC has implemented a grant process in 2008 that will initiate regional planning and problem solving among the state's 95 local Interagency Early Intervention Committees (IEICs).

Indicator 8: Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday, including:

- A. IFSPs with transition steps and services;**
- B. Notification to LEA, if the child is potentially eligible for Part B**
- C. Transition conference, if the child is potentially eligible for Part B**

Annual Compliance Targets of 100 percent (OSEP requirement)

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
A. 100% ²	A. 80%	A. 87%	A. 91%
B. 100%	B. 100%	B. 100%	B. 100%
C. NA ³	C. 30%	C. 50%	C. 59% ⁴

Indicator 8A

Indicator 8A represents the third consecutive year of improvement resulting from training and technical assistance that took place during the reporting period. MDE Part C staff worked closely with OSEP monitoring staff in the summer and fall of 2007 to clarify and develop appropriate transition policies in accordance with the requirements under IDEA 2004. Prior to that time, MDE did not have transition policies in place that were aligned with IDEA. The first statewide training on transition requirements occurred in October 2007 followed by more detailed training and resource materials that were disseminated at statewide training sessions held in March 2008.

101 SEAs had children who transitioned out of Part C during the reporting year. 66 of 101 (65 percent) achieved 100 percent compliance in documenting transition steps in the IFSP. An additional seven SEAs achieved substantial compliance; therefore 72 percent of the local programs in the state were in substantial compliance. More than half of the 161 instances of failure to document transition within the IFSP can be attributed to four SEAs, including two of the largest in the state.

Indicator 8B

The state continues to demonstrate 100 percent compliance with this requirement. Since Minnesota is a birth mandate state and education is the lead agency for Part C, the notification requirement is met.

Indicator 8C

It is important to note that, transition conferences were reported for all children who transitioned out of Part C during the two prior reporting years while, beginning this year (FFY 2007), the data includes only those children who are potentially eligible for Part B. Therefore the data are not comparable.

² Data for this Indicator was taken from monitoring for FFY 2004 and is not comparable with subsequent years.

³ Data for this Indicator was not available for FFY 2004.

⁴ Of those children who transitioned out of Part C on or after April 1, 2008, the rate of compliance increases slightly to 62%.

1655 children transitioned out of Part C who were considered potentially eligible under Part B. Of those, 968 (59 percent) had transition conferences convened during the appropriate timeframe. Non-compliance was spread across the state with just 13 of 105 SEAs achieving substantial compliance. The state's four largest SEAs account for 27 percent of the state's instances of non-compliance on this indicator.

We have reason to believe that some SEAs are not reporting the date of the transition conference accurately and that Minnesota's reported performance does not truly reflect the degree of compliance with the federal requirement. Prior to 2007, the department's transition policy encouraged holding team meetings at the times of naturally occurring transitions such as when a child moved from receiving services in their home to a center-based program in the community. Further analysis of the data for this Indicator, led us to believe that some staff are still reporting on this naturally occurring team meeting and not the date of the transition conference required for regulatory reasons. MDE will communicate with all Special Education Directors and ECSE Coordinators about the meeting date that is required to report for this Indicator immediately.

Of those children who transitioned out of Part C on or after April 1, 2008, the rate of compliance increases slightly to 62 percent. As in Indicator 8A, this slight improvement may be due to the intensive training and technical assistance MDE staff provided in March 2008 using guidance developed in conjunction with OSEP staff. We anticipate seeing achieving compliance in Indicator 8C over time.

Concerns about transition in Minnesota is different from that in other states where education is not the lead agency. Children and families are served within the same SEA, often by the same staff; therefore, staff communication and transitioning children out of Part C into Part B is a smooth process and does not impact the quality or timeliness of services for the children involved. Children who are eligible for Part B are not lost to follow up after exiting Part C as in other states with different lead agencies.

Timely Correction of Noncompliance

Indicator/Area	General Supervision System Components	Number of Programs Monitored	a. Number of Findings of Non-Compliance Identified in 2006-07	b. Number of Findings from a. for which Correction was Verified in 2007-08
8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including: A. IFSPs with transition steps and services;	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	64	0	0
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
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: B. Notification to LEA, if child potentially eligible for Part B.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	64	0	0
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0
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: C. Transition conference, if child potentially eligible for Part B.	Monitoring: On-site visits, self-assessment, local APR, desk audit, etc.	64	8	8
	Dispute Resolution	0	0	0
	Other: Specify	0	0	0

Technical Assistance and National Centers

MDE staff attended training sessions provided by the National Early Childhood Transition Center, the OSEP National Early Childhood Transition Initiative and the North Central Regional Resource Center on transition. Technical assistance and ongoing consultation was also provided by OSEP, NCRRC and NECTAC during the development of state policies and resource materials. Staff from Iowa's Part C and 619 programs were instrumental in sharing transition resource materials with MDE staff.

Completed Activities from the State Performance Plan

During the reporting year, MDE completed activities intended to increase the state's capacity to ensure that the transition requirements are met for infants and toddlers and their families. Please note that these are ongoing activities and will continue as noted in the SPP.

- Develop policies, guidance and training materials on transition.
- Provide training on transition requirements.
- Ensure the collection of accurate data.
- Effectively monitor for compliance with transition requirements.
- Provide parents with transition information.

Monitoring Priority: Effective General Supervision for

Percent of non-compliance corrected within one year of identification: 100 percent.

a.) 126 findings of non-

b.) compliance
126 findings of non-compliance with corrections completed as soon as possible but in no case later

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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

one year from identification

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
NA ⁵	91.3%	96.6%	100%

MONITORING

Number of LEAs Reviewed	Number of LEAs with Findings of Non-compliance	Cumulative Number of Findings of Non-compliance	Number of Findings Corrected in 1 Year	Percent Correction
64	26	126	126	100%

COMPLAINTS

Number of Complaints	Number of Complaints with Findings of Non-compliance	Number of LEAs with Findings of Non-compliance	Number of Findings of Non-compliance	Number of Findings Corrected in 1 Year	Percent Correction
1	0	0	NA	NA	NA

⁵ The reporting requirements for Indicator 9 have changed and it is not feasible to compare data from FFY 2004 to subsequent years.

HEARINGS

Adjudicated Hearings	Number of LEAs with Adjudicated Hearings	Number of Findings of Non-compliance	Number of Findings Corrected in 1 Year	Percent Correction
0	NA	NA	NA	NA

Minnesota reports progress on Indicator 9 from the FFY 2006 rate of 96.6 percent an FFY 2007 rate of 100 percent, an increase of 3.4 percent. The state has met the target of 100 percent for Indicator 9.

Completed Activities from the State Performance Plan

MDE has completed the initial development of the web-based self-review system. Districts conducting self-review record reviews in FFY 07 submitted their data via the Web-based system and correction of non-compliance will be tracked through the Web-based system as well.

- Provide technical assistance to Local Education Agencies (LEAs) and IEICs related to corrective action for areas of identified non-compliance.
- Provide ongoing technical assistance to LEAs regarding all areas of non-compliance.

Indicator 10: Percent of signed written complaints resolved within 60-day timeline, including a timeline extended for exceptional circumstances with respect to a particular complaint

Annual Compliance Target of 100 percent (OSEP requirement)

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
100%	100%	100%	NA

(1) Written, signed complaints total	0
(1.1) Complaints with reports issued	0
(a) Reports with findings	0
(b) Reports within timelines	0
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaints pending a due process hearing	0

In FFY 2007, MDE did not receive any Part C complaints. No complaints were withdrawn or dismissed without any written report. Please note that MDE considers any complaint with a report issued, regardless of whether wrongdoing on the part of the district was found, as a “report with findings.”

Minnesota Complaint Procedures

Changes to complaint procedures over the past year have focused on increasing timeliness and on completing the data base described later in this narrative. In Minnesota, any individual or organization may file a complaint alleging that an LEA has violated provisions of the federal or state special education rules. Complaints must be in writing, signed by the individual or organization filing the complaint, and sent to MDE. Complaints must allege violations of state or federal special education laws or rules that occurred not more than one year prior to the date that the complaint is received. Complainants must include the facts upon which they base their allegations of violations.

Upon receipt of a signed, written complaint, the 60-day time period for issuance of a final decision begins. Initially, a complaint is reviewed by the supervisor and is assigned to a complaint investigator based on investigator workload. Support staff immediately perform procedural duties, setting up files for each complaint, gathering district information, and calculating time frames.

Initially, a complaint investigator, with the permission of the complainant, contacts the district's special education director to determine if it is possible to resolve the complaint at the district level. Calls to the special education director are routine as this facilitates early settlement, assures that the district is the

appropriate party to address the issues set forth in the complaint, and helps determine if there are additional issues that should be addressed.

The complaint investigator contacts the complainant and confirms receipt of the complaint. This call also allows the investigator to clarify and confirm the issues set forth in the written complaint and assures that the proper parties are named.

Following confirmation, the investigator drafts an issue letter, which is mailed to the complainant, the superintendent, and the special education director. The supervisor and the complaint investigator have regular meetings every two weeks regarding each complaint being handled by the investigator.

MDE requires complaint investigators to present draft complaint reports to the supervisor 45 days after receipt of the complaint. Should the supervisor and the investigator determine at the 45-day mark that an extension would be necessary, an extension, which is only permitted on a case-by-case basis, will be issued. Extensions are issued when complaints present situations, such as unduly complex issues or systemic problems, which require additional time for thorough investigation and thoughtful resolution. In cases where an extension is necessary, MDE informs the parties by letter of the extension and sets a new deadline based on the anticipated date the report will be completed.

Historically, there have not been many Part C complaints. MDE has increased marketing efforts in an attempt to ensure that families understand their rights and options. The emphasis for this activity is statewide and focused outreach to diverse populations. To this end, MDE staff had information booths at two outstate conferences: the Minnesota Association for Children's Mental Health Conference held in Duluth and at the Minnesota ARC convention held in Mankato in FFY 2007.

Completed Activities from the State Performance Plan

- Development of electronic database used for the tracking and monitoring of timelines.

Indicator 11: Percent of due process hearing requests fully adjudicated within the applicable timeline

Annual Compliance Target of 100 percent (OSEP requirement)

Baseline FFY 2004	FFY 2005	FFY 2006	FFY 2007
No hearing requests	No hearing requests	No hearing requests	No hearing requests

MDE had no Part C hearing requests or hearings in FFY 2007.

Historically there have been few Part C hearing requests. MDE has increased marketing efforts in an attempt to ensure that families understand their rights and options. The emphasis for this activity is statewide and focused outreach to diverse populations. To this end, MDE staff had information booths at two outstate conferences: the Minnesota Association for Children's Mental Health Conference held in Duluth and at the Minnesota ARC convention held in Mankato in FFY 2007.

Completed Activities from the State Performance Plan

- Development of electronic database used for the tracking and monitoring of timelines.

Indicator 12: Percent of hearing requests resolved through resolution session settlement agreements

(Applicable if Part B due process procedures are adopted)

FFY 2004 Baseline	FFY 2005	FFY 2006	FFY 2007
No hearing requests	No hearing requests	No hearing requests	No hearing requests

Because there were no hearing requests for Part C in FFY 2007, there were no resolution sessions.

Historically there have been few Part C hearing requests. MDE has increased marketing efforts in an attempt to ensure that families understand their rights and options. The emphasis for this activity is statewide and focused outreach to diverse populations. To this end, MDE staff had information booths at two outstate conferences: the Minnesota Association for Children's Mental Health Conference held in Duluth and at the Minnesota ARC convention held in Mankato in FFY 2007.

Completed Activities from the State Performance Plan

- Development of electronic database used for the tracking and monitoring of timelines.

Indicator 13: Percent of Mediations Resulting in Mediation Agreements

FFY 2004 Baseline	FFY 2005	FFY 2006	FFY 2007
No mediation requests	No mediation requests	No mediation requests	No mediation requests

MDE had no Part C mediation requests in the reporting period.

There were no mediation requests in Part C for the reporting period.

Minnesota has a strong alternative dispute resolution system. In addition to mediation, this system includes conciliation conferences and state-provided facilitators for IFSP meetings upon request. Minnesota has been providing statewide training in order to increase local capacity for more effective communication and IFSP meeting facilitation. More than 3,000 school staff have received this training, and overwhelmingly, participants have responded positively to it.

Minnesota shares information across systems, and the database that has been completed for the complaint system is fully operational for the mediation system. This system will allow a more precise evaluation of the impact of various interventions. Minnesota has a mediation coordinator who collects participant feedback for mediations and facilitated IFSP meetings. The feedback is collected in the form of surveys that invite all participants to respond. Surveys are collected immediately after the session is held, and again 60 days after an agreement is reached, in order to determine the effect and durability of the agreement.

Facilitated IFSP meetings, which are moderated by a trained facilitator, provide another option for resolving disputes at an early stage of conflict. The Minnesota legislature has directed MDE to offer facilitated IFSP meetings (Minn. Stat. Section 125A.091 subd. 8). Facilitated IFSP meetings are similar to regular IFSP team meetings but include the presence of a facilitator, provided at no cost to either party. Mediators and facilitators cannot be called to testify, nor can their records be used, in subsequent due process hearings.

Mediation provides an informal, yet structured, process by which a neutral third-party assists districts and parents in resolving disputes. All parties must voluntarily agree to participate in mediation. A party requests mediation by completing and signing a request form, which is sent to MDE. Request forms are available online and at school district offices, agency offices, and advocacy organizations.

Historically, there have been few Part C mediation requests. MDE has increased marketing efforts in an attempt to ensure that families understand their rights and options. The emphasis for this activity is statewide and focused outreach to diverse populations. To this end, MDE staff had information booths at two outstate conferences: the Minnesota Association for Children's Mental Health Conference held in Duluth and at the Minnesota ARC convention held in Mankato in FFY 2007.

Completed Activities from the State Performance Plan

- Develop electronic database to track all due process data.

Indicator 14: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate

Annual Compliance Target of 100 percent (OSEP requirement)

FFY 2004 Baseline	FFY 2005	FFY 2006	FFY 2006
NA	NA	A. 100% B. 100%	A. 100% B. 100%

- A. 100 percent submitted on or before due dates
- B. 100 percent accurate

Minnesota has met the compliance target again this year. MDE has continued to work during the reporting year to greatly improve the validity and reliability of data used to measure Minnesota's performance on the SPP/APR. Review of data submitted by LEAs and/or SEAUs demonstrates the effectiveness of those efforts. During the reporting year, MDE worked to refine the ECSE Outcomes data site. This data collection tool was developed during FFY 2006 specifically for the purpose of gathering information necessary to respond to the Child Outcome Indicators in Parts C and B as well as collecting additional data necessary to respond completely and accurately to other selected indicators. An additional benefit of the system is the extent to which it provides LEAs a final opportunity to review and correct reporting errors. Each submission was subjected to programmed data validation and verification checks and was reviewed by program staff.

Publicly reporting local performance data has continued to emphasize the importance of the data accuracy.

Completed Activities from the State Performance Plan

- Provide written guidance for local data reporting.
- Provide training to ensure data quality and accuracy.