

Part C General Supervision and Monitoring (Indicator C-9)

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Key Points

- State is responsible for identifying and correcting all noncompliance
- State's APR should be aligned and connected across indicators
- APR should present a clear and comprehensive picture of your State's effectiveness in ensuring compliance

Components of General Supervision

**State
Performance
Plan**

**Policies,
Procedures,
and Effective
Implementation**

**Integrated
Monitoring
Activities**

**Fiscal
Management**

**Data on
Processes
and Results**

**Improvement,
Correction,
Incentives &
Sanctions**

**Effective
Dispute
Resolution**

**Targeted
Technical
Assistance &
Professional
Development**

SPP/APR Indicator C-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.

Measurement for Indicator C-9

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)] x 100

Measurement for Indicator C-9 (continued)

Describe actions, including TA and/or enforcement that the State has taken for any noncompliance not corrected within one year of identification

Instructions for Indicator C-9

- *Describe the process for selecting EIS programs for monitoring*
- Describe the results of the calculations and compare the results to their target
- Targets must be 100%

Instructions for Indicator C-9 (continued)

Reflect monitoring data collected through the components of the State's general supervision system

Instructions for Indicator C-9 (continued)

Areas of noncompliance should be grouped by monitoring priority areas and other topical areas. The State should describe the topical areas.

Reporting Findings Under Indicator C-9

On-site monitoring

Self-assessments

Local performance plans

Annual performance reports

Desk audits

Complaints

Due Process Decisions

State database

General Supervision

Indicator 9 should be linked/aligned with other compliance indicators

(table)

Indicator	General Supervision System Components	# of Programs Monitored	(a) # of Findings of noncompliance identified in FFY 2005 (7/1/05 – 6/30/06)	(b) # of Findings from (a) for which correction was verified no later than one year from identification
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: (Self-Assessment / Local APR, Data Review Desk audit /On-Site Visit, Fiscal audits, etc.)	6	3	3

(table)

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.	Dispute Resolution (Complaints, due process hearings)	0	0	0
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2006 APR Indicator 7

Status of Previously Identified Non-compliance:

FFY05 - The three non-compliant agencies reported in the FFY05 APR implemented quarterly child file reviews and in one agency, initiated recruitment for new staff hire. All three agencies met compliance within 12 months of findings at 100% for FFY06. State staff will continue to monitor their continued compliance with this indicator in FFY07.

Definition: Finding

Written conclusion that includes:

- Citation of regulation/requirement
- Description of quantitative and/or qualitative data supporting a decision of compliance or noncompliance

Finding: Timeline for Notification

- State should notify EIS program of noncompliance *as soon as possible*
- Generally reasonable for State to issue a finding within 3 to 4 months of identifying noncompliance

Definition: Correction of Noncompliance

- State required EIS program to revise noncompliant policies, procedures and/or practices
- State verifies that correction action has eliminated noncompliance
- State notifies program *in writing* that the noncompliance is corrected

<http://spp-apr-calendar.rrfcnetwork.org/season/summer.html?2#category2>

Timeline for Correction of Noncompliance

As soon as possible, and no later than one
year after notification

Tracking Correction

How does State track a local program's correction of noncompliance?

Enforcement Actions

What is the State's responsibility if a local program does NOT correct within one year?

The Lead Agency must take enforcement actions against the EIS program that are designed to promptly bring the EIS program into compliance.

A State's responsibility to enforce

- Advises EIS program of technical assistance
- Imposes special conditions
- Requires corrective action or improvement plan
- Withholds, in whole or in part

34 CFR Sections 300.600(a), 300.604

Scenario

In its FFY 2006 APR, the State reported that, for reporting purposes, it considers there to be a finding “if the number of occurrences of compliance for this indicator falls below 90%.”

What question(s) does this raise?

Example

For Indicator 7 the State reported in its
FFY 2006 APR:

- FFY 2006 data of 95%
- Progress from FYY 2005 data of 90%.
- No findings of noncompliance identified in FFY 2005

Scenario

The State reported that it made 16 monitoring findings of noncompliance based on FFY 2005 data but it did not notify the EIS programs of these findings until February 2007 (FFY 2006).

What question(s) does this raise?

Example

The State reported under Indicator 9 that :

- In its FFY 2006 APR it did not make any findings of noncompliance related to Indicator 7 in FFY 2005

However,

- In its FFY 2005 APR it had reported that 12 of 40 local systems were in noncompliance with the requirements of Indicator 7

The State explained that the findings were not made until FFY 2006 (February 2007), and

Therefore,

- The one-year timeline for correction for these 12 systems did not begin until FFY 2006

Scenario

The State reported that all FFY 2005 findings of noncompliance related to Indicator 7 have been corrected.

What question(s) does this raise?

Scenario

The State reported that for all FFY 2005 findings of noncompliance related to Indicator 7 the Lead Agency has approved a corrective action plan.

What question(s) does this raise?

Scenario

The State reported that for all FFY 2005 findings of noncompliance related to Indicator 7 the Lead Agency has approved a corrective action plan, and the EIS programs have completed all the required corrective actions.

What question(s) does this raise?

Scenario

The State's reported FFY 2006 data for Indicator 7 are 80%. This represents progress from FFY 2005 data of 64%. The State did not make any FFY 2005 findings of noncompliance.

What question(s) does this raise?

Scenario

The State's reported FFY 2006 data for Indicator 7 were 80%

This represents progress from FFY 2005 data of 64%

6 of 6 FFY 2005 findings of noncompliance were timely corrected

What question(s) does this raise?

Example

- FFY 2006 data for Indicator 7 were 80%-progress from FFY 2005 data of 64%
- 6 of 6 FFY 2005 findings of noncompliance were timely corrected
- Local Providers were required to take the tutorial programs related to this indicator
- Local Programs submitted 5 IFSPs with the required content
- The State reviewed 10 randomly selected IFSPs

How many findings should be reported in the FFY 2007 APR?

During FFY 2006

- State required EIS program A to conduct self-assessments: EIS program found 8 or 25 files did not include 45-day timeline requirements
- State visited EIS program A and found 8 or 20 IFSPs did not include transition requirements
- State received 2 complaints regarding EIS program A – in both complaints determined noncompliance with 45-day timeline requirements

How many findings should be reported?

How many FFY 2005 findings should State report under Indicator 7?

Indicator 9?

Summary - Key Points

- State is responsible for identifying and correcting all noncompliance
- State's APR should be aligned and connected across indicators
- APR should present a clear and comprehensive picture of your State's effectiveness in ensuring compliance



FIND IT!

FIX IT!

FOLLOW-UP!