Oregon EI/ECSE General Supervision Manual

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General Supervision Section 1: Does the State have a general supervision system that is reasonably designed to identify noncompliance in a timely manner using its different components?

Oregon has a public system of early intervention and early childhood special education (ECSE) services for young children with disabilities from birth to age five.   School-aged children are children who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year (OAR 581-015-2040). This system is called the Oregon Early Intervention/Early Childhood Special Education (EI/ECSE) program and is operated by ODE. ODE contracts with nine Education Service Districts (ESDs) across the state to provide EI/ECSE services in local programs. All the ESDs either provide services or subcontract with local providers (all are ESDs, school districts, and one university affiliated program) to provide EI/ECSE services. These EI/ECSE programs provide all Part B (ECSE) and Part C (EI) services and are monitored annually through the SPR&I process.

1.   What components of the State's general supervision system are used to identify noncompliance?

The components of Oregon Department of Education's (ODE) general supervision system that are used to identify noncompliance are the data, monitoring, and legal units. Within these units, noncompliance is identified through specific data collections, a web-based application used for monitoring referred to as System Performance Review and Improvement (SPR&I), and through complaints and dispute resolutions.

Data Collections:
ODE uses the EI/ECSE Monthly Count to identify programs with noncompliance meeting the 45-day timeline from referral to evaluation and initial IFSP meeting.

SPR&I:
All EI/ECSE programs in Oregon receiving IDEA funds are required to participate in the Oregon Department of Education (ODE) System Performance Review & Improvement (SPR&I) system of annual accountability and performance reporting. This system focuses on procedural compliance and performance indicators identified through federal and state regulation and previous state monitoring findings. Programs conduct individual child file reviews annually to collect procedural compliance data. These data are collected on a specified number of child files determined by ODE and are evenly split between Early Intervention, Early Intervention Transition, and Early Childhood Special Education.   Individual child procedural compliance data is collected by programs and submitted to ODE electronically through the SPR&I System. ODE works collaboratively with programs on comprehensive data collection, analyses, performance reporting, improvement planning, implementation, and reporting of progress. The SPR&I System provides ODE the mechanism for review of district/program policies, procedures, and systems, to ensure the requirements set forth in 43 CFR 300.600-609 and CFR 303.700-706 are met.

Complaints and Dispute Resolution:

While ODE oversees complaints, due process hearings, mediations, facilitated IEP meetings, and other alternative dispute resolution activities as part of its general supervision responsibilities, only complaints and due process hearings result in findings of noncompliance.

ODE uses independent contractors to conduct complaint investigations for ODE, with support, coordination, and additional assistance by the ODE special education legal specialist. ODE provides training and oversight for these complaint contractors. When a complaint final order identifies noncompliance and orders corrective action, ODE staff work with program staff to ensure completion of corrective action within required timelines (completion of corrective action must occur within one year of the issuance of the final order). ODE uses the same complaint resolution system and complaint contractors for Part B and Part C.

ODE has a one-tier due process hearing system. All special education due process hearings are conducted by Office of Administrative Hearings (OAH) administrative law judges. OAH and ODE have trained OAH administrative law judges to conduct special education hearings. When a due process hearing final order identifies noncompliance and orders corrective action, ODE staff work with program staff to ensure completion of corrective action within required timelines. ODE uses the same due process hearing system and complaint contractors for Part B and Part C.

EI/ECSE: Data Collections:

In order to meet a portion of the federal reporting requirements ODE the Part B Child Find (Indicator B11: 60 school day timeline) and Part C (Indicator C7: 45-day timeline) collections identify districts and programs that are out of compliance with IDEA and state Oregon Administrative Rules (OARs).

2. How does the State use its System to identify noncompliance?

As mentioned above, noncompliance is identified through specific data collections and through a web-based application referred to as SPR&I.

EI/ECSE

EI/ECSE Monthly Count Collections:

All EI programs are required to submit data to ODE each month on the

a. number of children referred to EI with evaluation and initial IFSP meeting completed within 45-days.
b. number not completed within 45-days.
c. number in process with incomplete evaluations and initial IFSP meeting; and
d. number that dropped out of the evaluation/initial IFSP process.

This is a monthly data collection (the EI/ECSE Monthly Count) with data due on the 15th of every month. Programs submit their data electronically to ODE. Each month ODE staff review the data to determine if there is noncompliance with meeting the 45-day timeline. Programs with identified noncompliance are required to submit a corrective action plan

that includes reasons for the missed timeline and specific plans for correcting the noncompliance.

SPR&I:

All EI/ECSE Programs conduct individual child file reviews annually to collect procedural compliance data. These data are collected on a select number of child files. EI/ECSE child file selections are evenly split between Early Intervention, Early Intervention Transition, and Early Childhood Special Education.

Individual child procedural compliance data are collected by programs and submitted to ODE electronically through the SPR&I System. Program staff correct standards within individual files by taking specified required actions. Standards that cannot be corrected individually (i.e., timelines) must be addressed by reviewing additional new files after a program has determined the cause of the noncompliance and addressed it.

ODE has assigned EI/ECSE county contacts to programs to support compliance and corrective action on an ongoing basis. EI/ECSE county contacts conduct initial verification of program submitted procedural compliance file reviews and review performance on performance indicators. ODE conducts verification and validation of all compliance data submitted by programs to identify noncompliance to be corrected within one year. Individual corrections identified in SPR&I are confirmed by reviewing actual child special education files in ecWeb, Oregon's statewide Early Intervention/Early Childhood Special Education database.

ECSE

Data Collections:

Child Find (CF) collection data is used to identify districts and programs that are out of compliance with IDEA and Oregon Administrative Rules (OAR 581-015-2080 and OAR 581-015-2085). Child Find is a component of IDEA that requires states to identify, locate, and evaluate all resident children with disabilities, birth to age 21, who are in need of special education services (OAR 581-015-2080). The Child Find collection includes the number of children with parent/guardian consent to evaluate, whose initial evaluations for eligibility under IDEA were completed within the 60 school-day timeline or not, regardless of the final eligibility determination. For any initial evaluations that exceed the 60 school-day timeline, the collection includes the total number of days for the evaluations and the reasons for the delay.

Child Find Indicator B11): Child Find is Indicator B11 of the State Performance Plan (SPP). The Child Find collection provides data for monitoring compliance with B11, i.e. meeting the 60-school day evaluation timeline, for children referred for special education evaluation and is a portion of the web-based Consolidated Collection Application used by the Department.

The Indicator B11 Child Find report includes detailed information on each student reported in district/program Child Find submission. B11 is a federal compliance indicator with a target of 100% timely evaluations. The ODE System Performance Review and Improvement (SPR&I) System includes an Indicator B11 Child Find report and requires districts/programs with noncompliance to complete an Improvement Plan to address the reasons for noncompliance. Correction of noncompliance is required for districts/programs that have one or more instances of noncompliance with this requirement. ODE required districts/programs with noncompliance to verify that eligibility was established, and services provided to eligible children, to provide an explanation for the noncompliance, to review and correct the practices that contributed to the noncompliance, and to review additional files after the incident of noncompliance to ensure regulatory requirements are being met.

3. How does the State use its System to inform monitoring priorities (i.e., districts, areas for focused monitoring, policies, etc.)?

ODE monitors local program implementation of EI/ECSE service delivery practices and procedures through a cycle of continuous improvement called System Performance Review & Improvement (SPR&I). The process begins with self-assessment which includes data collection and data interpretation activities. EI/ECSE programs review current practices in relation to compliance standards and performance profile data (performance indicators). Data analysis and interpretation are used to inform local improvement planning decisions and activities, and to correct of any identified noncompliance.

ODE compiles annual data summaries for noncompliance by program and state within the SPR&I System. These data summaries are used to inform decisions about personnel development activities and technical assistance needs. The analysis and comparison of data gathered through self-assessment activities provides an opportunity to drill down and identify causes of noncompliance as well as a focused approach to systems change and improvement. The collaborative nature of the process allows for sharing information and effective practices among programs and for correcting any identified noncompliance.

ODE monitors timely EI evaluations and initial IFSP meetings via the EI/ECSE Monthly Count through ecWeb, the statewide web-based application for EI/ECSE Individualized Family Service Plans (IFSPs) and child files. This data collection allows ODE to track trends and performance on a monthly basis and pinpoint programs for technical assistance in this area.

4. What is the State's monitoring cycle?

All EI/ECSE programs in Oregon receiving IDEA funds are required to participate in the Oregon Department of Education (ODE) System Performance Review & Improvement (SPR&I) system of annual accountability and performance reporting. See Appendix 5 for month-by-month activities.

5. How does the State use its other components (e.g., self-assessments, desk audits, local APR, due process hearing decisions, State complaint decisions) to identify noncompliance?

Self-assessment and ODE monitoring of procedural compliance conducted through SPR&I, focused monitoring/verification desk audits, and the legal unit data on due process and complaint findings, are all used to identify noncompliance.

EI/ECSE programs conduct individual child file reviews annually to collect procedural compliance data. These data are collected on a select number of student/child files determined by ODE through a formula-based selection process in ecWeb. This process ensures file selections are random, cross-section samplings across disability categories, race and ethnicity, gender, and age groups.   EI/ECSE child file selections are evenly split between Early Intervention, Early Intervention Transition, and Early Childhood Special Education.   Individual student/child procedural compliance data are collected by districts/programs and submitted to ODE electronically through the SPR&I System.

> ODE has assigned department personnel (county contacts) to districts/programs to support compliance and corrective action on an ongoing basis. County contacts conduct initial verification of district/program submitted procedural compliance file reviews and review performance on performance indicators.   ODE conducts verification of all compliance data submitted by districts/programs to identify noncompliance to be corrected within one year. Individual corrections identified in SPR&I are confirmed by reviewing actual child special education files in ecWeb, Oregon's statewide Early Intervention/Early Childhood Special Education database.

SPR&I Self-Assessment:
All programs in Oregon receiving IDEA funds are required to participate in the Oregon Department of Education (ODE) System Performance Review & Improvement (SPR&I) system of annual accountability and performance reporting. This system focuses on procedural compliance and performance indicators identified through federal and state regulation and previous state monitoring findings.   ODE works collaboratively with programs on comprehensive data collection, analyses, performance reporting, improvement planning, implementation, and reporting of progress. The SPR&I system provides ODE the mechanism for review of program policies, procedures, and systems, to ensure the requirements set forth in 34 CFR 300.600-609 and 34 CFR 303.700-706 are met.

Verification Desk Audits or Site Visits:
Verification is conducted with a subset of EI programs so that all programs in Oregon are covered within a six-year cycle. During verification desk audits or site visits ODE staff review a set of files previously reviewed by program staff during the self-assessment process. This process confirms the accuracy of the original review. Any discrepancies in the original review are documented and entered into SPR&I to be addressed through subsequent correction.

Due Process Hearings and Complaints:
While ODE oversees complaints, due process hearings, mediations, and other alternative dispute resolution activities as part of its general supervision responsibilities, only complaints and due process hearings may result in findings of noncompliance.

ODE uses independent contractors to conduct complaint investigations for ODE, with support, coordination, and additional assistance by the ODE special education legal specialist. ODE provides training and oversight for these complaint contractors. When a complaint final order identifies noncompliance and orders corrective action, ODE staff work with program staff to ensure completion of corrective action within required timelines. ODE uses the same complaint resolution system and complaint contractors for Part B and Part C.

ODE has a one-tier due process hearing system. All early intervention due process hearings are conducted by Office of Administrative Hearings (OAH) administrative law judges. OAH and ODE have trained OAH administrative law judges to conduct early intervention hearings. When a due process hearing final order identifies noncompliance and orders corrective action, ODE staff work with program staff to ensure completion of corrective action within required timelines. ODE uses the same due process hearing system and complaint contractors for Part B and Part C.

ODE also uses EI/ECSE Service Area Plans to confirm compliance or identify potential noncompliance:
Service Area Plans include EI/ECSE service calendars, information on designated referral and evaluation of children in non-English speaking families, homeless families, foster care, and other hard to find of underserved families. They include input from Local Interagency Coordinating Councils (LICCs) on the service area plan and EI/ECSE program goals.

Noncompliance Outside of Monitoring Cycle:
When noncompliance is discovered outside to the regular monitoring process, ODE staff utilize the process outlined in Appendix 4: Monitoring Resources –Noncompliance Identified Outside of Scheduled Monitoring.

6. Under what circumstances does the State make a finding?

Findings of noncompliance are identified through a variety of sources, including record reviews, SPR&I System reports, and formal dispute resolution processes such as due process hearings and state complaint investigations. Noncompliance may also be identified through calls or written correspondence from parents, programs, or other interested parties.

SPR&I:
A finding is made when a program self-identifies noncompliance that is then verified by ODE. Findings are also made if a program is determined to be noncompliant with a legal requirement or standard under IDEA Parts B & C or during a desk audit or site visit.

Notification of noncompliance also occurs through the **EI/ECSE monthly count** which monitors EI evaluations and initial IFSP meetings completed in 45 days.

Complaints and Due Process:
The State makes a finding of noncompliance through the due process and complaint procedures when an independent hearing officer or the ODE Assistant Superintendent of the Office of Enhancing Student Services determines that an educational agency has failed to comply with the substantive or procedural requirements of the IDEA or its implementing regulations or the related state laws and administrative rules. A finding of noncompliance must be supported by the findings of the investigation or stipulated to by the LEA.

7. When are local programs notified of findings of noncompliance?

For instances of noncompliance identified through due process or complaint investigations procedures, local programs are notified of the finding in the final order. Final orders are provided to the parties to due process hearings and complaint investigations and are available to the public on ODE's website.

20 U.S.C. 1435(a)(10)
20 U.S.C. 1434(1)
20 U.S.C. 1416(a)(1)(C); 34 CFR §§303.500 and 303.501
20 U.S.C. 1416(a)(2) and 1442; 34 CFR §303.3
20 U.S.C. 1416(a)(3) and (4) and 1442

General Supervision Section 2:   Does the State have a general supervision system that is reasonably designed to ensure correction of identified noncompliance in a timely manner?   See OSEP QA 23-01 Memorandum.

1. What is the State's definition of timely correction?

Oregon applies OSEP's definition of timely correction as "correction of noncompliance as soon as possible but in no case longer than one year from identification." Identification is defined as the date the district is provided electronic notification of the noncompliance, including the specific regulatory requirement in question and the data supporting the finding. This date begins the one-year timeline.

SPR&I:
Timely correction requires completion of the following actions within one year from official written notification of a finding by ODE:
- o Documentation of correction of individual student files for standards that can be addressed (i.e. revision of IFSP).
- o Documentation of a completed requirement when a timeline has been missed (i.e. 365 day review)
- o Programs are required to do a root cause analysis of the noncompliance prior to review of subsequent files and documentation of 100% compliance.

For systemic noncompliance, in addition to the above expectations, the program is required to do an intervention and then provide evidence of current compliance with the individual standard using files that demonstrate compliance as a result of the intervention.

Data collections:
Noncompliance identified for indicator C7 through the monthly **EI/ECSE child count**:

45-Day Timeline Compliance:
The timeline is applied by determining the number of calendar days from the date the child is referred to early intervention to the date of determination of eligibility and IFSP development. The following steps describe the corrective action being implemented to address this issue.

The contractor receives from the respective county subcontractors a Monthly Report to review and forward to ODE by the 15th of each month. The monthly report includes the number of (a) EI evaluations, (b) eligibilities and non-eligibilities, and (c) initial IFSP meetings completed within 45 days and the number exceeding that time period.

For each county not meeting 100% compliance, the contractor and subcontractor develop a CAP within 10 business days and send the plan to ODE for review and approval. The contractor assists

subcontractors in the analysis of their data and improvement plan development to correct the problem(s) prior to sending the plan to ODE. The plan must include at a minimum: (a) reasons each noncompliance occurred, (b) corrective actions based on analysis of the problem(s), (c) activities planned to address each problem identified, (d) next steps for correction, and (e) request for technical assistance from ODE as needed.

If the monthly data collection indicates continued non-compliance after 3 months from the time the CAP was implemented, ODE sends a notification of non-compliance to the contractor and superintendent, which include the county's current rate of compliance and expectations from ODE. ODE will provide technical assistance or other actions as requested and necessary.

If the monthly data collection indicates continued non-compliance after 3 additional months from the time the notice was sent, ODE would review the current rate of compliance and the program's overall progress in meeting the 45-day timeline. ODE informs the contractor in writing of its findings and presents a plan of improvement (including technical assistance) specified by ODE to the contractor and superintendent.

If the monthly reports show continued non-compliance after 2 more months from the time the ODE plan is implemented, ODE informs the contractor and superintendent as well as the Superintendent of Public Instruction of the program's status. Upon 30 days prior written notice and at the discretion of the Superintendent of Public Instruction, the contractor will be directed to contract services from another entity for the provision of referral, evaluation and initial IFSP meetings with children and families referred for early intervention services.

Child Find (B 11: 60 school day timeline for ECSE evaluations):
Noncompliance identified through the Child Find (CF) data collection is corrected by reviewing the data collection for evidence of current compliance once the collection closes. Districts with noncompliance must show that at least 10% of the total number of consents to eligibility incidents was compliant with the timeline before the collection closed.

Districts with noncompliance with the 60 school-day timeline are also flagged in SPR&I. In addition to a review of subsequent data, the SPR&I system includes an Indicator B11 Child Find report and requires districts/programs with noncompliance to complete an Improvement Plan to address the reasons for noncompliance. ODE requires districts/programs with noncompliance to verify that eligibility was established, and services provided to eligible children, to provide an explanation for the noncompliance, and to review and correct the practices that contributed to the noncompliance.

Complaints and Due Process Hearings:
For findings of noncompliance that are made as the result of a complaint investigation or due process hearing, timely correction means that the corrections have been completed and reviewed by the State within the timeline identified in the final order.

The State generally orders corrections to be completed in three to six months and never in more than twelve months. The dispute resolution database allows the State to monitor the ordered timelines. The dispute resolution database also produces year-end reports tracking that all findings made via dispute resolution are corrected within the assigned timelines and within one year from the date of the finding.

2. What criteria are used to determine that a finding of noncompliance has been corrected?

SPR&I:
Documentation is entered into SPR&I at the individual child level and verified through a review of the child file in ecWeb. Correction of noncompliance for indicator C7 is described Question #2 of General Supervision Section One.

Complaints and Due Process Hearings:
Corrective action plans ordered because of findings made through complaints investigations or due process hearings require the agency to submit documentation of the correction to the Department. The types of documentation vary based on the facts of each case but may include submission of evidence that IDEA procedures have been followed regarding a specific student, copies of revised policies and procedures, and evidence that agency staff have been trained in a specific area.

3. How does the State verify that individual child specific noncompliance is corrected?

SPR&I:
Documentation described in Question #1 of this section is entered into SPR&I. ODE has assigned department personnel (county liaisons) to programs to support compliance and corrective action on an ongoing basis. County liaisons conduct initial verification of program submitted procedural compliance file reviews and review performance on performance indicators. ODE conducts verification of compliance data submitted by programs to identify noncompliance to be corrected within one year. Individual corrections identified in SPR&I are confirmed by reviewing actual child special education files in ecWeb, Oregon's statewide Early Intervention/Early Childhood Special Education database.

In addition to verification of correction data entered into SPR&I, ODE verifies file content during verification desk audits or site visits. During these desk audits or site visits, ODE staff review the same files reviewed by districts staff during the self-assessment process. Any discrepancies are discussed with program staff and if determined to be noncompliance, entered into SPR&I for correction. Content reviewed during site visits includes identification of noncompliance and evidence provided by the districts to correct previously identified noncompliance.

Complaints and Due Process hearings:

Child-specific corrective action is tracked by submission of documents to the State. If a finding requires child-specific corrective action, the State requires agencies to submit documentary proof that required tasks were completed and that all procedures were implemented consistent with the IDEA and state law. Corrective actions must be completed within one year of issuance of the final order.

4. How does the State determine what corrective action is needed?

Noncompliance **must always** be corrected at the individual file level whenever possible. Additionally, ODE requires evidence of current compliance through additional file reviews. Some standards cannot be corrected due to the nature of the standard (e.g., missed timelines) or due to the student (e.g., no longer eligible, moved) and therefore require additional files to be reviewed to establish evidence of correction/compliance. To establish correction and current compliance, additional files reviewed must include files where the evidence of compliance occurs after the noncompliance reported in the initial review. In addition, ODE requires additional follow up for noncompliance that is considered systemic. See below.

In the case of **non-systemic noncompliance** (<33% of files show noncompliance for any single standard) the ODE requires the following:
- For standards that can be corrected at the individual file level, report the required action and the date it was corrected in SPR&I; and
- For all standards including those that cannot be corrected at the individual file level, conduct a root cause analysis for the noncompliance and then review an additional number of files and report in SPR&I the SSID and compliance status for each additional file reviewed.

If after completing the additional file review, further noncompliance is identified, the noncompliance is considered systemic.

In the case of **systemic noncompliance** (>33% of files out on any single standard or additional noncompliance found through additional file review), the ODE requires the following:
- For standards that can be corrected at the individual file level, report the required corrective action and the date it was corrected in SPR&I;
- Conduct a root cause analysis for the noncompliance and an intervention of their choosing on the standard and document in SPR&I the projected and actual date of completion of the intervention; and
- Conduct a second review of files on the same standard after the intervention; and
- Report the number of files that are compliant (must be 100% of files reviewed after the training or intervention for the ODE to sign off on the correction) in SPR&I.

If the standard involved a particular "age linked" requirement (e.g., transition to ECSE) disability type, or involved files from a unique program, then the additional files to be reviewed need to target that age, disability type or program.

Complaints and due Process hearings:
EI/ECSE programs must submit evidence that they have complied with the corrective action plan to the corrective action specialist consistent with the timetable identified in the final order. The submission is reviewed by the Department prior to closing the complaint or due process case.

Timelines for submission of corrective action documentation are tracked in the dispute resolution database, and copies of submitted documents are scanned into the database and retained electronically.

5. What methods does the State's general supervision system use to obtain and document timely correction of noncompliance (e.g., technical assistance, sanctions, examining policies and procedures, corrective action plans, etc.)?

SPR&I:
Programs provide ODE with data-supported evidence that ensures correction of procedural and systemic noncompliance in a timely manner. Individual file corrections as well as improvement plans of performance indicators are submitted, reviewed and approved via the SPR&I System.

C7 noncompliance and correction is tracked through the EI/ECSE monthly count.

Complaints and Due Process hearings:
Programs must submit evidence that they have complied with the corrective action plan to the corrective action specialist consistent with the timetable identified in the final order. The submission is reviewed by the Department prior to closing the complaint or due process case.

Timelines for submission of corrective action documentation are tracked in the dispute resolution database, and copies of submitted documents are scanned into the database and retained electronically.

The contract with the EI/ECSE program will include timelines, criteria, and procedures to be used by the Department for withholding funds or terminating the contract for failure to comply with contract requirements.

The Superintendent of Public Instruction may take any one or more of the following actions if a local educational agency refuses to voluntarily comply with a plan of corrective action:
- Disapprove, in whole or part, the respondent's application for federal funding.
- Withhold or terminate further assistance to the agency for an approved project.
- Suspend payments, under an approved project, to a respondent.

- Order, in accordance with a final state audit resolution determination, the repayment of specified federal funds; and/or,
- Withhold all or part of an agency's basic school support in accordance with Oregon law (ORS 327.103).

When and under what conditions does the State use enforcement actions and sanctions if a local program cannot demonstrate correction in a timely manner?

In general, when noncompliance has been identified in a given program, whether through dispute resolution, monitoring, the SPP/APR indicators, or other methods, programs have responded to the ODE's directed corrective actions. It is common for programs to request additional technical assistance, training, or resources as they act to correct the noncompliance.

Complaints and Due Process hearings: Before taking any of the actions, the Superintendent must notify the program of the right to request a hearing. If the program requests a hearing within 30 days of the notice, the Superintendent must appoint a hearing officer and hold the hearing consistent with Oregon law (ORS 183.413 – 183.470). An unchallenged or upheld decision by the Superintendent is final subject to appeal to the U.S. Secretary of Education or the Oregon Court of Appeals.

20 U.S.C. 1416(a)(1)(C); 34 CFR §§303.500 and 303.501
20 U.S.C 1416(b)(1) and (b)(2)(A) and (B)(i) and 1442

General Supervision Section 3: Does the State have procedures and practices that are reasonably designed to implement the dispute resolution requirements of IDEA?

1. **Comprehensive Dispute Resolution Guidance: See document: Dispute Resolution**

2. **What are the State's requirements for filing a State complaint?**

Any organization or individual, including an organization or individual from another state, may file with the State Superintendent of Public Instruction a written, signed complaint that the Department, or a sub grantee, including but not limited to a regional program, an education service district or a local education agency is violating or has violated the IDEA. The complaint must allege a violation that occurred not more than one year before the date that the complaint is received by the Department.

The complaint must include the facts on which the complaint is based, and the facts, as alleged by the complainant, must constitute a violation of the IDEA. If a complaint alleges violations outside the scope of the IDEA, the complainant will be informed of alternative procedures that are available to address the complainant's allegations.

3. **How does the State ensure the timely resolution of complaints?**

The State closely monitors the progress of complaint investigations, from receipt of the complaint to the issuance of a final order, to ensure the timely resolution of all complaints.

Upon receipt of a complaint, the Department determines the availability of the complaint investigators and, within two business days, assigns an investigator. During those two days, the Department also acknowledges receipt of the complaint and ensures that all relevant parties have received a copy of the complaint. Once an investigator has been assigned to the complaint, the timeline is as follows:
- Upon receipt of the complaint, the Department identifies the target date for issuance of a final order and establishes the submission date for a draft order from the investigator.
- Within five business days of receipt of the complaint, the investigator issues a Request for Response (RFR) to the responding party. The RFR identifies the allegations to be investigated and establishes a timeline for the submission of filings and scheduling of interviews, if necessary. The RFR informs the responding party of its right to file a Response and identifies documents that would assist the investigator in addressing the allegations. The RFR is also provided to the complainant, who may contact the investigator if the RFR misstates the allegations.
- Within ten business days of the issuance of the RFR, the agency must file a Response and any supporting documentation with the investigator, copied to the complainant.

- Within fifteen business days of the issuance of the RFR, the complainant may file a Reply and any additional documentation to the investigator, copied to the agency.
- If necessary, interviews are scheduled soon after the filing of the Reply. The scheduling of interviews is contingent on the availability of the investigator and the parties. However, interviews are generally held within a calendar week of the filing of the Reply.
- Ten days prior to the target date, the investigator submits a final order to the Department for review and editing.
- Within 60 calendar days from receipt of the complaint, the Department issues a final order.

Adherence to the timeline is monitored throughout the complaint investigation process by the special education legal specialist. The legal specialist maintains contact with the assigned investigator throughout the process, and the investigator forwards all copies for filings to the legal specialist upon receipt. Additionally, the legal assistant creates a tracking sheet each week that lists the active dispute resolution processes and identifies all of the relevant dates.

4. Under what conditions does the State extend the 60-day timeline?

The State extends the 60-day timeline in two situations: 1) when both parties agree to extend the timeline to participate in mediation and 2) when exceptional circumstances related to the complaint require an extension to the timeline.

Extensions for participation in mediation are only granted where both parties communicate to the State in writing that they are willing to extend the timeline to participate in mediation or local resolution. Extensions for mediation are only granted for the amount of time necessary to conduct mediation. Such extensions end when mediation is complete or when either party withdraws from mediation or no longer agrees to extend the 60-day timeline.

Extensions for exceptional circumstances are granted only in rare situations where the completion of the investigation within the 60-day timeline is made impossible by circumstances related to the complaint and are not granted due to summer breaks or other regularly scheduled school closures.

In the event of an extension to the 60-day timeline, the State issues a letter to both parties describing the circumstances requiring the extension and the details of the extension.

5. Does the State have an appeals process? If so, how does the State ensure that the appeal is completed within the 60-day timeline?

The State allows either party to request reconsideration of complaint final orders if the order contains mistakes of law or fact.

6. How does the State ensure there is a response to each allegation contained in a complaint?

Within three to five days of receipt of a complaint, the State issues a Request for Response (RFR). The RFR identifies the allegations included in the complaint along with the applicable Oregon Administrative Rules. If an allegation is unclear, the State will contact the complainant prior to issuance of the RFR to clarify the allegations.

The RFR identifies submission dates for the agency's Response and the complainant's Reply. The RFR also identifies possible dates for holding interviews. The agency and the complainant receive copies of the RFR.

7. How does the State ensure the implementation of complaint decisions?

The State tracks progress on corrective action plans through the dispute resolution database. The system allows the dispute resolution team to track corrective action plans and corresponding deadlines. The system also contains scanned copies of corrective action documentation.

Once a finding has been made through the complaint process, the county contact works with the district to ensure that the district understands the plan and is able to implement the plan.

8. How does the State ensure that local programs properly implement the resolution process? (Resolution meetings, mediation in lieu of resolution meeting, meetings held within 15 days, lawyers are not present unless permitted, etc.)

The State does not directly participate in local agencies' implementation of the resolution process. Hearings officers discuss the resolution process with parties to due process hearings during pre-hearing conferences and prepare to begin the hearing timeline upon the expiration of the resolution period.

9. How does the State ensure that resolution sessions occur within 15-days of the filing of a due process hearing unless waived or parties agree to mediation?

The State tracks and records the parties' participation in resolution sessions. The State is aware that, in many instances, parties waive the resolution session to participate in mediation.

Because the Office of Administrative Hearings (OAH) handles the scheduling of due process hearings, the Department will seek the assistance of OAH in tracking local agencies' implementation of the resolution process at our fall meeting with the special education hearing officers.

The need for tracking such data has been discussed by the Dispute Resolution Committee, which includes a special education hearings officer.

10. How does the State ensure that written due process decisions are issued within 45 days from the end of the resolution process?

The Department's Interagency Agreement with the Office of Administrative Hearings (OAH) requires the special education hearing officers to conduct hearings consistent with the timeline identified in ORS 343.167. Under this timeline, OAH must conduct hearings within 45 days of the end of the resolution period unless an extension is granted.

Pursuant to the Interagency Agreement, if an extension is granted that exceed the 45-day timeline, the ALJ will document the following information in the written decision:
- The party requesting the extension.
- The reason for granting the extension.
- The length of the extension; and
- If the order is not issued within the extension, any circumstances justifying a delay (for example, if documents necessary to close the hearing record were not received on schedule).

11. How does the State ensure the implementation of hearing officer decisions?

The State tracks the implementation of hearing officer decisions through the same process that the State uses to track the implementation of complaint decisions. See Section question 7.

12. How does the State make available to the State Interagency Coordinating Council and public, the findings and decisions of due process hearings?

The State makes due process hearing final orders available to the public on the Department of Education's website.

The legal specialist makes the due process hearing final orders available to the Dispute Resolution Committee (DRC). The DRC reviews the final orders. A member of SACSE sits on the DRC, and the DRC will report to that committee with respect to dispute resolution in the state. All members of SICC/SACSE have access to the due process hearing final orders on the Department's website.

13. How does the State ensure that mediation is available regardless of whether a parent has filed a due process hearing?

The State provides a model mediation request form on the Department's website (at Mediation Request Form) and is mailed to individuals who contact the Department regarding special education disputes.

The Department's webpage includes a Dispute Resolution page which provides access to a number of documents, including the model mediation request form, related to special education dispute resolution. The Dispute Resolution page is accessible via a navigation bar on the Department's homepage or using the search feature on the homepage.

The model mediation request form is also included in the dispute resolution packet that the Department sends to individuals who contact the Department regarding special education disputes. In addition to a model mediation request form, the packet includes information about all of the dispute resolution processes offered by the Department.

The model mediation request form is maintained in electronic format. Upon request, it may be sent as an email attachment or faxed. Additionally, the Procedural Safeguard Bulletin informs parents of the existence of the State's model mediation request form.

Model Complaint Form
Model Due Process Complaint Form
Complaint Resolution Process
Comprehensive Dispute Resolution Guidance
Due Process Overview
Due Process Logs

34 CFR §303.510
34 CFR §303.511

Part C Procedures
34 CFR §303.421
34 CFR §303.422
34 CFR §303.423
34 CFR §303.424
34 CFR §303.425

Part B Procedures
34 CFR §303.420
34 CFR §300.509(a) [Model forms]
34 CFR §300.151(a) [Adoption of State complaint procedures]
34 CFR §300.151(b)

34 CFR §§300.152(a) and (b)
34 CFR §300.152(c)
34 CFR §300.153(a)
34 CFR §300.507 [Filing a due process complaint.]
34 CFR §300.508 [Due process complaint]
34 CFR §300.510 [Resolution process]
34 CFR §300.511 [Impartial due process hearing]
34 CFR §300.512 [Hearing rights]
34 CFR §300.513 [Hearing decisions]
34 CFR §300.514 [Finality of decision; appeal; impartial review]
34 CFR 300.515 [Timelines and convenience of hearings and reviews]
34 CFR §300.506 [Mediation]

20 U.S.C. 1415(f)(1)(B)(i) and 1439 and 34 CFR §303.420(a)
20 U.S.C. 1415(f)(1)(B)(ii)
20 U.S.C. 1415(f)(1)(B)(iii)
20 U.S.C. 1415(f)(1)(B)(iv)
20 U.S.C. 1415(e) and 1439(a); 34 CFR §303.419
20 U.S.C. 1415(e)(2)(A) and 1439(a)(8); 34 CFR §303.419(b)
20 U.S.C. 1415(e)(2)(C) and 1439(a)(8); 34 CFR §303.419(b)(2)
20 U.S.C. 1415(e)(2)(D) and 1439(a)(8); 34 CFR §303.419(b)(3)
20 U.S.C. 1415(e)(2)(E) and 1439(a)(8); 34 CFR §303.419((b)(4)]
20 U.S.C. 1415(e)(2)(F) and 1439(a)(8); 34 CFR §303.419(b)(5) and (6)
20 U.S.C. 1415(e)(2)(G)
34 CFR §303.419(c)
20 U.S.C. 1416(b)(1)(B); 34 CFR §§303.540 and 80.40 (EDGAR)
20 U.S.C. 1416(b)(2)(C)(ii)(II); 34 CFR §§303.540 and 80.40(EDGAR)
20 U.S.C. 1416(b)(2)(B); 34 CFR §§303.540 and 80.40
20 U.S.C. 1418(a) and (b)(1); 34 CFR §§303.540 and 80.40(EDGAR)

General Supervision Section 4: Does the State have procedures and practices that are reasonably designed to improve EI/ECSE results and functional outcomes for all infants and toddlers with disabilities?

1. How does the State ensure that early intervention services are individualized for each infant and toddler with disabilities and provided in the child's natural environment?

In Oregon, service coordinators are appointed for each child referred to an EI program to serve as the single point of contact for the child and family through referral, evaluation, and the initial IFSP process. As stated in OAR 581-015-2840: "For a child under age three, the contractor or subcontractor must: (a) provide service coordination as an EI service; and (b) appoint a service coordinator as soon as possible when a referral is received." The service coordinator also facilitates the ongoing development of and reviews of the IFSP and ensures the child and family receives the individualized services identified through the IFSP process. Service coordinators in Oregon are appointed through the child's EI program and most often provide direct services to the child and family.

EI staff, who provide the functions of a service coordinator, must have either an endorsement in EI/ECSE through the Teacher and Standards Practices Commission, Oregon's teacher licensing agency, or must receive authorization as an Early Childhood Specialist through the ODE authorization process. Service coordinators with ODE authorization must have a professional development plan on file, demonstrating competency as a service coordinator, with the EI program.

Data that measures the availability of the service coordinator to facilitate ongoing and timely EI services, are available from the SPR&I process. The SPR&I process includes the review of individual child files.

As per OAR 581-015-2835: **Natural Environments in EI**
> Contractors or subcontractors must ensure that:
> (1) To the maximum extent appropriate to the needs of the child and family, EI services are provided in natural environments, including the home and community settings in which children without disabilities participate; and
> (2) EI services are provided in a setting other than a natural environment only when EI services cannot be achieved satisfactorily for the child in a natural environment, as determined by the IFSP team which includes the parent.

2. How does the State ensure that all children in the State who are eligible for EI/ECSE services are identified, located, and evaluated?

The EI/ECSE contractor has joint responsibility with school districts to locate, identify, and evaluate all children birth through five years residing within its jurisdiction, suspected of being eligible for early intervention (EI) or early childhood special education (ECSE). This ongoing system includes:

Public awareness activities (e.g. local media resources including television, radio, or newspaper; direct contact activities in the community, including presentations at community meetings, business group meetings, and other meetings; outreach to those who may not understand English, highly mobile populations, or who may live in rural or isolated areas).

Development of communication links with various agencies that provide services to children eligible for early intervention and early childhood special education within the community, including the dissemination of information of child find materials to hospitals, clinics pediatricians, pediatric nurses, and social service professionals involved in family or child services.

Before any major child find activity, the district and/or EI/ECSE contractor will publish notice in newspapers or other media, or both, informing parents that confidentiality requirements apply to these activities. Circulation for this notice must be adequate to inform parents within the district's jurisdiction.

A system in each school in the district to ensure that:
- District and EI/ECSE staff are knowledgeable of the characteristics of disabilities and appropriate referral of children suspected of having disabilities; and
- Early Intervention and Early Childhood Special Education referrals from parents, teachers, and others are directed to appropriate EI/ECSE staff.

The district and/or EI/ECSE contractor provides information on EI/ECSE services in the district and the district's EI/ECSE referral process to facilities located in the district, including childcare centers, preschools, homeless shelters, group homes, hospitals, and other facilities that serve children birth to five years old.

The district and/or EI/ECSE contractor provides information on EI/ECSE services and how to make a referral to any migrant education programs operating in the district.

Child Count Data:
Child count data from C5 (Child Find Birth to One) and C6 (Child Find Birth to Three) is used to alert the ODE to the possibility of children not being identified. ODE staff regularly review APR child identification indicator data and monthly data on referral and enrollment for EI programs.

Programs who fall below state targets in child identification indicators must submit improvement plans to the department in the SPR&I system as a part of the SPP/APR process.

Service Area Plan:

Service Area Plans: ODE also uses EI/ECSE Service Area Plans to review EI/ECSE program child find activities. Service area plans include information on designated referral and evaluation of children in non-English speaking families, homeless families, foster care, and other hard to find families. They include input from their LICC on the general service area plan and EI/ECSE program goals.

Referral Procedures:

Each contractor ensures that:
- A designated referral and evaluation agency is established in each county.
- Referrals are made to the designated referral and evaluation agency.
- Service coordinators are appointed as soon as possible for children needing EI services; and
- Physicians, hospitals, and other primary referral sources have information about the EI/ECSE program and services.

ODE requires all EI/ECSE contractors to follow public awareness and child find procedures outlined in the ODE EI/ECSE Procedures Manual. In addition, Oregon Head Start Pre-Kindergarten and Early Head Start services, are required by Head Start Performance Standards to participate in developmental screening of all children and referral of children who may be eligible for EI/ECSE services. ODE has a contract with the Families and Community Together ([FACT](#)) to provide trainings and workshops on topics related to child find (enhancing community connections, etc.), as well as a contract with the University of Oregon to provide "[ASQ Oregon](#)," a free confidential online developmental screening service for parents and families using the Ages and Stages Questionnaire (ASQ) in English and Spanish, which may result in a direct referrals to a Part C program.

3. What is the State doing to improve functional outcomes (i.e., positive social-emotional skills, acquisition and use of knowledge and skills, use of appropriate behaviors)?

The State continues to invest in implementation of the Pyramid Model. This approach is directly related to improving child outcomes outlined in the (State Identified Measurable Result) SIMR and have been effective in advancing child outcomes, reducing teacher stress, and supporting a comprehensive understanding of the practices and assessment tools needed to address the social-emotional needs of young children with and without disabilities. The Pyramid Model is a conceptual framework of evidence-based practices that promote the healthy development of children's social emotional development. The Pyramid Model builds upon a tiered system of support that addresses the needs of all, provided guidance about targeted supports that some

children may need to support their learning, and identifies tools and supports for intensive interventions that may be needed for a few children in their early years.

The State has updated the SSIP theory of action as follows:
If EI/ECSE programs, staff, early learning partners, and families have access to coaching and professional development to implement evidence-based practices (using implementation and improvement science) targeting social-emotional and approaches to learning skills, and if they participate in actively using reflection, assessment, and quality-improvement cycles, then they will know how to measure their own knowledge and skills against the fidelity measures used in implementing the evidence-based practice to advance students social-emotional approaches to learning skills.

Indicator C3/B7:
EI/ECSE programs use the Assessment, Evaluation, and Programming System (AEPS), a curriculum-based assessment to measure functional outcomes annually prior to the development of the annual IFSP. The AEPS not only provides information on functional outcomes, it provides information for program planning and development of IFSP goals. These indicators are used to measure progress on the SIMR within the SSIP.

ODE contracts with the University of Oregon to have ecWeb (early childhood web data), at Early Childhood Cares, University of Oregon create and manage the child outcome data system, for Oregon. Early Intervention and Early Childhood Special Education functional outcomes are reported in the EI/ECSE Special Education Profiles alongside the state child outcome targets. EI/ECSE Programs will use this data for program improvement. EI/ECSE Programs have direct access to their child outcome data in the ecWeb system. Programs can run local child outcome data by a specific time period, individual specialist, ethnicity, disability, length of EI/ECSE service, or specific age of child. EI/ECSE Programs can use this data to target specific early intervention functional outcomes improvements by program or specialist and are required to develop a "Child Outcomes Improvement Plan" annually based on program specific data.

ODE supports the implementation of early childhood positive behavioral interventions and support (ECPBIS) and the CSEFEL model for promoting social emotional competence in young children in EI and Early Head Start programs in Oregon.

The State allocates IDEA discretionary funds to support implementation of the State Systemic Improvement Plan (SSIP). These funds are used to support fidelity of implementation, training and local level professional development activities for LEAP, the Pyramid Model, and the National Indicators of High-Quality Inclusion.

Staffing priorities for oversight and support of SSIP implementation activities:
1) Two State specialists oversee the implementation of coherent strategies, and one staff member oversees the annual cross-sector early learning training institute. These three also support the higher education coordinating council and work outlined in the comprehensive system of personnel development (CSPD). Additional EI/ECSE Leadership Team members who

connect to critical infrastructure components (P-3 Coordinator, and Early Learning and Literacy Specialist) will become more active as positions that have been unfilled are expected to be filled this year.

2) A review of the CSPD beginning with an annual needs assessment of program staff and administrators of EI/ECSE programs was planned for spring of 2020. Due to Covid-19, response was limited response and the State determined activities should be temporarily put on hold as programs were given the opportunity to address rapidly changing health and safety measures. In FY20, new surveys will be sent to contractors and staff, a review of competencies and alignment with national standards will be completed over the next two years, and a comprehensive plan to recruit and retain a diverse workforce to support young children in inclusive early learning environments will be developed. An outline of this work and next steps will be included in the FY20 report.

3) EcWeb, the existing data system, continues to be improved to include a parent portal and ways to analyze service levels, child outcome data, and service area plans across the state. These improvements will support better analysis of data, increased support of data literacy for families, and increased capacity to support state and local staff to use data to inform decision making and engage in continuous growth and improvement projects. State staff have attended trainings from national TA centers to determine the best way to proceed and will utilize supports from the Center for IDEA Early Childhood Data Systems (DaSy) and the Early Childhood Technical Assistance Center (ECTA) to further improve the State data system and integrate improvement activities into the ways in which programs can report implementation data.

With the annual Service Area Plans EI/ECSE programs submit Child Outcome Improvement Plans based on data analysis and progress on last year's goals in which the programs choose two below state target C3 and two below target B7 child outcomes to improve over the coming year. These improvement plans are reviewed and approved by ODE staff.

ODE staff participate in statewide networks such as the Social Emotional Work Group (Pyramid Model in EI, ECSE, and other private and public early care and education programs) and the Northwest Positive Behavioral Interventions and Support (collaborative network with school age PIBS.)

Several agencies which serve infants and toddlers are included as members of the State Interagency Coordinating Council (including Early Head Start, Migrant Head Start, Oregon Commission on Children and Families, Title V program, Tribal Head Start, Early Head Start Directors, Early Childhood Mental Health (DHS), Homeless Liaison, etc.), as well as a representation of parents of infants and toddlers with disabilities.

ODE participates as a member of the advisory board for Oregon's Early Hearing Detection and Intervention (EHDI) grant for newborn hearing screening, the Best Beginning Advisory Board, MIECVI advisory board, the steering committee for Infant and Early Childhood Mental Health Consultation, the Early Learning Standards workgroup, and is engaged with partners within the

Department of Early Learning and Care (DELC) to ensure children with disabilities and their families are included in thinking and planning for quality improvement activities within early learning and care environments.

Service Coordination:
Through the provision of Service Coordination, families learn the necessary skills and information needed to communicate their child's and family's needs for the effective provision of early intervention.

In addition, service coordinator duties as outlined in OAR 581-015-2840 are the following:
- Coordinate all services across agency lines by serving as a single point of contact in helping parents obtain the services and assistance they need.
- Assist parents of eligible children in gaining access to EI services and other services identified in the IFSP.
- Facilitate the timely delivery of available services.
- Continuously seek the appropriate services in situations necessary to benefit the development of each child being served for the duration of the child's eligibility.
- Coordinate the performance of evaluation and assessments.
- Facilitate and participate in the development, review, and evaluation of IFSPs.
- Assist families in identifying available service providers.
- Coordinate and monitor the delivery of available services.
- Inform families of the availability of advocacy services.
- Coordinate with medical and health providers; and
- Facilitate the development of a transition plan to ECSE services or other early childhood service, if appropriate.

Family survey (C4/B8):
The survey provides the regions and state with Results for the yearly family feedback directly from families regarding Oregon's Early Intervention Program. The feedback provides opportunities to identify areas of needed improvement and areas of strength to sustain regarding whether a family feels like they have the information and abilities to communicate their child's needs.

Intake:
Through the intake process, educating parents regarding the program, the early intervention-natural environment philosophy, least restrictive environment in early childhood special education, and procedural safeguards, etc. will provide them with the necessary information to start the process of communicating for their child's needs.

IFSP Reviews:
Periodic reviews of the Individualized Family Service Plan provide an opportunity for families to communicate how their child is doing and if the functional outcomes and objectives with the services provided are meeting their child's and family's needs.

The Transition process provides an opportunity for families to communicate their child's and family's needs with regards to the individualized needs for a successful transition from the Early Intervention to Early Childhood Special Education and from Early Childhood Special Education to Kindergarten.

ODE contracts with Family and Community Together (FACT) to provide workshops to families, which are available in English and Spanish. Examples of topics include procedural safeguards, navigating the IFSP process and kindergarten transition.

5. How does the State improve the abilities of families to help their children develop and learn?

Through the IFSP process, families receive support, information, and training specific to the needs of their children. Local EI/ECSE programs provide a wealth of organized meetings, trainings and conferences across the state targeted at helping parents gain skills and information on a variety of topics designed to help their children learn and grow. ODE contracts with outside agencies to provide a variety of information, training, and opportunities for EI/ECSE parents, including the University of Oregon (the Oregon Screening Project online screening service also provides activities and information for parents to work at home with their children) and the Family and Community Together (FACT) (workshops for parents on topics such as procedural safeguards and IFSP process, for example.) Funding that ODE provides to the State and Local Interagency Coordinating Councils is often utilized for financial assistance for parent members for costs associated with attending conferences and meetings related to topics relevant to their children's needs.

Additionally, through implementation of the SSIP, families receive coaching to implement strategies for positive social emotional development, prevention of challenging behaviors, and to teach new skills so that persistent challenging behavior is replaced as a way to communicate needs and desires. Through implementation of the Pyramid Model, LEAP, the Routines Based Model, and other evidence-based practices local EI/ECSE programs ensure that families have access to the supports they need to help their children learn and develop.

6. How does the State support the education of children with disabilities with their nondisabled peers, to the maximum extent appropriate?

Driven by the Equity Lens, the State commits to the eradication of inequities in the educational system. With the support of OSEP funded TA from the Early Childhood Technical Assistance Center, the National Center for Pyramid Model Innovations, as well as continued TA from Denver University Staff, the State is investing in inclusion with investment of resources to implement the National Indicators for High Quality Inclusion at the state, local and program levels, and to expand the LEAP preschool model. In FY19, the State developed a cross-sector Leadership Team,

identified Program Coaches, and has supported three Community Inclusion Teams to begin initial implementation efforts for a Statewide Implementation Plan to address High Quality Inclusion. The ECSE contractor and subcontractor ensures that to the maximum extent appropriate, children with disabilities are educated with children who are non-disabled; and special classes, separate schooling, or other removals of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

ODE requires districts to review their Federal Placement Distribution performance indicator (B6) report as part of the annual SPR&I process and requires districts to complete a worksheet if their federal placement distribution data falls outside the state established performance threshold (indicated when the percentage of identified district students does not meet the state target listed in the State Performance Plan (SPP) in any one or more placement category).
ODE reviews and verifies district-level analysis to inform findings as part of the SPR&I process and conducts additional internal review and verification of district-level data as part of the SPR&I process for those districts unable to justify appropriateness of their federal placement data as part of the guided analysis component of the SPR&I system. Additional activities include, but are not limited to, focused review of
- federal placement data by disability category; and/or by age level.
- identified noncompliance of placement/Least Restrictive Environment (LRE) standards; and/or
- non-participation justification determinations as part of IEP content.

ODE requires districts unable to justify appropriateness of their federal placement data to address this area as part of improvement planning and review and enhance, if necessary, the SECC training manual and the annual SECC training content to include additional focused instruction on the reporting of federal placement data to ODE.

7. How does the State ensure that preschool children receive special education and related services in settings with typically developing peers to the maximum extent appropriate?
See the answer to question 6 above.

The ECSE contractor and subcontractor ensures that to the maximum extent appropriate, children with disabilities are educated with children who are non-disabled; and special classes, separate schooling, or other removals of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Because a public education program for nondisabled preschool children is unavailable, other methods for educating eligible children with non-eligible children are used for meeting the requirements of 34 CFR 300.550 - 300.556. Other methods are addressed in the continuum of options:

The placement decision for each eligible child:
- Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
- Is determined at least once every 365 days.
- Is based on the child's IFSP; and,
- Is as close as possible to the child's home.

The child is educated in the program that he or she would attend if nondisabled unless the services identified in the IFSP cannot feasibly be provided in this setting.

The ECSE contractor and subcontractor ensure that a continuum of placement options is available to meet the needs of children with disabilities for special education and related services. The options include various alternative placements in the following:
1. Home Instruction - The child's IFSP is implemented at home. This option may be appropriate for children whose parents chose not to send them to preschool or other community services or for children with health concerns, who cannot be educated outside of their home.
2. Regular Program - The child's IFSP is implemented in the regular program with consultation from ECSE and modifications and/or adaptations to the regular program.
3. Regular Program with Supplementary Service - The child's IFSP is implemented in the regular program with direct service(s) from ECSE.
4. Reverse-Integrated Program – The child's IFSP is implemented in an early childhood special education program that includes typical peers.
5. Special Program - The child's IFSP is implemented in a self-contained early childhood special education classroom.
6. Hospital Instruction - The child's IFSP is implemented in a hospital. The child's medical condition is such that their education cannot be provided outside of the health care facility.

Children are placed in the least restrictive environment, using the following decision-making process:
1. Completion of the IFSP.
2. Determining which IFSP services, including instruction, can be implemented in the regular program.
3. If all IFSP services cannot be provided in a regular program (A "regular program" is a public or private program for nondisabled preschool children. This includes Head Start, Oregon Head Start Prekindergarten, Preschool Promise, community childcare, home, and approved private preschools.), identifying those that must be provided outside the regular program; however, the ECSE program will not remove a child from education in age-appropriate regular classrooms solely because of needed modifications in appropriate activities.

4. For those services that must be provided outside the regular program, identifying where, on the continuum from least to most restrictive, the services can be provided.
5. Placement is in the program the child would attend if not disabled unless another arrangement is required for implementation of the IFSP.
6. In selecting the child's placement, the IFSP team considers and documents:
    a. All placement options considered, including placement options requested by the parent.
    b. Potential benefits of placement options that are considered.
    c. Any potential harmful effects on the child or on the quality of services that he or she needs; and,
    d. Modifications and services considered to reduce harmful effects, and to maintain the child in the least restrictive placement.
7. The IFSP team documents the placement selected and provides a copy of the determination to the parent.
8. If the selected placement is a change from previous placement, the ECSE program provides the parent with prior written notice of the change in placement; and,
9. If the parent requests a specific placement that the team rejects, the ECSE program provides a prior written notice of refusal.

Nonacademic Settings

The EI/ECSE program provides nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.

Nonacademic and extracurricular services and activities include all those available to children without disabilities, and may include meals, play periods, transportation, and other activities available in public preschool programs or approved private preschool programs.

Community Preschools already licensed by the Oregon Employment Department's Childcare Division can become approved by ODE as an ECSE placement through a streamlined process.

Head Start programs make up a large proportion of community placements for children receiving ECSE services, and members of various Head Start agencies (including migrant, tribal and Early Head Start) serve on the State Interagency Coordinating Council and the Local Interagency Coordinating Councils.

Preschool Promise is a model for a publicly funded, high-quality preschool system. Preschool Promise leverages high-quality, local, and culturally relevant early childcare and education programs and makes them available to children living at 200% of the poverty level. By incorporating a mixed delivery approach which recognizes that high quality early learning experiences can take place in a wide variety of settings, Preschool Promise provides opportunities for families to access and choose the preschool setting which best meets their needs.

Parents are trained about the right of their children to receive ECSE services in the least restrictive setting through the annual distribution of procedural safeguards and an array of trainings provided by the Oregon Parent Training and Information Center (OrPTI), under a contract with ODE.

ODE monitors ECSE programs' performance regarding least restrictive placements through the State Performance Plan/Annual Performance Report (SPP/APR) process, and programs that do not meet the state averages are required to submit plans of correction to ODE.

8. How is the State focusing on improving preschool outcomes (e.g., positive social-emotional skills, acquisition and use of knowledge and skills, use of appropriate behaviors)?

Indicator B7: ECSE programs use the Assessment, Evaluation, and Programming System (AEPS), a curriculum-based assessment to measure functional outcomes annually prior to the development of the annual IFSP. The AEPS not only provides information on functional outcomes, but it also provides information for program planning and development of IFSP goals.

ODE contracts with the University of Oregon to have ecWeb (early childhood web data), at Early Childhood Cares, University of Oregon create and manage the child outcome data system, for Oregon. Preschool outcomes are reported in Special Education Profiles alongside the state child outcome targets. Local Education Agencies (LEAs) will use this data for program improvement.

LEAs have direct access to their child outcome data in the ecWeb system. Programs can run local child outcome data by a specific time period, individual specialist, ethnicity, disability, and length of ECSE service or specific age. LEAs can use this data to target specific preschool outcomes improvements by program, location and/or specialist.

EI/ECSE programs submit Child Outcome Improvement Plans in which the programs choose two below state target C3 and two below target B7 child outcomes to improve over the coming year, as well as report progress on the child outcomes chosen the previous year. These improvement plans are reviewed and approved by ODE staff.

PBIS**:** ODE supports the implementation of behavioral interventions and supports (PBIS) and the **Center on the Social and Emotional Foundations for Early Learning** (CSEFEL) model for promoting social emotional competence in young children in ECSE and Head Start programs throughout the state. ODE staff have provided a series of workshops to six Head Start agencies in two cohorts on planning and implementing program wide universal PBIS strategies. In addition, three EI/ECSE programs have received training and support from ODE's Effective Behavioral and Instructional and Support Systems (EBISS) State Personnel Development Grant and continue to report data indicating successful implementation of program wide PBIS. ODE staff participate in statewide networks such as the Social Emotional Work Group (PBIS implementation for children with disabilities in ECSE and Head Start programs) and the

Northwest Positive Behavior Intervention and Support Network (collaborative network with school age PBIS.)

The State allocates IDEA discretionary funds to support implementation of the State Systemic Improvement Plan (SSIP). These funds are used to support fidelity of implementation, training and local level professional development activities for LEAP, Pyramid Model, and the National Indicators of High-Quality Inclusion. At this time implementation efforts for these Evidence Based Practices are occurring in all regions of the State: Region 1 (Pyramid Model, LEAP), Region 2(Pyramid Model) Region 3(Pyramid Model), Region 4 (Pyramid Model, LEAP, Inclusion Indicators), Region 5 (Pyramid Model), Region 6 (Pyramid Model, LEAP, Inclusion Indicators), Region 7 (Pyramid Model), Region 8 (Pyramid Model), Region 9 (Pyramid Model)

20 U.S.C. 1436(a)(1), (d)(1) through (3)
34 CFR §303.321(a) through (c)

General Supervision Section 5: Does the State have procedures and practices that are reasonably designed to implement selected grant application requirements, i.e., monitoring and enforcement, CSPD, and interagency agreements, contracts or other arrangements?

1. How does the State report on the performance of EI/ECSE programs against targets in the State's SPP/APR? Is the reporting accurate and complete?

All programs receive a Special Education Profile (formerly called "Report Card") within 120 days following submission of the APR. On an annual basis, program data are displayed with the indicators that are required to be publicly reported. Programs are required to distribute the Profiles to all parents of students with IFSPs. Additionally, the ODE reports to the SICC and to the Governor. ODE posts all Special Education Profiles on the ODE website.

2. What procedures does the State have in place for making local program determinations? Does it include the required four areas in its determinations?

Determination process used by ODE:
ODE considered the timeliness and accuracy of early intervention data collections and correction of previously identified noncompliance including dispute or complaint findings. For data timeliness and accuracy, ODE examines whether the program provided timely and accurate FFY data for the December Special Education Child Count (SECC), June Special Education Exit and Special Education Child Find collections. Timely means the data was submitted by the due date and accurate means the data required no edits after the review window closed. Based on OSEP requirements, the ODE also includes Compliance Indicators C1, C7, C8 (A, B, C), B11 and B12. With respect to these indicators, ODE looks for evidence that the program demonstrated substantial compliance, correction of noncompliance, and completion of any corrective action as a result of complaints or dispute resolution within the one-year timeframe.

ODE considers a program to "**meet requirements**" if it provided valid and reliable FFY data and demonstrated substantial compliance or correction of noncompliance across Indicators C1, C7, C8, B11, and B12. The ODE determined that a program demonstrated substantial compliance if it provided data showing a very high level (95% or greater) of initial compliance or corrected noncompliance within the one-year timeframe. If a program did not meet this standard on only one indicator, the ODE considered the program to "meet requirements" if the compliance level for that indicator was high (90% or better). In no case, however, was a program placed in "meets requirements" if it failed to provide timely and accurate FFY data for any single collection.

ODE considers a program to "**need assistance**" if it demonstrated lower (between 50% and 94%) initial compliance or correction of noncompliance within the one-year timeline for Indicators C1, C7, C8, B11, and B12. In no case, however, was a program placed in "need assistance" if it failed to provide timely and accurate FFY data for any single collection.

ODE considers a program to "**need intervention**" if it demonstrated very low level (below 50%) of initial compliance or through correction of noncompliance within the one-year timeline for Indicators C1, C7, C8, B11, and B12. ODE also identified a program as needing intervention if they did not provide timely <u>and</u> accurate FFY data for any collection.

ODE considers a program to be in "**need of substantial intervention**" if its substantial failure to comply significantly affected the core requirements of the program, such as the delivery of services to children with disabilities or the State's exercise of general supervision, or if the program informed the ODE that it was unwilling to comply.

3. What is the State's timeline for making local program determinations and notifying local programs of the results?

All programs in Oregon receive electronic notification of their annual determination status in June. The ODE sends program notices detailing the location of findings in the SPR&I system. The information on how the department made determinations, the criteria used, and the official notification documents are included in SPR&I for district/program review.
See handouts at: Systems Performance Review & Improvement Resources including:
- Matrix
- Determinations Guidance

4. What enforcement actions does the State use to address each determination level?

ODE is not restricted from utilizing any other authority available to it to monitor and enforce the requirements of Part B or Part C, but typical enforcement actions are included in the final determinations materials.

Meets Requirements:
If ODE determines that a program Meets Requirements it will consider taking one or more of the following actions:
- ODE determines program has met all requirements and no further action is required.
- ODE offers technical assistance at the request of the program.
- ODE identifies program as in need of support in implementing the requirements within the timelines, which may include, but is not limited to, focused monitoring activities.

Needs Assistance:
If ODE determines that a program needs assistance implementing the requirements it will consider taking one or more of the following actions:
- Advises the program of available sources of technical assistance that may help address the areas in which the program needs assistance. Such technical assistance may include:

- The provision of advice by experts to address the areas in which the program needs assistance, including explicit plans for addressing the area for concern within a specified period of time.
- Assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research.
- Designating and using distinguished program coordinators and EI specialists to provide advice, technical assistance, and support; and devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance and private TA providers.

Needs Intervention:

If ODE determines that a program needs intervention in implementing requirements it will consider taking one or more of the following actions:
- Require the program to prepare a corrective action plan.
- ODE is not restricted from utilizing any other authority available to it to monitor and enforce the requirements of Part C

Needs Substantial Intervention:

At any time that the ODE determines that a program needs substantial intervention in implementing the requirements of Part B or C of the Act or that there is a substantial failure to comply with any condition of a program's eligibility under Part B or C of the Act, the ODE may take one or more of the following actions:
- Withhold, in whole or in part, any further payments to the district under Part B or C of the Act.
- Refer the case to the Office of the Inspector General at the Department of Education.
- Refer the matter for appropriate enforcement action, which may include referral to the Department of Justice. 34 CFR 300.604(c)] [20 U.S.C. 1416(e)(3)]

5. What types of interagency agreements does the State have in place (e.g., Medicaid, head-start, children with special health care needs, etc.)?

ODE developed Memoranda of Understanding with several Oregon agencies to assure the timely referral of children who may qualify for EI/ECSE services, including Department of Human Services Child Welfare Division (Child Abuse Protection and Treatment Act (CAPTA)), US DHS and federal, migrant, and tribal Head Start programs, and the Early Hearing Detection and Intervention program (EHDI). EI/ECSE Programs and School Districts work closely to fulfill the child find requirements.

6. What mechanism does the State use to ensure that services to eligible children are not delayed or denied because of disputes between agencies regarding financial or other responsibilities?

The state interagency agreements address a process for dispute resolution. The ODE has the responsibility for assuring continuation of services and assigns fiscal responsibility as required during dispute resolutions procedures. Problem resolution is generally successful through informal contacts and problem solving at the program level.

OAR 581-015-2710 Selection of a Contractor:
(1) The contractor will administer the EI and ECSE programs under a contract from the Department. The contract for administration will include requirements for the following:
(a) Staffing expectations for the administration of the area program;
(b) Necessary reports to the Department;
(c) Development of an area service plan;
(d) Fiscal responsibility for the administration of contractor funds and the distribution of funds to subcontractors;
(e) Selection and monitoring of subcontractors including the designated referral and evaluation agency;
(f) Coordination of technical assistance to EI and ECSE programs in the contractor's service area;
(g) Assurances that written agreements exist between agencies to assure interagency coordination in each county of the designated service area;
(h) Assurances that a continuum of alternative placements is available to meet the needs of preschool children with disabilities enrolled in ECSE;
(i) Criteria for supervision of services provided by the contractor when no local subcontractor is available or appropriate; and
(j) Such other requirements as are determined necessary by the Department to assure the provision of EI and ECSE services as authorized by ORS 343.465 to ORS 343.534.
(2) The contract will include timelines, criteria, and procedures to be used by the Department for withholding funds or terminating the contract for failure to comply with contract requirements.
Stat. Auth.: ORS 343.475
Stats. Implemented: ORS 343.465, ORS 343.475, ORS 343.495
Hist.: EB 23-1992, f. & cert. ef. 6-23-92; ODE 24-2000, f. & cert. ef. 10-16-00
Renumbered from 581-015-0920, ODE
10-2007, f. & cert. ef. 4-25-07

ORS 343.511 Interagency Agreements to Provide Services
(1) The Department of Education shall enter into written interagency agreements with state or federal agencies contracting for, or providing services to, preschool children

with disabilities or who are at risk of developing disabling conditions, and their families.

(2) Each interagency agreement shall include:

(a) Components necessary to insure effective cooperation and coordination among the agencies involved in providing services to preschool children with disabilities.

(b) A clear description of financial responsibility of the agencies for paying for early childhood special education and early intervention services, case management services and other services to preschool children with disabilities and their families.

(c) Procedures for resolving, in a timely manner, interagency disputes regarding services, eligibility or financial responsibility related to eligible children.

(d) A description of each agency's procedure for resolving internal disputes regarding the agency's services, eligibility determination or financial responsibility.

(e) A process for the Department of Education to follow to achieve resolution of disputes within the agency entering into the agreement with the department if the given agency is unable to resolve its own internal disputes within 60 calendar days. [1991 c.749 §14]

7. How does the State use these mechanisms to implement the payer of last resort requirements of Part C?

The Oregon Individual Family Service Plan (IFSP) delineates EI services from its programs and non-EI services. The IFSP team determines the EI services required to meet the child's special education needs. The IFSP includes a statement of other services, such as Medicaid services, that the child and family may need, but are not Early Intervention services, including the funding sources or steps to be taken to secure the funding sources. These services are listed separately.

IFSP Forms

8. How does the State use these mechanisms to ensure access to required data?

As part of the state interagency agreements all participating agencies are encouraged to share resources and joint efforts for evaluations and implementation of the IFSP. Sharing information is encouraged in order to provide optimum benefit to the child and family, and to avoid duplication of effort. In addition, as part of the state interagency agreements, ODE and the Office of Head Starts assure that written agreements exist between local agencies to encourage interagency coordination between EI/ECSE subcontractors and HS/EHS/OPK, and AI/AN programs.

See also: Oregon Revised Statutes Chapter 343

ORS 343.465 Policy on services to preschool children with disabilities; agency coordination of services.

(i) Evaluates the system's impact on the child and family, including child progress, service quality, family satisfaction, transition into public schooling, longitudinal and cumulative reporting over several biennia and interagency coordination at both the state and local level.

 (j) Reports information described in paragraph (i) of this subsection to the State Interagency Coordinating Council, the Governor, the Superintendent of Public Instruction, the State Board of Education and the Legislative Assembly each biennium.

ORS 343.499 State Interagency Coordinating Council; appointment; member qualifications; duties; terms; use of federal funds; department's duties; meetings; conflicts.

(4) The State Interagency Coordinating Council shall:

(a) Advise the Superintendent of Public Instruction and the State Board of Education on unmet needs in the early childhood special education and early intervention programs for preschool children with disabilities, review and comment publicly on any rules proposed by the State Board of Education and the distribution of funds for the programs and assist the state in developing and reporting data on and evaluations of the programs and services.

(b) Prepare and submit an annual report to the Governor and to the United States Secretary of Education on the status of early intervention programs operated within this state.

9. How does the State use these mechanisms to ensure dispute resolution?

Memorandums of Understanding or Agreement identify dispute resolution processes.

ORS 343.511 : Interagency agreements to provide services; contents.

Oregon revised Statutes Chapter 343: Special Education and Other Specialized Services

(1) The Department of Education shall enter into written interagency agreements with state or federal agencies contracting for, or providing services to, preschool children with disabilities or who are at risk of developing disabling conditions, and their families.

(2) Each interagency agreement shall include:

(a) Components necessary to insure effective cooperation and coordination among the agencies involved in providing services to preschool children with disabilities.

(b) A clear description of financial responsibility of the agencies for paying for early childhood special education and early intervention services, case management services and other services to preschool children with disabilities and their families.

(c) Procedures for resolving, in a timely manner, interagency disputes regarding services, eligibility or financial responsibility related to eligible children.

(d) A description of each agency's procedure for resolving internal disputes regarding the agency's services, eligibility determination or financial responsibility.

(e) A process for the Department of Education to follow to achieve resolution of disputes within the agency entering into the agreement with the department, if the given agency is unable to resolve its own internal disputes within 60 calendar days. [1991 c.749 §14]

10. How does the lead agency determine what types of training are needed statewide?

ODE monitors local program implementation of EI/ECSE service delivery practices and procedures through a cycle of continuous improvement called System Performance Review & Improvement (SPR&I). The process begins with self-assessment which includes data collection and data interpretation activities. EI programs review current practices in relation to compliance standards and performance profile data. Data analysis and interpretation are used to inform local improvement planning decisions and activities, and to correct of any identified noncompliance.

ODE compiles annual data summaries for noncompliance by program and state. These data summaries are used to inform decisions about personnel development activities and technical assistance needs. Data used by ODE for monitoring program performance and improvement for child identification ages birth through two include monthly child count and SPR&I. ODE uses these data for evaluating the effectiveness of child find programs and improvement plans both in terms of meeting annual targets and improvement over time (trend data). The analysis and comparison of data gathered through self-assessment activities provides a focused approach to systems change and improvement. The collaborative nature of the process allows for sharing information and effective practices among programs and for correcting any identified noncompliance.

ODE continues to produce and disseminate state and program performance data reports relative to measurable indicators. The SPR&I System reports provide comparisons to statewide data and program data. This System provides reports to programs specific to measurable indicators, for use in self-assessment, review, and documentation of evidence of change in program improvement plans.

Additionally, ODE and the contractors provide regular supervision, training, and technical assistance to subcontractors with regards to compliance, performance, and other issues through the following:
- Bimonthly contactor meetings are scheduled with ODE EI/ECSE staff. Contractors contribute to the agenda.
- ODE EI/ECSE staff member serve as a liaison to contractors. Questions and needs for training and technical assistance by contractors and subcontractors are directed through ODE staff.
- Contractors meet regularly with their subcontractors to provide vital information and regular supervision such as reviewing files and assisting in problem-solving as issues arise in their regions. Issues raised in these meetings are brought to the attention of ODE county contact liaisons or to the contractor meeting.

11. How does the lead agency provide training to address noncompliance identified in the APR?

ODE provides training and TA directly related to compliance issues base on previous findings of noncompliance, and requests from contractors/subcontractors through Service Area Plans or the bimonthly contractor meetings.

ODE and EI/ECSE contractors provide regular supervision, training, and technical assistance to subcontractors with regards to compliance and other issues through the following:

- Bimonthly contactor meetings are scheduled with ODE EI/ECSE staff.
- ODE EI/ECSE staff member serve as a liaison to contractors. Questions and needs for training and technical assistance by contractors and subcontractors are directed through ODE staff.
- Contractors meet regularly with their subcontractors to provide vital information and regular supervision such as reviewing files and assisting in problem-solving as issues arise in their regions.
- The ODE website provides up-to-date forms, statutes and regulations, policies and procedures, and program operation guidelines.
- E-mail distribution lists provide timely information and support to programs ensuring that critical information is received by contractors and subcontractors.

Private Schools

1. How does the SEA ensure that parentally placed private school children with disabilities receive equitable services in accordance with the Part B requirements, including proportionate share?

As part of the annual applications for IDEA funds, each District and ECSE contractor submits to ODE a signed assurance that they provide parentally placed private school children/preschool children equitable participation in special education and related services. Districts/programs also submit evidence of the proportionate share calculation. To ensure appropriate expenditures occur, ODE provides technical assistance on the allowable uses of IDEA funds and the calculation, the use of the proportionate share of IDEA funds to be used for equitable services; and on the requirements related to developing equitable services and service plans for participating students. This information is provided on the ODE website and at conferences and meetings with special education administrators and business managers.

Documents

- Children with Disabilities Enrolled by their Parents in Private Schools
- Frequently Asked Questions about Serving Parentally Placed Private School Students

2. How does the State ensure that Local Education Agencies (LEAs), or, if appropriate, an SEA, conduct timely and meaningful consultation during the design and development of special education and related services for parentally placed private school children?

Each district/program submits an assurance of timely and meaningful consultation as part of its annual application for IDEA funds. ODE has instituted a data collection to identify, within each district, private schools, their consultation participation, and the status of written affirmation of timely and meaningful consultation.   This information is provided on the ODE website and at conferences and meetings with special education administrators and business managers

Links:

Private School General Information Questions and Answers

Private School Application for Approval to Contract

Private School Data Collection

34 CFR §303.650(a)(3)

34 CFR §303.23(a)

Interagency Agreements [34 CFR §303.523]

§300.600 [State monitoring and enforcement]

§300.601[State performance plans and data collection]

§300.602 [State use of targets and reporting]

§300.603 [Secretary's review and determination regarding State performance]

§300.604 [Enforcement]

§ 300.606 [Public attention]

§300.646 [Disproportionality]

0§300.132 [Provision of services for parentally placed private school children with disabilities]

§300.134 [Consultation]

§300.137 [Equitable services determined]

§300.138 [Equitable services provided]

§300.172 [Access to instructional materials]

§300.210 [Purchase of instructional materials]

§300.160 [Participation in assessments]

§300.320(a) [Definition of individualized education program]

General Supervision: Data Section 1: Does the State have a data system that is reasonably designed to collect and report valid and reliable data and information to the Department and the public in a timely manner?

1. Does the State have a data system that is reasonably designed to collect and report valid and reliable data and information to the Department and the public in a timely manner?

ODE's data collection system collects data through a secure web-based application from the EI/ECSE program contractor. The data collection system contains business rules which generate errors for records submitted inaccurately. Each collection within the data system is thoroughly tested and reviewed prior to collecting the data from the EI/ECSE programs. After each collection closes, and prior to each collection's customary review window opening, data are audited by ODE for accuracy and quality. Audit messages are added to the collection review window within the data collection system to assist EI/ECSE programs with cleaning their data.

In addition, EI/ECSE aggregate reports are created for each collection's submission (December Child Count, June Special Education Exit and Special Education Child Find) and must be reviewed and approved by each EI/ECSE program contactor that data submitted is accurate. An additional step is required for December Child Count after all reports are approved. Each program is required to verify and sign a final submission form certifying that an unduplicated and accurate count has been made (34 CFR § 300.645(c)).

The data collection timelines are set according to the data reporting needs, which allows ODE to report timely data. Annually, each data collection is reviewed internally to improve the efficiency of the data collection process, to revise business rules as needed and to revise reporting requirements or timelines per federal regulations or OARs.

All data collections have a primary owner who provides specific documentation, instruction, and training for their particular data collection. As part of the documentation, all data elements are explained in detail. All data collection timelines are posted online each year, and technical, research, and content specialists are available to assist program staff in reporting timely and accurate data. Data submitters and student information system providers meet regularly with ODE data owners in the [Data Collection Committee](#) (DCC) meetings to discuss data policies, procedures, and other issues related to clearly communicating collection requirements. As part of these meetings, changes to the timelines or collections are reviewed to provide proper notice to the data submitters. The importance of submitting timely and accurate data is stressed. In addition, research analysts work collaboratively with ODE content area specialists to verify the collected data is reliable. Often this is done through data analysis and reports.

The December Special Education Child Count, Special Education Child Find and June Special Education Exit collections have reports that track the progress of each agency that needs to

submit data to the collection. This allows ODE staff to monitor the collection progress and to provide assistance for any agencies that may be struggling with errors or the timely submission of their data.

EI/ECSE Monthly Count:
Before programs submit data to ODE, they must review data for errors. Once submitted, the data owner cleans the data and contacts program if clarifications are needed. Directions and definitions for each field of the Monthly Count are posted on the EI/ECSE website. The data owner is also always available to answer questions or help to train new contractor/subcontractor staff. The data owner ensures timely data by contacting the program directly if data is not sent by the morning of the 15th of each month.

Indicator C3/B7:
ODE contracts with the University of Oregon to have ecWeb (early childhood web data), at Early Childhood Cares, University of Oregon create and manage the child outcome (C3/B7) data system for Oregon. ecWeb and ODE staff ensure child outcome data validity and reliability by:
- In person and online training for AEPS administration and child outcome data entry
- Phone and web technical assistance
- Data quality self-check programs embedded in the ecWeb data system.

System Performance Review, & Improvement (SPR&I):
Verification desk audits of SPR&I: ODE selects programs for verification desk audits to ensure all programs have been involved in this process within a six-year cycle.

Verification is conducted with a subset of EI programs so that all programs in Oregon are covered within a six-year cycle. During verification desk audits ODE staff review a set of files previously reviewed by program staff during the self-assessment process. This process confirms the accuracy of the original review. Any discrepancies in the original review are documented and entered into SPR&I to be addressed through subsequent correction.

2. How does the State ensure the timely correction of data anomalies?

After each collection closes, and prior to each collection's customary review window opening, data are audited by ODE for accuracy and quality. Audit messages are added to the review window to assist EI/ECSE programs with cleaning their data. Any anomalies identified through data collection audit messages must be fixed or verified before the status tracking system will allow the EI/ECSE Program to complete their data submission. The status of each EI/ECSE program is tracked systematically to ensure all agencies complete their data submissions, clear any errors, and review and verify aggregate reports provided in the status tracking system. ODE staff follow-up with any programs who do not finalize their data submissions to ensure the data collection process is completed prior to any required reporting.

EI/ECSE Monthly Count:

The ODE data owner notifies the program of the data anomaly and requests a correction immediately. All program data must be error free in order to summarize state data.

Indicator C3/B7:
If C3/B7 data anomalies are identified, the ODE staff support the timely correction by EI/ECSE program staff through web-based data checks, phone consultation, data audits by ecWeb technical staff, and reports at the contractors' meetings.

ODE Verification in SPR&I:
ODE has assigned department personnel (county contacts) to programs to support compliance and corrective action on an ongoing basis. County contacts conduct initial verification of program submitted procedural compliance file reviews and review performance on performance indicators. ODE conducts verification of compliance data submitted by programs to identify noncompliance to be corrected within one year. Verification of compliance data includes an ODE review of a subset of child files from selected programs. Discrepancies between EI/ECSE program file review data and ODE file review data may trigger a full ODE file review.

3. How does the State verify that the corrected data are valid and reliable?

The data systems do not allow data to post to the database until all errors are corrected (the data conforms to the current business rules). The business rules include checks for valid data entry, valid codes for each data element and cross column agreement. All EI/ECSE programs must review and approve aggregate reports indicating their corrected data is accurate. The status of all EI/ECSE programs is tracked to ensure all agencies have completed their corrections and approved reports indicating their corrected data is accurate. ODE research analyst(s) also review aggregate data submitted for each EI/ECSE program and compares it to the prior year submission. If the percent change exceeds 20% and there is no know reason, ODE consults the EI/ECSE program to discuss the reasons, and if needed, correction of the data.

The data is reviewed internally after all agencies have finalized their data to ensure all corrections have been made. ODE uses an auditing process similar to the one used after the initial data collection, to ensure the data is valid and reliable prior to finalizing the collections for reporting purposes.

ODE Verification in SPR&I:
ODE has assigned department personnel (county contacts) to programs to support compliance and corrective action on an ongoing basis. County contacts conduct initial verification of program submitted procedural compliance file reviews and review performance on performance indicators. ODE conducts verification and validation of compliance data submitted by programs to identify noncompliance to be corrected within one year. Validation of compliance data includes an ODE review of a subset of child files from selected programs. Discrepancies between EI/ECSE program file review data and ODE file review data may trigger a full ODE file review.

EI/ECSE Monthly Count:
Before programs submit corrected data to ODE, they run calculations and compare data to previous month's submission to identify further anomalies. The ODE data owner also compares corrected data to the previous month's submission.

Indicator C3:
C3 data are collected through the administration of the "Assessment, Evaluation, and Programming System for Infants and Children" (AEPS), which is a valid and reliable instrument. C3 exit data counts at the six- and nine-month intervals are compared to individual EI/ECSE program SECC census counts to determine whether exit data counts by the program are meeting expectations.

Indicator B7:
B7 data are collected through the administration of the AEPS and ASQ, which are valid and reliable instruments. B7 exit data counts at the six- and nine-month intervals are compared to individual EI/ECSE program SECC census counts to determine whether exit data counts by the program are meeting expectations. Periodic exit data monitoring and review of B7 data quality through the embedded data quality queries in the ecWeb system informs ODE staff of problems and low performance data submissions in any of the local EI/ECSE programs.

ODE verification:
ODE has assigned department personnel (county contacts) to programs to support compliance and corrective action on an ongoing basis. County contacts conduct initial verification of program submitted procedural compliance file reviews and review performance on performance indicators. ODE conducts verification compliance data submitted by programs to identify noncompliance to be corrected within one year. Verification of compliance data includes an ODE review of a subset of child files from selected programs. Discrepancies between EI/ECSE program file review data and ODE file review data may trigger a full ODE file review.

4. How are data collected for the 618 data collections?

Each EI/ECSE program collects child count, settings and exiting data internally and annually submits the data to ODE through the ODE Consolidated Collection System. All data submitted is subject to business rules which check for errors and mismatched information. Each EI/ECSE Program reviews and approves reports, including a report specific to the early intervention and preschool environments, to ensure the aggregated data matches what they intended to submit to ODE. In addition, each EI/ECSE program must submit to ODE a signed final submission form verifying the total count of early intervention children is accurate. For more information, see Special Education Data Collection.

5. How are data collected for the 618 exiting data?

See preceding answer to question 4.

6. How are the data collected for the 618 dispute resolution data?

The Department has adopted the Part B, School-age Dispute Resolution procedures for Part C disputes.   An internal Dispute Resolution Database was developed and revised to record and track all Mediation Complaint Investigation, and Due Process requests, and to collect the information required for Dispute Resolution under Part B and Part C of IDEA.   The database records and tracks the specifics of each dispute resolution request including names, contact information and all correspondence between the parties, the ALJ's office and the dispute resolution contractors from the date the request is received by the Department to the date the dispute and any corrective action is completed and closed. It records and tracks each allegation, if it was substantiated or unsubstantiated and the corresponding CFRs and OARs. The database records each assigned corrective action and tracks the progression of correction of noncompliance for each substantiated allegation. In addition to periodic spot checking, quarterly reports are run to test the accuracy of the system.   A user guide is available on the database opening screen.

7. How does the State ensure that 618 data are collected in a consistent and accurate manner among local programs?

All data collections have technical assistance documents to assist EI/ECSE programs with reporting accurate data, including manuals, file layouts and FAQs. All EI/ECSE programs are provided the same training and instructions on how to collect and report the data for each collection. Trainings are provided annually for each of the data collections and documentation for each of the data collections is reviewed at the trainings and made available on the ODE website. ODE staff that assist EI/ECSE programs with the data collections work together to review the data collection documents and training materials to ensure EI/ECSE programs are provided consistent guidance from ODE. All data are submitted by the EI/ECSE Programs through the same data collection system and all collections within this system have business rules to check for errors. For more information, see Special Education Data Collection.

8. How does the State collect and report data for Indicator C1? (Timely provision of services)

The Early Intervention services indicated on an Individual Family Service Plan (IFSP) are implemented by Early Intervention/Early Childhood Special Education (EI/ECSE) programs as soon as possible following parent consent for services. The reason for any delay must be documented on the IFSP or in meeting notes or service logs. The Oregon Department of Education (ODE) defined "timely manner" as the initiation date on the IFSP or 10 days from when the parent provides consent for the IFSP services.

All EI/ECSE programs are required to participate in the System Performance Review & Improvement (SPR&I) system of accountability. The SPR&I system focuses on procedural compliance and performance indicators identified through federal and state regulations and

previous state accountability findings. As part of the SPR&I process, EI/ECSE programs engage in self-assessment through data collection, review, and analysis to inform meaningful improvement. All EI/ECSE programs in the state reported to ODE on early intervention services provided in a timely manner for a predetermined number of child files selected for review.

See Indicator C1: data is reported publicly in the Part C Annual Performance Report (State Performance Plan and Annual Performance Report for Special Education) and the EI/ECSE program Profiles (Special Education Profiles).

9. How does the State collect and report data for Indicator C7? (45-day)

All EI county programs report 45-day timeline data to ODE as part of the **EI/ECSE Monthly Count**. Programs not meeting the timeline submit a corrective action plan that includes an analysis of the specific reasons for the delay and solutions to meet the timeline. ODE EI/ECSE staff review corrective action plans monthly and ask further questions or offer technical assistance as needed. Continued program noncompliance results in a series of ODE enforced sanctions.

Indicator C7 data is reported publicly in the Part C Annual Performance Report and the EI/ECSE program Report Cards.

10. How does the State collect and report data for Indicator C3/B7 (Early Childhood and Preschool Outcomes)

ODE contracts with the University of Oregon to have ecWeb (early childhood web data), at Early Childhood Cares, University of Oregon create and manage the child outcome data system for Oregon. EI/ECSE child outcome data is entered in the ecWeb system by staff from each of the EI/ECSE programs. ODE has direct access to the ecWeb system to run FFY child outcome data that is reported in the SPP/APR.

11. How does the State collect and report data for Indicator C8A? (Early childhood transition planning)

ODE requires all EI/ECSE programs to participate in the System Performance Review & Improvement (SPR&I) system of accountability. The SPR&I process focuses on procedural compliance and performance indicators identified through federal and state regulations and previous state accountability findings. As part of the SPR&I process, programs engage in self-assessment through data collection, review, and analysis to inform meaningful improvement. All EI/ECSE programs in the state reported to ODE on EI transition activities for a predetermined number of child files selected for review. Files are selected to incorporate children who are approaching or recently had their third birthday. EI/ECSE programs whose procedural compliance data showing transition procedures not implemented in a timely manner are required to address this as part of a corrective action plan.

Indicator C8 data is reported publicly in the Part C Annual Performance Report (and the EI/ECSE program profiles.

12. How does the State collect and report data for Indicator C8B? (Notification of LEA)

The Oregon EI/ECSE program is a single system of Early Intervention (EI) and Early Childhood Special Education (ECSE) services for children birth to kindergarten. While there are some eligibility differences between early intervention and early childhood special education, the program is seamless in its delivery of services in an effort to minimize transitions for families. Most children who receive EI services continue to receive ECSE services at age three.

Children evaluated for Part C services are known to the school district (LEA) because it is responsible, financially and legally, for both EI and ECSE eligibility evaluations. The district also provides transportation, when necessary, for children and their families to access EI services and conducts ECSE eligibility evaluations for children enrolled in EI as children approach their third birthday. Therefore, additional notification to the district, when a child approaches age three, is not necessary. If the ECSE provider is different from the child's EI provider, then notification, with parent consent, is provided to the new service provider.

Through ecWeb, a C8B report is generated monthly for the LEA.

A monthly SEA Transition Notification report is posted via ecWeb which contains data on all of the EI children who are in the 90-day window before transitioning to ECSE. ODE is notified via email of the posting of these data on the first day of each month. ODE downloads these data from ecWeb and stores the spreadsheets in its data and information storage system.

Indicator C8 data is reported publically in the Part C Annual Performance Report and the EI/ECSE program profiles.

13. How does the State collect and report data for Indicator C8C? (Transition Conference)

ODE requires all EI/ECSE programs to participate in the System Performance Review & Improvement (SPR&I) system of accountability. The SPR&I process focuses on procedural compliance and performance indicators identified through federal and state regulations and previous state accountability findings. As part of the SPR&I process, programs engage in self-assessment through data collection, review, and analysis to inform meaningful improvement. All EI/ECSE programs in the state reported to ODE on EI transition activities for a predetermined number of child files selected for review. Files were selected to incorporate children who were approaching or recently had their third birthday. EI/ECSE programs whose procedural compliance data show transition procedures are not implemented in a timely manner (at least 90 days, and,

at the discretion of the parties, up to nine months before the third birthday) are required to address this as part of a corrective action plan.

Indicator C8 data is reported publicly in the Part C Annual Performance Report and the EI/ECSE program profiles.

14. How does the State collect and report data for Indicator C4/B8? (Parent Involvement)

Beginning in FFY 2005, Oregon adopted the National Center for Special Education Accountability Monitoring (NCSEAM) *Parent Survey – Preschool Special Education* to collect information on parent involvement for preschool age children. Oregon contracts with the Technical Assistance for Excellence in Special Education (TAESE) center International, Inc. to distribute the NCSEAM parent survey and to collect and analyze the survey results, including comprehensive demographic information. ODE provides TAESE with the most recent list of students reported on the Special Education Child Count to be used in the sampling. ODE provides programs selected for the NCSEAM parent survey a flyer explaining the purpose of the survey, contact information for questions and encouraging parent participation in the survey; selected programs distribute the flyer to parents of children with disabilities receiving Early Childhood Special Education (ECSE) services.

Oregon's EI/ECSE programs are administered through nine Service Areas statewide, providing services in all 36 counties in Oregon. Fifty percent of the counties are sampled each year. Since no counties have more than 2,000 children receiving ECSE services, the surveys are sent to all families receiving services in the selected counties. The same counties sampled for Part B 619 are also sampled for Part C each year.

Parent involvement data from the NCSEAM survey are reported annually in the SPP/APR. In addition, results from the parent survey are included in the Special Education Profiles for each program. The Early Intervention/Early Childhood Special Education Profile displays county-level program data and approved Oregon state targets, as described in the SPP. EI/ECSE Special Education Profiles are available online at Special Education Profiles.

Data from the NCSEAM survey are reported annually in the APR. In addition, results from the parent survey are included in the Special Education Profile for each program. The EI/ECSE Special Education Profile displays district-level data and approved Oregon state targets, as described in the SPP. EI/ECSE Special Education Profiles are available online at Special Education Profiles.

15. What mechanisms does the State use to collect and report data for Indicator B11? (Child Find: 60 Day Timeline) and C7 (Timeliness of IFSP: 45 Day Timeline)

B11: Child Find

Each LEA collects their Indicator 11 data internally and annually submits the student-level data to ODE Consolidated Collection System. All submitted data is subject to business rules which check for errors and mismatched information. Each LEA reviews and approves reports to ensure the aggregated data matches what they intended to submit to ODE. In addition, after the collection closes, and prior to the collection's customary review window opening, data are audited by ODE for accuracy and quality. Audit messages are added to the review window to assist EI/ECSE programs with cleaning their data.

As part of the collection, each record submitted has the consent date, determination date, and number of school days it took to complete the evaluation and make the determination. The collection also includes the reason the evaluation was not completed on time for any students whose evaluations were not completed within the 60-school day timeline. The aggregated student data is presented in a report in the monitoring system for the LEAs to review and complete an Improvement Plan to address the reasons for noncompliance, if any noncompliance was reported in the collection. In addition, the percentage of evaluations that were completed within the 60 school day timeline is publicly reported on the Special Education Profile and the state data is reported in the APR (State Performance and Annual Performance Report for Special Education

C7: 45-Day Timeline Compliance

Noncompliance identified for indicator C7 through the monthly EI/ECSE child count. The timeline is applied by determining the number of calendar days from the date the child is referred to early intervention to the date of determination of eligibility and IFSP development. The following steps describe the corrective action being implemented to address this issue.

The contractor receives from the respective county subcontractors a Monthly Report to review and forward to ODE by the 15th of each month. The monthly report includes the number of (a) EI evaluations, (b) eligibilities and non-eligibilities, and (c) initial IFSP meetings completed within 45 days and the number exceeding that time period.

For each county not meeting 100% compliance, the contractor and subcontractor develop a CAP within 10 business days and send the plan to ODE for review and approval. The contractor assists subcontractors in the analysis of their data and improvement plan development to correct the problem(s) prior to sending the plan to ODE. The plan must include at a minimum: (a) reasons each noncompliance occurred, (b) corrective actions based on analysis of the problem(s), (c) activities planned to address each problem identified, (d) next steps for correction, and (e) request for technical assistance from ODE as needed.

If the monthly data collection indicates continued non-compliance after 3 months from the time the CAP was implemented, ODE sends a notification of non-compliance to the contractor and superintendent, which include the county's current rate of compliance and expectations from ODE. ODE will provide technical assistance or other actions as requested and necessary.

If the monthly data collection indicates continued non-compliance after 3 additional months from the time the notice was sent, ODE would review the current rate of compliance and the program's overall progress in meeting the 45-day timeline. ODE informs the contractor in writing of its findings and presents a plan of improvement (including technical assistance) specified by ODE to the contractor and superintendent.

If the monthly reports show continued non-compliance after 2 more months from the time the ODE plan is implemented, ODE informs the contractor and superintendent as well as the Superintendent of Public Instruction of the program's status. Upon 30 days prior written notice and at the discretion of the Superintendent of Public Instruction, the contractor will be directed to contract services from another entity for the provision of referral, evaluation and initial IFSP meetings with children and families referred for early intervention services.

20 U.S.C. 1416(b)(1)(B); 34 CFR §§303.540 and 80.40 (EDGAR)
20 U.S.C. 1416(b)(2)(C)(ii)(II); 34 CFR §§303.540 and 80.40 (EDGAR)
20 U.S.C. 1416(b)(2)(B); 34 CFR §§303.540 and 80.40
20 U.S.C. 1418(a) and (b)(1); 34 CFR §§303.540 and 80.40(EDGAR)[20 USC 1435(a)(14)]
34 CFR §300.169 [Advisory Panel and reporting data]
34 CFR §300.641 [Annual report of children served--information required in the report]
34 CFR §300.642 [Collecting data]
34 CFR §300.643 [Annual report of children served—certification]
34 CFR §300.644 [Annual report of children served--criteria for counting children]
34 CFR §300.600 [State monitoring and enforcement]
34 CFR §300.601 [State performance plans and data collection]
34 CFR §300.602 [State use of targets and reporting]
34 CFR §300.645 [Annual report of children served--other responsibilities of the SEA]
34 CFR §300.646 [Disproportionality]
34 CFR §300.714 [Secretary of the Interior--Establishment of advisory board]
34 CFR §300.715 [Secretary of Interior--Annual reports]

General Supervision: Data Section 2: Does the State have procedures that are reasonably designed to verify that the data collected and reported reflect actual practice and performance?

1. How are data collection processes used to collect valid and reliable data that reflect actual practice?

Consolidated Data Collections:
Data collection processes are reviewed annually, and adjustments and improvements are incorporated each year to improve the data quality and to ensure valid and reliable data are collected that reflect actual practice. Validations are added and instruction materials are updated annually to improve data quality. Errors encountered during the data collection are used as a training tool to assist programs in understanding the proper procedures that are required to be used in providing services to the students. Data collection systems are internally tested by the IT staff and Special Education staff to ensure they are collecting the data correctly and reflect the data that was submitted. All error checks are reviewed and adjusted as needed. All data submitted in the data collections are reviewed internally to ensure the data are acceptable and within reason.

EI/ECSE Monthly Count, Including C7 data:
Before programs submit data to ODE, they run calculations and compare data to previous month's submission to identify any errors. The ODE data owner also compares data to the previous month's submission. Once submitted, the data owner cleans the data and contacts programs if revisions are needed. Directions and definitions for each field of the Monthly Count are posted on the EI/ECSE website. The Data Owner is also always available to answer questions or help to train new staff.

Indicators C1, C5, C6, C8 B6, B12:
Procedural compliance data are available on the SPR&I website. Data are verified and compared with prior performance in each area. ODE reviews subsets of files from select EI/ECSE programs each year to confirm compliance and EI/ECSE practices.

Indicator C3 and B7:
C3 and B7 data are collected from the full administration of the AEPS. A majority of programs use the AEPS as their curriculum based assessment for initial eligibility, and use this data in writing goals and objectives for the initial and annual IFSP.

EI/ECSE programs in Oregon are required to re-administer the assessments at periodic and annual review intervals to assist in data collection for progress reporting and IFSP revision. Training for the administration and use of the AEPS includes using this instrument in curriculum planning, classroom management, and parent involvement.

20 U.S.C. 1416(b)(1)(B); 34 CFR §§303.540 and 80.40 (EDGAR)
20 U.S.C. 1416(b)(2)(C)(ii)(II); 34 CFR §§303.540 and 80.40 (EDGAR)
20 U.S.C. 1416(b)(2)(B); 34 CFR §§303.540 and 80.40
20 U.S.C. 1418(a) and (b)(1); 34 CFR §§303.540 and 80.40(EDGAR)
20 USC 1435(a)(14)

General Supervision: Data Section 3: Does the State compile and integrate data across systems and use the data to inform and focus its improvement activities?

1. How does the State use its data systems (e.g., monitoring, self-assessment, system, data collections, due process hearings and State complaints) to improve program and systems operations?

Data collections:
Following the completion of each data collection, the data system, data collection process, and data is reviewed internally each year to revise and enhance the data collection validations, reports, and instruction manuals and inform training areas for the next year. Areas that were problematic during the data collections are specifically reviewed internally and integrated into the validation procedures (business rules and audits), if appropriate, and used in future trainings.

System Performance Review & Improvement (SPR&I):
Through ODE's SPR&I system, programs have multiyear and current access to 618 data. Each EI program has SPR&I access to the following data: C2, C5, C6, C8, B6, B11, Primary Disability Distribution, Procedural Compliance Data, and whether they were timely and accurate for the Special Education Child Count (SECC), and Special Education Exit Collection. These data are used to assist programs in planning and targeting areas of strength and areas where improvement may be needed.

ODE monitors local program implementation of EI/ECSE service delivery practices and procedures through a cycle of continuous improvement called System Performance Review & Improvement (SPR&I). The process begins with self-assessment which includes data collection and data interpretation activities. EI/ECSE programs review current practices in relation to compliance standards and performance profile data. Data analysis and interpretation are used to inform local improvement planning decisions and activities, and to correct any identified noncompliance.

ODE compiles annual data summaries for noncompliance at the program and state levels. These data summaries are used to inform decisions about personnel development activities and technical assistance needs. The analysis and comparison of data gathered through self-assessment activities provides a focused approach to systems change and improvement. The collaborative nature of the process allows for sharing information and effective practices among programs and for correcting any identified noncompliance.

ODE continues to produce and disseminate state, county, and program performance data reports relative to measurable indicators. The SPR&I System reports provide comparisons to statewide data, countywide data, and program data. This System provides reports to programs specific to

measurable indicators, for use in self-assessment, review, and documentation of evidence of change in program improvement plans.

EI/ECSE Monthly Count (Indicator C7):

ODE utilizes data from the monthly count as one method for tracking program growth by Area and at the state level. These data are broken out by EI, ECSE and EI/ECSE total. The total EI/ECSE child count is charted monthly and compared to previous year's growth. This graph is sent monthly to the ODE Assistant Superintendent, Early Childhood Director, all EI/ECSE ODE staff and each of the 9 Area Contractors to assist in budget and resource planning.

The Monthly Count also provides the number and type of referral source by Area. These data are helpful in analyzing and improving state child find and referral processes, as well as provide information ODE's collaboration with other programs, such as Early Hearing Detection and Intervention (EHDI) and Department of Human Services (information such as CAPTA referrals).

Data informing C7 are collected through the Monthly Count and are used by programs to improve meeting the 45-day timeline.

2. How does the State use its data systems (e.g., monitoring, self-assessment, data collections, due process hearings and State complaints) to ensure improved/sustained compliance and improved performance?

Data collections:

As part of the training for the data collections, the importance of submitting timely and accurate data is always stressed. The yearly review of the data collections allows ODE to make improvements to the data systems that continue to improve the quality, accuracy, and timeliness of the data that is submitted for the collections. Also, specifically reviewing any problematic areas from the data collections with the agency staff that submit data provides an opportunity to inform the staff about the reporting requirements that may be unclear and answer any questions regarding the reporting requirements. These activities continue to positively impact the compliance and performance levels of the programs and state.

SPR&I Data:

Through SPR&I, programs provide ODE with evidence of correction of procedural noncompliance in a timely manner. Programs falling below targets for performance indicators are required to submit an improvement plan. One of the components of this plan is to review progress or activities from the preceding year when determining activities for the present year. EI/ECSE programs have access to multiple years of data.

EI/ECSE Monthly Count:

All EI/ECSE county programs report C7 45-day timeline data to ODE as part of the EI/ECSE Monthly Count. If programs have noncompliant data, they must also submit a corrective action plan which outlines specific reasons for the noncompliance and solutions to the problem(s). ODE

EI/ECSE staff review corrective action plans monthly and ask further questions or offer technical assistance as needed. Continued program noncompliance results in a series of ODE enforced sanctions.

Indicator C3 and B7:

Local EI/ECSE program performance on C3 and B7 data are collected and reported annually in the EI/ECSE Special Education Profiles each spring, alongside state targets for these data. Technical assistance from ODE staff is provided to support individual EI/ECSE programs in improving the number and quality of the exit data submitted in a given FFY.

Dispute Resolution:

The Dispute Resolution Database allows the dispute resolution unit to track important dates related to mediations, complaint investigations, and due process hearings. The database allows all members of the unit to view cases and leave notes concerning their progress.

3. How does the State use its data systems (e.g., monitoring, self-assessment, data collections, due process hearings and State complaints) to inform technical assistance and new initiatives?

Data collections:

Following the completion of each data collection, the data system, data collection process, and data are reviewed internally each year to revise and enhance the data collection validations, reports, and instruction manuals and inform training areas for the next year. Areas that were problematic during the data collections are specifically reviewed internally and integrated into the validations, if appropriate, and used in future trainings. Also, any data that was presented to agencies for correction or verification after the data collections were completed are also used in future trainings to inform the agencies about proper data reporting.

SPR&I Data:

ODE monitors local program implementation of EI/ECSE service delivery practices and procedures through a cycle of continuous improvement called System Performance Review & Improvement (SPR&I). The process begins with self-assessment which includes data collection and data interpretation activities. EI/ECSE programs review current practices in relation to compliance standards and performance profile data. Data analysis and interpretation are used to inform local improvement planning decisions and activities, and to correct of any identified noncompliance.

ODE compiles annual data summaries for noncompliance at the program and state levels. These data summaries are used to inform decisions about personnel development activities and technical assistance needs. The analysis and comparison of data gathered through self-assessment activities provides a focused approach to systems change and improvement. The collaborative nature of the process allows for sharing information and effective practices among programs and for correcting any identified noncompliance.

ODE continues to produce and disseminate state, county, and program performance data reports relative to measurable indicators. The SPR&I System reports provide comparisons to statewide data, countywide data, and program data. This System provides reports to programs specific to measurable indicators, for use in self-assessment, review, and documentation of evidence of change.

EI/ECSE Monthly Count:

All EI/ECSE county programs report 45-day timeline data to ODE as part of the EI/ECSE Monthly Count. Programs submit data regarding timeliness and a corrective action plan to analyze specific reasons and develop solutions if not meeting the 45-day timeline. ODE EI/ECSE staff review corrective action plans monthly and ask further questions or offer technical assistance as needed.

The Monthly Count provides the number of eligible children by EI, ECSE, and EI/ECSE combined, by Area and by county. The monthly count also provides the type of referral source by county/Area and by EI and ECSE. This data is helpful in analyzing and improving state child find and referral processes, as well as ODE's collaboration with other programs, such as Early Hearing Detection and Intervention (EHDI) and Department of Human Services (such as CAPTA referrals).

Indicator C3 and B7:

Periodic exit data monitoring and review of C3 and B7 data quality through the embedded data quality programs in the ecWeb system informs ODE staff of problem and low performance data submissions in any of the local EI/ECSE programs.

Dispute Resolution:

The Dispute Resolution Database allows the unit to report on complaint cases based on the violations alleged and the findings made. By being able to aggregate this data, the State will be able to identify areas of recurrent noncompliance and target interventions appropriately.

Additionally, the unit can track the usage of the various dispute resolution processes in order to ensure that the State maintains adequate capacity to complete timely complaint investigations, mediations, and due process hearings.

4. How does the State assist local programs to use their data to inform decision making?

SPR&I Data:

ODE compiles annual data summaries for noncompliance at the program and state levels. These data summaries are used to inform decisions about personnel development activities and technical assistance needs. The analysis and comparison of data gathered through self-assessment activities provides a focused approach to systems change and improvement. The collaborative nature of the process allows for sharing information and effective practices among programs and for correcting any identified noncompliance.

ODE continues to produce and disseminate state, county, and program performance data reports relative to measurable indicators. The SPR&I System reports provide comparisons to statewide data, countywide data, and program data. This System provides reports to programs specific to measurable indicators, for use in self-assessment, review, and documentation of evidence of change in program improvement plans.

EI/ECSE Monthly Count:

The Monthly Count report is emailed to each of the contractors to share with their stakeholders and assist in program decisions. The monthly report contains a table by Area of the number of EI and ECSE referrals, the current EI and ECSE caseloads, the number of children who were evaluated and made eligible and not eligible, those that exited, and those screened and not referred. The report also contains a graph of the total EI/ECSE child count by month compared to the last four years. Lastly, monthly case load comparison tables for the four years are displayed by Area. These tables are broken out by EI/ECSE total and by EI and ECSE.

Indicator C3 and B7:

Contractors and local EI/ECSE program coordinators are trained in aspects of specific data collections as well as in checking on local data quality performance. Local programs can use their local C3 and B7 data for decisions concerning resources, parent & public information, performance evaluation, and the effectiveness of instructional initiatives.

34 CFR §300.601 [State performance plans and data collection]
34 CFR §300.602 [State use of targets and reporting]
34 CFR §300.608 [State enforcement]

Appendix 1:   EI/ECSE Personnel Standards

581-015-2900 Personnel Standards

581-015-2905 Authorization of Early Childhood Specialist

- EI/ECSE Authorization - Oregon Department of Education
- EI/ECSE Initial Authorization
- Authorization Portfolio Forms
- Meet With Your Supervisor
- Compile Your Portfolio
- EI/ECSE Authorization Specialist to Supervisor

581-015-2910 Authorization of Early Childhood Supervisor

EI/ECSE Personnel Competencies

Competencies for Specialists Working in EI/ECSE in Oregon

Competencies for Assistants Working in Oregon

Competencies for Supervisors Working in EI/ECSE in Oregon

Crosswalk Danielson's Evaluation with EI/ECSE Competencies

OAR 581-015-2705:

Appendix 2: Service Areas and Contractors for EI/ECSE programs

Establishment of Service Areas

(1) The Department establishes service areas for the provision of EI and ECSE to ensure the provision of services to preschool children with disabilities.

(2) The service areas are designated by the Department and may include multiple counties

OAR 581-015-2710 Selection of Contractor

(1) The Department selects a contractor to provide administration and coordination of EI and ECSE in the selected service area.

    (2) The contractor will be selected using criteria developed by the Department which include:

      (a) Geographic location;

      (b) Previous experience in the administration of special education, early intervention, or related programs; and

      (c) Expressed willingness to administer the EI and ECSE program in their area in compliance with the applicable state and federal requirements.

(2) The contractor will administer the EI and ECSE programs under a contract from the Department. The contract for administration will include requirements for the following:

      (a) Staffing expectations for the administration of the area program;

      (b) Necessary reports to the Department;

      (c) Development of an area service plan;

      (d) Fiscal responsibility for the administration of contractor funds and the distribution of funds to subcontractors;

      (e) Selection and monitoring of subcontractors including the designated referral and evaluation agency;

      (f) Coordination of technical assistance to EI and ECSE programs in the contractor's service area;

      (g) Assurances that written agreements exist between agencies to assure interagency coordination in each county of the designated service area;

      (h) Assurances that a continuum of alternative placements is available to meet the needs of preschool children with disabilities enrolled in ECSE;

      (i) Criteria for supervision of services provided by the contractor when no local subcontractor is available or appropriate; and

      (j) Such other requirements as are determined necessary by the Department to assure the provision of EI and ECSE services as authorized by ORS 343.465 to ORS 343.534.

(3) The contract will include timelines, criteria, and procedures to be used by the Department for withholding funds or terminating the contract for failure to comply with contract requirements.

Appendix 3: State Interagency Coordinating Council

The State Interagency Coordinating Council (SICC) was established to ensure interagency coordination and to support the ongoing development of quality statewide services for young children and their families. (By Authority of IDEA and ORS 343.499.) The SICC advises, advocates, and collaborates on state, local and individual levels to maximize each child's unique potential and ability to participate in society.

Membership includes parents of children with disabilities under the age of 12 years receiving EI/ECSE services; public or private providers of early intervention and early childhood special education services; one member of the Legislative Assembly; personnel preparation; state agencies involved in the provision of services for preschool children with disabilities including, the Department of Education, Office of Family Health, Seniors and People with Disabilities, a representative from Head Start, the Employment Department Childcare Division, Department of Consumer and Business Services Insurance Division, Oregon Commission on Children and Families, the Child Development and Rehabilitation Center of the Oregon Health Sciences University; a representative from the State Advisory Council for Special Education, the State Coordinator for Homeless Education, Oregon Health Authority including Children's Mental Health and Addiction Services, State Medicaid Program, and Office of Medical Assistance Programs.

SICC responsibilities include advising appropriate agencies on unmet needs in early childhood special education and early intervention programs for children with disabilities; reviewing and commenting publicly on any rules proposed by the State Department of Education and the distribution of funds for the services; assisting in developing and reporting data on and evaluation of the programs and services; assist in the development and implementation of policies that constitute a statewide system; assist all appropriate agencies in achieving full participation, coordination, and cooperation for implementation of statewide system; ensure provision of interagency agreements are carried out; review and comment on services and policies regarding services to assure cost-effective and efficient use of resources; and assist the department in the resolution of disputes.

- [SICC Governor's Report](#)
- [SICC Meeting Schedule](#)
- [SICC Minutes](#)
- [SICC Bylaws](#)
- [SICC Roster](#)
- [SICC Resources](#)
- [SICC Goals](#)

Appendix 4: Monitoring Resources

SPR&I PCR and Indicators:

- EI ECSE pcr user guide.docx

- Sample mat, improvement plans, corrective action plans

  B11 Corrective Action Plan.docx   C2.docx   C5.docx   C6.docx   B6.docx

- PCR questions for EI/EI Transition/ECSE.

  EI Transition Individual Procedur   EI Individual Procedural Complia   EI Transition Individual Procedur

- Release schedule for federal indicators in SPR&I:

  SPRI Validation Schedule 2021-2022

Focused monitoring

1. Verification Review 2021 Instruc   2. 2021 Verification Review follow-up le

Annual Notification of Compliance

OFFICIAL NOTIFICATION FROM

Sample letters: Compliance Notification, Determinations, and Focused Monitoring

Determinations:

EI-ECSE 2021 Determination & En   EI-ECSE 2021 Determinations Guid   ODE 2020 Official Notification of Early

Include sample letters: Compliance Notification, Determinations, and Focused Monitoring

OFFICIAL
NOTIFICATION FROM

ODE 2023 Official
Notification of Dete

SPR&I Verification
Review Desk Audit.r

Service Area Plans:

County SAP 21-22
final.docx

Contractor SAP
21-22 final.docx

Adequate Service Level Improvement Plan:

ASL improv plan
2021-22 final.docx

Child Outcome Improvement Plan:

Child Outcome
improv plan 2021-22

Noncompliance Identified Outside of Scheduled Monitoring

Noncompliance
Identified outside o

Concerns from the
Field.docx

Process and
Sanctions for Findin

Appendix 5: Annual General Supervision Timeline: EI/ECSE Programs

September

Monitoring:

- Complete SPR&I corrections from previous February file submission as needed

- Begin entering files into SPR&I for ODE approval—use files from ecWeb generated list

    ■

    EI ECSE pcr user guide.docx

- Update Program Staff on SPR&I Dashboard

Reports:

- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan (CAP) as needed. This is completed each month from the CAPs submitted by programs. It details the county, number of days, reason for delay, and whether program or parent delay. This monthly data is used in the Annual Performance Report (APR) report (# of parent delay & reasons for program delays)

    o

    Example CAP plan.xlsx

October

Monitoring

- Complete SPR&I corrections from previous February file submission as needed

- Continue entering files into SPR&I for ODE approval—use files form ecWeb generated list

- Begin file reviews in SPR&I for upcoming February file submission

Annual Performance Report

Indicator Reports/Other Reports Available in SPR&I:

- Primary Disability Distribution – EI

- Primary Disability Distribution – ECSE

- Ethnicity Distribution: EI/ECSE

- Child Identification: ECSE

- B6: Worksheet due in November

Federal Placement_
ECSE_ B6 Worksheet

- C2: Worksheet due in November

C2.docx

- C5: Worksheet due in November

C5.docx

- C6: Worksheet due in November

C6.docx

- C3: EI Child Outcome data is locked on October 2nd

- B7: ECSE Child Outcome data is locked October 2nd

- For a given FFY, the exit data administration data is June 30. EI/ECSE programs are allowed through October 1 following June 30 to submit their child outcome exit data into ecWeb. On October 2 these data are locked and posted in ecWeb. The 10 day data validation window begins and concludes on October 12, where EI/ECSE programs access the child outcome data and report to ODE any questions or data anomalies.

Reports:
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

November
Monitoring
- Complete SPR&I corrections from previous February file submission as needed

- Continue file reviews in SPR&I for upcoming February file submission

Annual Performance Report Indicators
- B6: Worksheet due

- C2: Worksheet due

- C5: Worksheet due

- C6: Worksheet due

Reports:
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

December
Monitoring:
- Complete SPR&I corrections from previous February file submission as needed

- Continue file reviews in SPR&I for upcoming February file submission

- When all files are reviewed, click on the "Submit All PCR Files" button

Annual Performance Report Indicators
- B6: Improvement plan due (If needed)

- C2: Improvement plan due (If needed)

- C5: Improvement plan due (If needed)

- C6: Improvement plan due (If needed)

Reports:
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

January
Monitoring:
- Complete SPR&I corrections from previous February file submission as needed;

- Continue file reviews in SPR&I for upcoming February file submission;

- When all files are reviewed, click on the "Submit All PCR Files" button

Annual Performance Report Indicators:
- B11 (60 day timeline): Complete Corrective Action Plan if below 100% on timely ECSE evaluations

Reports:
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

February

Monitoring:

- February 1st: all file reviews are due by the end of the day. During the ODE review period you will not be able to make changes in SPR&I for your February 1st submission (you <u>can</u> continue correcting your previous year's February submission to avoid second year noncompliance). If your county contact has questions on a file or standard during this review period, they will contact you for additional information and make SPR&I changes as necessary;

- Programs selected for desk audits are notified by their county contact;

- Complete SPR&I corrections from previous February file submission as needed

Desk Audits:

- Each year as per agreement with the federal Office of Special Education Programs, ODE conducts a verification review of files submitted for the February Procedural Compliance Review (PCR) from a subset of the EI/ECSE programs.

- ODE reviews these files using the same PCR forms that you used in your reviews.

- Selected programs are notified in February.

- The State conducts these review as part of their annual Procedural Compliance Reviews.

- Discrepancies in compliance, if any, are noted directly in SPR&I and are included in the "Annual Compliance Notification" to EI/ECSE programs in April.

Reports:

- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

March

Monitoring:

- Complete SPR&I corrections as needed for the current and previous year

Reports:

- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

Special Education Profiles:

- Available for districts and programs to preview and comment on their profiles

April

Monitoring:

- Complete SPR&I corrections as needed for the current and previous year.

Annual Compliance Notification:

- Programs receive "Annual Compliance Notifications" on April 15th

- Compliance status of standards from previous year and current year are available in the "PCR Correction" report in SPR&I;

To access the "PCR Correction" report:

- Go to the section "**(Current Year) Procedural Compliance Review;**"

- Select the "**Individual Corrections**" selection in that column;

- On the page that opens, select "**view reports.**" This can be found near the top middle of the page and is used to access your indicator reports;

- After you open that page, select "**All**" for report type. At the bottom of your reports, you will find the report labeled "**PCR Correction;**"

When you view your "PCR Correction" report, you will notice a column labeled "**Correction Status**":

- **First Year Noncompliance** indicates the correction for that standard has not been completed;

- **Second Year Noncompliance** indicates you have outstanding corrections from last year for that standard;

- **Corrected Within 1 Year** indicates you have completed the corrections for that standard;

If you have had 100% compliance for last year and this year, there will be no information to report. Remember, this report represents a single point in time, April 15th. For the current correction status, check on your traffic lights. If they are red, there is work to do. If they are all green, you are done.

Reports:

- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

Special Education Profiles:

- Corrections of data from March district/program reviews are finalized by ODE

May

Monitoring:

- Complete SPR&I corrections as needed for the current and previous year

Service Area Plans:

- County programs and contractors draft SAPs to share with LICCs for feedback

- Directions for using the ecWeb Service A

- Contractor SAP 23-24 final.docx

- County SAP 23-24 final.docx

- ODE Instructions for ecWeb SAP revie

Child Outcomes Improvement Plan:

- Each county EI/ECSE program submits their Child Outcomes Improvement Plan ecWeb before contractor's due date

- Child Outcome improv plan 2023-24

Adequate Service Level Plans:

- Each county EI/ECSE program drafts ASL plan and submits to ecWeb before contractor's due date

- ASL improv plan for 2023-24 SAP.final.dc

Reports:

- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

Special Education Profiles:
- Special Education Profiles are released to the public

June

Monitoring:
- Complete SPR&I corrections as needed for the current and previous year

Service Area Plans:
- Contractors review and accept all county plans and submit contractor Service Area Plan and their counties plans in ecWeb

Child Outcomes Improvement Plan:
- Contractors review and accept all county Child Outcomes Improvement Plans and submit County and Contractor plans in ecWeb

Adequate Service Level Plans:
- Contractors review and accept all county Adequate Service Level Plans and submit County and Contractor plans in ecWeb

Determinations:
- Programs receive "Annual Determinations Notifications" last week of June.

- Determinations reports are available in SPR&I online as "20** Determinations Report"

-
  EI-ECSE 2021 Determinations Guid

-
  EI-ECSE 2021 Determination & En

Reports:
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

- Child Outcome data: Complete exit assessments by June 30th

July

Monitoring:
- Complete SPR&I corrections as needed;

Reports**:**
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

August
Monitoring**:**
- Complete SPR&I corrections as needed;

Reports**:**
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan as needed

- Child Outcome data: Preliminary Child Outcome data is posted

Appendix 6: Annual General Supervision Timeline: ODE Internal

September
Monitoring:
- Check SPR&I weekly to verify district and program corrections from the previous February file submission

- Late September: Open SPR&I for annual file submission and procedural compliance reviews

- Approve EI/ECSE file selections for SPR&I

Reports**:**
- C7 (45 day Timeline for EI IFSP): Complete Monthly Report and Corrective Action Plan (CAP) as needed. This is completed each month from the CAPs submitted by programs. It details the county, number of days, reason for delay, and whether program or parent delay. This monthly data is used in the Annual Performance Report (APR) report (# of parent delay & reasons for program delays)

  Example CAP plan.xlsx
  ○

October
Monitoring**:**
- Check SPR&I weekly to verify district and program corrections from the previous February file submission

- Approve EI/ECSE file selections for SPR&I

Annual Performance Report:

- C3: EI Child Outcomes are locked October 2nd

- B7: ECSE Child Outcomes are locked October 2nd

- C9: EI Resolution Sessions

- C10: EI Mediations

- B15: ECSE Resolution Sessions

- B16: ECSE Mediations

Indicator Reports/Other Reports Available in SPR&I:

- Primary Disability Distribution – EI

- Primary Disability Distribution – ECSE

- Ethnicity Distribution: EI/ECSE

- Child Identification: ECSE

  - B6: Worksheet due in November

    Federal Placement_
    ECSE_ B6 Worksheet

- C2: Worksheet due in November

    C2.docx

- C5: Worksheet due in November

    C5.docx

- C6: Worksheet due in November

    C6.docx

- C3: EI Child Outcome data is locked on October 2nd

- B7: ECSE Child Outcome

- For a given FFY, the exit data administration data is June 30. EI/ECSE programs are allowed through October 1 following June 30 to submit their child outcome exit data into ecWeb. On October 2 these data are locked and posted in ecWeb. The 10 day data validation window begins and concludes on October 12, where EI/ECSE programs access the child outcome data and report to ODE any questions or data anomalies.

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

November

Monitoring:
- Check SPR&I weekly to verify district and program corrections from the previous February file submission;

- Approve EI/ECSE file selections for SPR&I

Annual Performance Report Indicators:
- B6: Worksheet due

- C2: Worksheet due

- C5: Worksheet due

- C6: Worksheet due

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

December

Monitoring:
- Check SPR&I weekly to verify district and program corrections from the previous February file submission

Annual Performance Report Indicators:
- B6: Improvement plan due (If needed)

- C2: Improvement plan due (If needed)

- C5: Improvement plan due (If needed)

- C6: Improvement plan due (If needed)

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

January

Monitoring:

- Check SPR&I weekly to verify district and program corrections from the previous February file submission.

- Post reminder to SPR&I dashboard:

- File reviews must be completed and submitted to SPR&I by February 1st, no extensions to the deadline

- Corrections from the previous year must be completed by end of day April 14th. Please note that systemic corrections can take up to three months to complete

- Review and select subset of programs (six programs) in SPR&I for a desk audit

Annual Performance Report Indicators:

- B11 (60 day timeline): Review/Approve Corrective Action Plan if below 100% on timely ECSE evaluations

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

February

Monitoring:

- Check SPR&I weekly to verify district and program corrections

- Select 6 EI/ECSE programs for desk audit of files in ecWeb. Files are selected from a subset of files submitted in SPR&I. Desk audit completed by third week of February and results are documented online in SPR&I file reviews

- County contacts review and verify all file submissions the first three weeks of February

- EI/ECSE programs will not be able to make changes during this time. County contacts requesting additional information on standards will need to enter any information received into the system

Desk Audits:
- Each year as per agreement with the federal Office of Special Education Programs, ODE conducts a verification review of files submitted for the February Procedural Compliance Review (PCR) from a subset of the EI/ECSE programs.

1. Verification
Review 2021 Instruc

2. 2021 Verification
Review follow-up le

- Email to be sent April 15th.

- ODE reviews these files using the same PCR forms that you used in your reviews.

- Selected programs are notified in February.

- The State conducts these review as part of their annual Procedural Compliance Reviews.

- Discrepancies in compliance, if any, are noted directly in SPR&I and are included in the "Annual Compliance Notification" to EI/ECSE programs in April.

Annual Compliance and Determinations Notification:
- Update annual Compliance and Determination notifications and send to director;

- C7 goes live no later than February 1. This is the data from July of the previous year. The C7 upload file is combined with late/inaccurate data for determinations in June

Service Area Plans:
- Update SAP for next year with team feedback

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

March

Monitoring:
- Check SPR&I daily to verify district and program corrections;

- Publish reminder on SPR&I dashboard that all file corrections from the previous year must be corrected by end of day April 14th. If corrections are not made, they will be second year noncompliance

Annual Compliance and Determinations Notification:
- Open new year of SPR&I Resources on ODE website

- Update Determinations guidance and matrix and post on web under "SPR&I Resources"

- Update Compliance and Determinations reports in SPR&I. Link "Determinations Guidance and Matrix" to SPR&I reports from ODE SPR&I Resources webpage

- Send reminder regarding mailing with accompanying documents to director

Service Area Plans**:**
- Continue updating SAP for next year with team feedback

Annual Performance Report Indicator Data Ready **(begin writing for next APR):**
- C8 AB&C: EI to ECSE transitions;

- C1: Timely EI Service

- B12: ECSE IFSPs developed prior to 3rd birthday

Reports**:**
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

Special Education Profiles**:**
- Available for districts and programs to preview and comment on

April

Monitoring**:**
- Check SPR&I daily to verify district and program corrections

Annual Compliance Notification**:**
- April 15th: Annual Compliance Notifications are emailed by director to contractors, subcontractors, superintendents, and sped directors

- Posted on SPR&I dashboard by lead worker

- Freeze PCR Correction Report 4/15

- Email and or post dashboard update of annual compliance notification

Service Area Plans**:**
- Notify contractors Service Area Plans for next year are available in ecWeb

Reports**:**
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

Special Education Profiles**:**
- Corrections of the data are finalized

May

Monitoring**:**
- Check SPR&I weekly to verify district and program corrections

Service Area Plans**:**
- County programs and contractors draft SAPs to share with LICCs for feedback

- Directions for using the ecWeb Service A

- Contractor SAP 23-24 final.docx

- County SAP 23-24 final.docx

- ODE Instructions for ecWeb SAP revie

Child Outcomes Improvement Plan:
- Each county EI/ECSE program submits their Child Outcomes Improvement Plan ecWeb before contractor's due date

- Child Outcome improv plan 2023-24

Adequate Service Level Plans:
- Each county EI/ECSE program drafts ASL plan and submits to ecWeb before contractor's due date

- ASL improv plan for 2023-24 SAP.final.dc

Determinations:
- Send reminder and updated documents to director about June mailing

- Programs receive "Annual Determinations Notifications" last week of June.

- Determinations reports are available in SPR&I online as "20** Determinations Report"

- EI-ECSE 2021 Determinations Guic

- EI-ECSE 2021
Determination & En
-

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

Special Education Profiles:
- Public release of special education profiles

June

Monitoring:
- Check SPR&I weekly to verify district and program corrections

Determinations:
- Director sends via email "Annual Determinations Notifications" to contractors, subcontractors, superintendents, and sped directors last week in June

Service Area Plans:
- SAPs due to ODE via ecWeb. ODE County Contacts reviews & notifies director when completed.

ODE Instructions
for ecWeb SAP revie
-

Child Outcomes Improvement Plan:
- ODE county contact reviews contractor's county plan & notifies director when completed

Adequate Service Level Plans:
- ODE county contact reviews contractor's county plan & notifies director when completed

Reports:
- C7 (45-day Timeline for EI IFSP): Complete C7 noncompliance tracking

- Child Outcome data: Complete exit assessments by June 30th

July

Monitoring:
- Check SPR&I weekly to verify district and program corrections

Service Area Plans:
- ODE director accepts SAP contractor's county plan in ecWeb

Adequate Service Level Plans:
- ODE director accepts SAP contractor's county plan in ecWeb

Annual Performance Report:
- C7: 45 day timeline. Data is ready for APR due in February. Additionally, this data is used for determinations in the following June

Child Outcomes Improvement Plan:
- ODE director accepts SAP contractor's county plan in ecWeb

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking

August

Monitoring:
- Check SPR&I weekly to verify district and program corrections

Reports:
- C7 (45 day Timeline for EI IFSP): Complete C7 noncompliance tracking
- Child Outcome Data: Posting of preliminary Child Outcome data on August 1st