*Indicator 12 Technical Assistance*

*Lesson Overview*

Welcome to the Indicator 12 Technical Assistance lesson in the Indicator 12 module.

The Federal Office of Special Education Programs (OSEP) requires all states to provide performance data on specific performance indicators which reflect performance and compliance in the education of students with disabilities.

This lesson focuses on Indicator 12, one of the compliance indicators.

*Lesson Overview*

Indicator 12 collects data on the transition from Early Intervention to preschool for children with disabilities on or before the child’s third birthday.

This lesson provides information about the data collection procedures for Indicator 12. It also discusses different scenarios and how the data for these situations should be submitted.

Finally, this lesson reviews the SmartForm.

*Lesson Objectives*

Upon completion of this lesson you will be able to:

* Define data collection procedures for Indicator 12 and describe what they measure and report.
* Identify which districts are responsible for participating in this year’s data collection activity.
* Identify reasons of delay in services, if any.

*What are Indicators?*

IDEA Part B indicators are one of the ways in which States measure and report their performance and compliance in educating students with disabilities.

The Massachusetts State Performance Plan/Annual Performance Report (SPP/APR) is required by the Federal Office of Special Education Programs (OSEP).

Select this [link](http://www.doe.mass.edu/sped/spp/) for view the State Performance Plan and the Annual Performance Report.

*What is Indicator 12?*

Indicator 12 is a compliance indicator. This means that the law requires 100% of children referred from Early Intervention who are found eligible for special education supports must have an IEP developed and implemented before or on the child’s third birthday.

It is important to understand that Implemented means that the IEP is signed and all identified services begin before or on the child’s third birthday.

* Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. (20 U.S.C. 1416(a)(3)(B))
* Measures transition from Part C (Early Intervention) to Part B (Special Education) under IDEA.

*What is Indicator 12?*

OSEP has developed a formula for states to use to review the data and calculate compliance. The formula identifies students who are found not eligible, delays in implementation due to reasons outside of a district’s control such as: parent refusal to sign consent, late return of consent or signed IEP, and late referrals to or from Early Intervention.

%=[c ÷(a-b-d-e))]x100

C: Number of those found eligible who have an IEP developed and implemented by their third birthdays.

A: Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.

B: Number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.

D: Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exception under 34CFR§300.301(d) apply.

E: Number of children determined to be eligible for Early Intervention services under Part C less than 90 days before their third birthdays.

Information: Account for children included in (a) but not included in (b), (c), (d), or (e). Indicate the range of days beyond the third birthday when eligibility was determined and reasons for the delays.

*What is Indicator 12?*

This information helps establish an accurate percentage of children who, if found eligible for Special Education, have the IEP developed and implemented by age 3.

It is important to remember that all children who are referred from Early Intervention and who are found eligible must have the IEP developed and implemented on or before their third birthday.

*Help Students Achieve the Best Possible Outcomes*

It is important to look at this data to help us understand compliance and how compliance support children achieving the best possible outcomes. This data will give districts the opportunity to look at their practices for early childhood transition.

How can we ensure that all Part B eligible children are participating in appropriate services at age three?

Are there areas of need?

Are systems in place to implement IEPs in a timely fashion?

How will you address these needs?

Are your students, who have been found eligible, receiving all identified supports by the time they turn 3?

*Which Districts are Responsible for Participating?*

For data collection purposes, Massachusetts divides its districts into four cohorts representative of the state as a whole.

Boston, because of its size, collects data for every indicator, every year.

Select this [link](http://www.doe.mass.edu/sped/spp/datacollection.html) to determine if your district is collecting data for Indicator 12 this year.

*Which Children are Included in the Data Collection?*

Each year, ESE collects data on a sample of students referred from Early Intervention. The reporting cohort is required to report on the first 40 students who are referred by Early Intervention and turned 3 between January 1st through April 30th. All data should be submitted through the security portal using the Indicator 12 SmartForm by May 30th.

You will not report on children who have turned 3 before January 1st or after April 30th even if they started receiving supports during this time period.

If you do not have any students turning 3 between January 1st and April 30th, you will indicate this on the SmartForm.

If you know you have delays, please wait to submit your data until the IEP is implemented or until April 30th. This will give you time to contact families as needed and to implement supports prior to reporting.

You do not need to report children who have been referred by a parent or an agency other than Early Intervention.

*What is My Data Collection Timeline?*

The transition process: From receiving the referral to data submission.

* Each district should receive referrals from Early Intervention when a child is between 2.6….
* ….and 2.9 years of age.
* Districts will ask parents to complete and return the consent to evaluate.
* The district will then complete the evaluation….
* hold the IEP meeting….
* ….and plan to implement identified supports on or before the child’s third birthday.
* Only collect data for children turning 3 between January 1st through April 30th.
* Districts will submit data by May 30th using the SmartForm.

*SmartForm: Overview*

Use the SmartForm that ESE has uploaded to the security portal.

Make sure you check the Special Education webpage for the Cohort Schedule to determine when your district is required to report on Indicator 12.

Keep in mind that you will be entering information for each child individually.

* Each item on the SmartForm must be completed. If there are areas left blank, you will be alerted when you try to submit the data.
* Items requiring dates may have parameters. A conversation box will alert you if you have entered information that cannot be processed.
* When the form is completed, you can click Submit at the bottom of the form. If there are no corrections to be made, the data will be entered and you may enter a new student.
* Each child’s information is captured in the Database tab located at the bottom of the form.

Select this [link](http://www.doe.mass.edu/sped/spp/datacollection.html) to view the Cohort Schedule.

*SmartForm: Features*

* If you have no students meeting the required timelines, please note this in #2.
* In item #3, please enter the child’s SASID number. Remember that all students should have an SASID. You may want to check with your Early Intervention provider. If there is no SASID enter a 1 plus 9 zeros (1000000000). Some will have an SASID assigned while they are in Early Intervention.
* Item #8 provides a place for you to enter the date you have given or sent the consent form to the family for signature.
* You will see that items #14, 15 and 17 refer to the IEP or IFSP. Teams can choose to use the Early Intervention IFSP. If the Team chooses to use the IFSP, this document will be kept in the student record in place of the IEP forms. You do not need to make a special notation if the Team has decided to use the IFSP.

*SmartForm: Identify Reason of Delay in Services*

You must document the primary reason for delay in the development and implementation of the IEP/IFSP by the age of 3 years.

* Was the Team meeting held on or before the child’s third birthday? If NO, what was the reason for the delay? If YES, select NA in #11 and enter NA in #12.
* If the IEP/IFSP was not implemented by the child’s third birthday, please select the primary reason for delay.

*SmartForm: Identify Reason of Delay in Services*

In addition to selecting the reasons for delay from the drop-down menus, you may also give more information or indicate not applicable (NA).

*SmartForm: Identify Reason of Delay in Services*

If the date of the Team meeting is after the child’s 3rd birthday, you must complete items 11 and 12. If the IEP/IFSP was not implemented by age 3, items 17 and 18 must be completed.

*Typical Factors Causing Late Implementation of an IEP*

It is important to note the reason for any delay. There are a variety of factors may result in delays.

Some reasons for delay and not meeting timelines may be associated with reasons that we call outside of the district’s control, like the parent not signing the IEP. Delays are typically related to system capacity or family related scheduling issues.

* Family scheduling
* Late referrals from Part C (Early Intervention)
* Late referrals to EI (districts not held responsible)
* Delay in obtaining consent for evaluation
* Delay in receiving signed IEP

*Special Attention Situations*

For some children, the IEP Team may decide to extend the evaluation period. A district must document the need for extension. It is important that this extended time not be used to deny programs or services. A district must document the need for the extension and this should not exceed eight school weeks. Extended evaluation cannot be used to deny or delay services. If this situation applies, please make sure to note this on your SmartForm.

Extended Evaluation Period

If the Team finds the evaluation information insufficient to develop an IEP, the Team, with parental consent, may agree to an extended evaluation period.

* Shall not be used to deny programs and services
* Shall not be used to allow additional time to complete the required assessments
* Document what is needed and why
* Shall not exceed eight school weeks

Select this [link](http://www.doe.mass.edu/lawsregs/603cmr28.html?section=05) to view the Team Process and Development of the IEP (603 C.M.R. 28.05).

*What Happens After the Data is Submitted?*

ESE will review all submitted data in the spring. If there are questions, you will be contacted by phone for clarification. If a district reflects less than 100% compliance, ESE will work with you to determine if there is a need for correction. If ESE makes a non-compliance finding, you will be notified in writing.

Each participating district will receive a District Report. This report will provide you a snapshot of the data you submitted along with the statewide data.

* If ESE has questions about your data submission, you will receive a phone call to review the data.
* If your data reflects less than 100% compliance with the requirements of Indicator 12, the ESE will work with you to ensure prompt corrective action is taken.
* If ESE makes a finding, the district must make the correction as soon as possible but no later than one year from identification.

*For Districts Not Reporting 100% Compliance*

If ESE makes a finding of non-compliance, you will need to conduct a root cause analysis and submit a corrective action plan. You will also be requested to submit a subsequent data set to demonstrate compliance. ESE will provide technical assistance to districts and will review the new data set submitted and issue a verification of correction of non-compliance letter.

1.

* District Activities: Conduct a root cause analysis, and submit a Corrective Action Plan (including review/amendment of policies, practices and procedures, if appropriate).
* ESE Activites: Provide Technical Assistance and conduct Document Review.

2.

* District Activities: Submit a subsequent data set to demonstrate correct implementation.
* ESE Activites: Analyze subsequent data set for compliance. Issue verification of correction of non-compliance letter.

*Conducting a Root Cause Analysis: Patterns*

Although sometimes delays can be controlled by districts (e.g. unexpected school closings, parents need to reschedule), it is important for the district to understand all reasons why delays occur. All policies, practices, and procedures should anticipate reasons for the delay and assure that IEPs are implemented by the child’s third birthday.

* Insufficient staff availability to complete the evaluation on time (excessive caseload)
* Delay due to district’s scheduling need or conflict
* Delay due to evaluator reports not received on time
* Delay due to lack of qualified staff to complete the evaluation on time
* Other (e.g., need for bilingual evaluator)

To find out if any issues require additional support, professional development and/or technical assistance, select this [link](http://www.doe.mass.edu/apa/general/) for more information on Conditions for School Effectiveness.

*Conducting a Root Cause Analysis: Barriers*

When looking at your data, consider what barriers exist and what you can do to ensure that services and supports are implemented in a timely manner. What are the reasons for delays? Could you implement strategies to avoid some of the common reasons for delays? Often, there are proactive strategies that can be put in place to avoid delays.

* Does the district need to be prepared for more referrals during a particular time of year?
* Are there system gaps that cause consistent reasons for delay?
* Are there efficient communications, data systems and referral procedures with EI providers?
* Are there contingency plans when a provider or evaluator is absent?
* Does the district effectively encourage culturally sensitive family engagement?
* What policies, practices or procedures need to change?

*Module Summary*

You have completed the Indicator 12 Technical Assistance lesson in the Indicator 12 module. You should now be able to:

Define data collection procedures for Indicator 12 and describe what they measure and report.

Identify which districts are responsible for participating in this year’s data collection activity.

Identify reasons of delay in services, if any.

Please take a moment to complete this [short survey](http://www.surveygizmo.com/s3/2666824/elearningfeedback).

*Knowledge Check*

Welcome to the End-of-Module Knowledge Check.

This knowledge check provides you with review questions related to Indicator 12.

*Knowledge Check 1*

True or False: A child is referred by EI and turns three in January. The child has been determined eligible for services, however, the parents do not register the child until after the data collection period is over. This child will not be included in the data reporting.

Answer: False

*Knowledge Check 2*

True or False: A referral was made by EI and the child turns three during the data collection period. The child needs to be evaluated by the SLP who is out on maternity leave for 6 weeks (30 working school days). Is this child included in the count?

Answer: True

*Knowledge Check 3*

True or False: The child was referred from EI and turned three within the data collection time period. The child was evaluated and the IEP meeting was held. However, the parent returned the IEP two months after the meeting. Because the referral is late in the school year, the child is not included in the data reporting.

Answer: False

*Knowledge Check 4*

True or False: The child was referred from EI and turned three within the data collection time period. The child was referred two weeks before the end of the school year. Is the child included in the count?

Answer: True

*Knowledge Check 5*

True or False: An IEP Team may decide to extend the evaluation period if they have not had time to complete all assessments.

Answer: False

*Knowledge Check 6*

True or False: The district and family may choose to use the IFSP in place of the IEP.

Answer: True

*Knowledge Check 7*

True or False: Late referrals to or from EI are considered to be outside the district’s control.

Answer: True

*Indicator 12 Resources*

1.

Updated Data Collection Schedule and District Cohort Assignments

To view the district cohort assignments for data collection activities conducted as part of the Massachusetts State Performance Plan/Annual Performance Report (MA SPP/APR).

Select [here](http://www.doe.mass.edu/sped/spp/datacollection.html) to view the page

2.

Early Childhood Special Education Web Page

To view the Early Childhood Special Education web page.

Select [here](http://www.doe.mass.edu/sped/ecse/default.html) to view the page

3.

Frequently Asked Questions: Transition from Early Intervention to Special Education

To view the Frequently Asked Questions: Transition from Early Intervention to Special Education.

Select [here](http://www.doe.mass.edu/sped/ecse/TransitionFAQ.html) to view the page

4.

A Guide to Best Practices in Early Childhood Transition

To view a Guide to Best Practices in Early Childhood Transition

Select [here](http://www.mass.gov/edu/docs/eec/2014/20140515-early-childhood-transition-english.pdf) to view the page

5.

Massachusetts State Performance Plan/Annual Performance Report (SPP/APR)

To view the Massachusetts State Performance Plan/Annual Performance Report (SPP/APR).

Select [here](http://www.doe.mass.edu/sped/spp/) to view the page

6.

Conditions for School Effectiveness

To view the Conditions for School Effectiveness.

Select [here](http://www.mass.gov/edu/government/departments-and-boards/ese/programs/accountability/) to view the page