

General

Comment: None.

Discussion: As a part of our review of documents in response to comments, we determined that the instructions required revisions to remove references to hard copy forms and hard copy submissions. Beginning with the February 2015 submission, States will submit the State Performance Plan/Annual Performance Report (SPP/APR) for Federal fiscal year (FFY) 2013 through the online GRADS 360 system; therefore there are no paper forms and States do not have the option of submitting a hard copy of the SPP/APR for the six-year cycle that will cover FFYs 2013 through 2018.

Changes: We have removed the reference to the SPP/APR template in the SPP/APR materials section. We have removed the option for a State to submit a hard copy of the SPP/APR through the mail.

Comment: None.

Discussion: As a part of our review of documents in response to comments, we determined that remaining references to "improvement activities" might be confusing since State's are no longer required to report on Improvement Activities. We have revised the measurement table for Indicators 1, 7, and 8 accordingly.

Changes: References to "improvement activities" in Indicators 1, 7, and 8 was replaced with "methods to ensure correction."

Comment: One commenter asked if a State must submit a new sampling plan for indicators under which a sampling plan was previously approved by the Department.

Discussion: The Department must ensure that each State using a sampling methodology to collect data for an indicator has a sampling plan that yields valid and reliable representative data. If a State will use its currently-approved sampling plan and only change the years for which it is used, the State can provide an assurance to this effect. If a State proposes to use a sampling plan that was not previously used and approved or will revise its current sampling plan, the State will need to submit the sampling plan for approval.

Changes: None.

Comment: A few commenters recommended eliminating various indicators, e.g., Indicators 2 (Natural Environments), 5 (Child Find, Birth to 1), 6 (Child Find, Birth to 3), 9 (Resolution Sessions), and 10 (Mediations), where the data are already collected through another Department collection.

Discussion: As we clarified in the Explanation and Rationale document that was published as a part of the proposed Information Collection for the FFY 2013 APR, some IDEA Part C indicators are specifically required by IDEA sections 616, as modified by IDEA section 642, and we continue to include those indicators. Indicator 2 provides information on program setting that is

responsive to the comparable statutory requirement regarding least restrictive environment and would ensure that the SPP/APR includes a quantifiable indicator that measures the extent to which early intervention services are provided in the natural environment. IDEA sections 616(a)(3)(A) and 642. Indicators 5, 6, 9, and 10 address the statutory requirements that the SPP/APR include quantifiable indicators that measure the State's exercise of its general supervisory authority respectively in the areas of child find, and the use of resolution sessions and mediations. IDEA sections 616(a)(3)(B) and 642.

Changes: None.

Comment: A few commenters asked if the lead agency must re-establish baseline for each indicator and set new targets.

Discussion: There is no requirement that lead agencies re-establish baseline data for FFY 2013 for each of the results indicators for its FFY 2013 APR submission, due in February 2015, but the State must make clear for each results indicator the FFY data that it had previously identified as its baseline data for that indicator. With the exception of Indicator 11, the data source and measurement for each IDEA Part C results indicator is consistent with the previously approved SPP/APR. A State will also need to establish measurable and rigorous targets for each results indicator -- for each reporting year through the end of the six-year cycle (for FFY 2013, due in February 2015 through

FFY 2018, due in February 2020) -- and must describe how it included the participation of stakeholders, such as parents and families of infants, toddlers, and children with disabilities, the State Interagency Coordinating Council, EIS programs and providers, and others, when establishing those targets. Targets for these results indicators (Indicators 2, 3, 4, 5, 6, 9, and 10) may remain flat over a period of reporting years, but the State's FFY 2018 target for each results indicator must demonstrate improvement over the State's established baseline data for that indicator, which in most cases will have been established in the previous SPP that covered FFYs 2005-2012.

Changes: None.

Comment: A few commenters requested clarification on when a State must report on slippage. Another commenter asked if a State must report on progress in situations where the data show improvement but the State does not meet its target.

Discussion: As stated in the SPP/APR instructions, a State must only report on slippage for those indicators where the data do not demonstrate progress from the previous year's data and where the State did not meet its target. There is currently no requirement for the State to report on slippage for those indicators where the data do not demonstrate progress from the previous year's data, but the State has met its target, although a State may choose to do so. Additionally, there is currently no

requirement to report on progress, although a State may choose to do so.

Changes: None.

Comment: One commenter noted that the references to OSEP's September 2008 FAQs and the October 17, 2008 Dear Colleague memo on reporting on the correction of noncompliance in the APR have been removed from the indicator measurement table. The commenter inquired if States must continue to report on timely correction of noncompliance at both the child-specific and systemic levels.

Discussion: When reporting on correction of noncompliance under the individual compliance indicators, States must continue to report on timely correction of noncompliance at both the child-specific and systemic levels. The final Part C regulations in 34 CFR §303.700(e) codified the longstanding standard that all identified noncompliance must be corrected as soon as possible and in no case later than one year after the State's identification of the noncompliance. The *Analysis of Comments and Changes* to the final Part C regulations further clarified that the correction of noncompliance must also be verified by the lead agency within that timeframe. 76 FR 60140, 60233 (September 28, 2011). OSEP's September 2008 FAQs and the October 17, 2008 Dear Colleague Memo continue to provide States with guidance on how States should verify, and report on, the timely correction of findings of State-identified noncompliance in their APRs. Given

that these are now longstanding requirements that still apply when a State reports on verification of timely correction of noncompliance, we removed, as unnecessarily repetitive, the references to the guidance documents in the indicator measurement table.

Changes: None.

Comment: One commenter requested clarification on why States are no longer required to report on State complaint timelines and due process hearing timelines in the APR.

Discussion: As explained on page 2 of "Proposed FFY 2013-FFY 2018 Part C SPP/APR: Explanation and Rationale," in 2012, as a part of a regulatory approval, OSEP proposed to reduce State burden by eliminating two indicators where OSEP determined that the information States submitted was duplicative of data submitted by States through another OMB-approved information collection (EDFacts). Additionally, these two indicators are not expressly referenced in IDEA section 616, and, because the data are available to OSEP through the other data collection, OSEP can and will continue to use these data as other publicly available information when OSEP evaluates a State's performance as part of OSEP's determination process. As a result, States were no longer required to report on Indicators 10 (State Complaint Timelines) and 11 (Due Process Hearing Timelines). Therefore, this proposal did not include reporting on those former indicators.

Changes: None.

Comment: One commenter requested that the SPP/APR retain the current numbering system, as those numbers have become part of the vernacular.

Discussion: We gave strong consideration to retaining the current numbering structure for the reason that the commenter cites. However, we determined it was appropriate to renumber given that this is a new SPP/APR for the next six-year cycle, four of the previous SPP/APR indicators were removed (former SPP/APR Indicators 9, 10, 11, and 14), and the renumbering only impacts two indicators: Indicators 9 and 10, which were formerly SPP/APR Indicators 12 and 13. Given that there are now 11 instead of 14 SPP/APR IDEA Part C indicators, on balance, it is less confusing to renumber the two former SPP/APR Indicators 12 and 13 as the new SPP/APR Indicators 9 and 10. Therefore, we renumbered the indicators to avoid confusion.

Changes: None.

Indicator 1: Timely Services

Comment: None.

Discussion: As part of our review of the measurement and instructions in Indicator 1, we determined that the instructions did not precisely reflect the data States have submitted under this indicator. Specifically, States have long reported in their SPP/APRs in both the numerator and denominator under Indicator 1

on the number of children whose early intervention services were timely initiated for the early intervention services that were newly identified on their initial or subsequent IFSPs and not on the provision of all early intervention services on their IFSPs. We have added the clarifying instruction to make clear that in both the numerator and the denominator the State should report on the number of children for whom the State has ensured the timely initiation of new services identified on the IFSP. Existing instructions make clear that States should report on both the initiation of new services identified on the initial IFSP as well as new services identified on existing or subsequent IFSPs.

Changes: We have clarified the instructions for Indicator 1 by adding the language that States report in both the numerator and denominator under Indicator 1 on the number of children for whom the State ensured the timely initiation of new services identified on the IFSP.

Comment: One commenter requested that the State be required to provide more detailed information in this indicator regarding the use of exceptional family circumstances and the nature of those circumstances. The commenter indicated that this information is critical in identifying States with a high level of delay due to exceptional family circumstances and to determine whether the State is in need of assistance in securing parent availability



and consent or whether the State is applying the exceptional family circumstances label too broadly.

Discussion: We agree with the commenter that it is important for the State and the Department to monitor the reporting and use of exceptional family circumstances. However, we do not believe that the Department's collecting this information through the SPP/APR is the most appropriate way to gather this level of detail. Under Results Driven Accountability, we will implement a differentiated monitoring system through which we will monitor all States, and provide individualized support to a State that needs it. That support may include technical assistance on the appropriate reporting, tracking, and use of exceptional family circumstances under IDEA Part C, should we determine through our monitoring that a State requires such support.

Changes: None.

Comment: One commenter requested that OSEP provide guidance on how soon early intervention service provision should commence after a parent provides consent to service provision in order to meet the definition of "timely manner."

Discussion: The IDEA Part C regulations in 34 CFR §303.344(f)(1) require that the individualized family service plan (IFSP) must include the projected date for the initiation of each early intervention service identified on the IFSP under 34 CFR §303.344(d)(1). The regulations further note that the date must

be *as soon as possible* after the parent consents to the service, as required in 34 CFR §§303.342(e) and 303.420(a)(3). Currently, most States have adopted a 30-day timeline that commences from the date of parental consent and runs until the date the services in the IFSP are provided with some States adopting a shorter timeline and only a few States adopting a slightly longer timeline (e.g., 45 days), which timeline also commences from the date of parental consent to the date the services in the IFSP are provided. We do not believe it is appropriate to adopt a time period more specific than “as soon as possible” for the provision of all early intervention services identified in an IFSP. While each State must ensure that services in an IFSP are provided as soon as possible after receiving parental consent, we believe that “as soon as possible” may vary depending on a number of factors, such as the availability of qualified personnel in a State, the number of children to be served, and the location of those children. See, *Analysis of Comments and Changes* to the final Part C regulations, 76 FR 60140, 60202 (September 28, 2011). Therefore, States have flexibility to determine reasonable criteria for the “timely” receipt of early intervention services, *i.e.*, the time period from parent consent to when IFSP services are actually initiated. The State must include those criteria in Indicator 1 of its SPP/APR.

Changes: None.

Comment: One commenter requested clarification on how many services must be implemented within the State's timeline in order to be considered "timely." For example, an infant or toddler may have three services included on his or her IFSP. Must all services be implemented in a "timely" manner in order for the State to include that infant or toddler in the numerator for Indicator 1, or would it be acceptable to include an infant or toddler in the numerator if only two of the three services were "timely"?

Discussion: The commenter's concern is raised in part due to the Part C regulations in 34 CFR §303.344(f)(1), which require that the IFSP include the projected date for the initiation of each early intervention service. Therefore, in the commenter's example of an IFSP with three services, each service may have a different service initiation date. The State must evaluate each service initiation date to determine if all services on the IFSP were delivered in a timely manner as of the date of monitoring or data collection when monitoring or collecting data.

A child with an IFSP with all services that should have been delivered in a "timely" manner must be included in the numerator, while a child with an IFSP where at least one service that should have been but was not delivered in a "timely" manner would not be included in the numerator for Indicator 1. However, in situations where an initial service delivery date occurs after

the monitoring or data collection occurs, it would be reasonable for the State to not include that service in its determination of whether or not a service was delivered in a timely manner.

Changes: None.

Indicator 4: Family Involvement

Comment: A few commenters requested that Indicator 4 regarding family involvement be eliminated as a separate reporting requirement and that the measurement of family involvement be folded into Indicator 11, the State Systemic Improvement Plan (SSIP).

Discussion: Collecting and analyzing data on family involvement and then using those data to guide program improvement is a critical element in improving outcomes for infants and toddlers with disabilities. However, we decline to fold Indicator 4 into Indicator 11. Indicator 11 requires the State to develop an SSIP that is a comprehensive, ambitious yet achievable plan for improving results for infants and toddlers with disabilities. The basis for the plan is a detailed data and infrastructure analysis that will guide the development of the strategies to increase the State's capacity to structure, and lead meaningful change in, early intervention service (EIS) programs and providers as they improve results for infants and toddlers with disabilities. Data on family involvement could be one of the elements of analysis, but the State is not required to include it

in its analyses. Requiring any particular single data source, such as family involvement data, in Indicator 11 might lead a State to believe that it could analyze only that particular data source to meet the requirements of Indicator 11.

Changes: None.

Indicator 8: Early Childhood Transition

Comment: One commenter requested that OSEP remove the requirement to provide OSEP with a copy of any checklist, questions, or criteria used to collect monitoring data for this indicator. The commenter states that the requirement is overly burdensome and does not provide information that is needed to make the determination that the lead agency is identifying noncompliance.

Discussion: We agree with the commenter that it is not necessary that OSEP collect the State's monitoring tools through Indicator 8 in order to determine if the State's monitoring tool or instruments are resulting in the collection and reporting of valid and reliable data for Indicator 8 when the State is using monitoring data (as opposed to database data). Therefore, we will remove the requirement. However, States should maintain documentation that demonstrates how its monitoring data for Indicator 8 are valid and reliable and representative of State data when the State does not use database data for this indicator.

Changes: We have removed the requirement that the State submit with its APR a copy of any checklists, questions, or criteria used by the State to collect data for Indicator 8 if the State uses monitoring to collect these data.

New Indicators 9 and 10: Resolution Sessions and Mediations

Comment: One commenter recommended that Indicators 9 and 10 measure the timeliness of resolution sessions and mediations, as lead agencies have no control over resolution through resolution sessions or mediations.

Discussion: As previously stated, IDEA section 616(a)(3)(B) requires that resolution sessions and mediations be measured using quantifiable indicators and expressly specifies that the indicators in these two priority areas must measure the *use* of these dispute resolution methods. Therefore, while we agree that lead agencies might have more control over the timeliness of conducting these meetings rather than the outcome of these meetings, we believe that Indicators 9 and 10 measure the “use” of these dispute resolution options and, thus, the measurement for both of these indicators is consistent with the statute.

Changes: None.

New Indicator 11: State Systemic Improvement Plan (SSIP)

Comment: We received multiple comments regarding proposed Indicator 11. Some commenters applauded the proposal as a true step towards results driven accountability. These same

commenters expressed that the proposal was well-developed and detailed, and offered enough room for each State to craft and implement an SSIP that will help each State focus on systemic improvement. Other commenters were concerned that new Indicator 11 is duplicative of other improvement efforts already underway in a State and that the burden associated with developing, implementing, and reporting on the SSIP far outweighs any associated benefit.

Discussion: New Indicator 11 is each State's opportunity to develop and implement a comprehensive, ambitious, yet achievable plan focused on improving results for infants and toddlers with disabilities. OSEP strongly encourages alignment between Indicator 11 and other improvement activities or plans that are already being implemented in the State, as long as the existing plan is based on recent data and infrastructure analyses. Additionally, in order to use an existing plan to meet the requirements of Indicator 11, that plan must have a direct impact on infants and toddlers with disabilities and align with the State-identified Measurable Result for Infants and Toddlers with Disabilities. We do not agree that Indicator 11 presents an increase in the reporting burden because a State is no longer required to develop and report in the SPP/APR on a separate set of improvement activities for each indicator. In addition, a State is encouraged to align and integrate existing State-level

improvement efforts on which data are already collected and reported. This alignment, when used to meet the requirements of Indicator 11, if appropriate, will reduce the reporting burden.

Changes: None.

Comment: Many commenters requested that OSEP further clarify and define the terms used throughout Indicator 11 and provide more guidance on the proposed process for developing the SSIP.

Discussion: We agree with the commenters that some of the terms require additional explanation and that the process for developing and implementing the SSIP should be further clarified. In response, we made several structural and definitional revisions to Indicator 11 -

- We labeled the two sections in the indicator to make clear that the first section is "Overview of The Three Phases of the SSIP" and the second section is the "Specific Content of Each Phase of the SSIP." Below we discuss the revisions by section.
- Measurement - The measurement, while not substantively changed, was reworded for clarity. We added a section labeled "Instructions for the Indicator/Measurement" to clarify that the State must include in its FFY 2013 SPP/APR due February 1, 2015 the State's baseline data for FFY 2013 and its targets for FFYs 2014 through 2018 for its "State-identified Measurable Result for Infants and Toddlers with



Disabilities.” We also clarified that the State must include updated data for FFY 2014 through FFY 2018 for its “State-identified Measurable Result for Infants and Toddlers with Disabilities” in its respective SPP/APRs for FFYs 2014 through 2018.

#### Overview of the Three Phases of the SSIP

- Stakeholder Involvement - We added a section to clarify that stakeholders must be included throughout the process of developing, implementing, evaluating, and revising the SSIP, and included in establishing the State’s targets under Indicator 11. The SSIP should include information about stakeholder involvement in all three phases.
- Phase I - We labeled this is the “Analysis” phase. Phase I has five components and is due with the FFY 2013 SPP/APR submitted on February 2, 2015.
  - o Data Analysis. This component has not been substantively revised.
  - o Analysis of State Infrastructure to Support Improvement and Build Capacity. The title of this component was revised to clarify that the State must provide an analysis, and not just a list, of the State infrastructure that supports improvement and build capacity.

- o In response to commenters, the proposed “Identification of the Focus of Improvement” was retitled “State-identified Measurable Result for Infants and Toddlers with Disabilities” to clarify that the focus for improvement must be an infant and toddler-level outcome, in contrast to a process outcome.
- o “Selection of Coherent Improvement Strategies” was added to focus States on identifying a few strategies that are sound, logical, aligned, and projected to lead to improvement in the results for infants and toddlers with disabilities.
- o Theory of Action. This component has not been revised in the description of Phase I.
- Phase II – We labelled this as the “Plan” phase and made changes as described below to the section titled “Support for EIS program Implementation of Evidence-Based Practices and the section titled, “Evaluation.”
- Phase III – We labeled this Phase III as the “Implementation and Evaluation” phase. We clarified that a State will provide descriptions of its ongoing evaluation and revisions to the SSIP during this phase.

#### Specific Content of Each Phase of the SSIP

This section provides comprehensive definitions and explanations of all of the terms and concepts used in the Overview section.

#### Phase I

- Data analysis is defined as a description of how the State identified and analyzed key data, including data from SPP/APR indicators, 618 data collections, and other available data as applicable, to: (1) select the State-identified Measureable Result for Infants and Toddlers with Disabilities, and (2) identify root causes contributing to low performance. The description must include information about how the data were disaggregated by multiple variables (e.g., EIS program and/or EIS provider, geographic region, race/ethnicity, socioeconomic status, gender, etc.) As part of its data analysis, the State should also consider compliance data and whether those data present potential barriers to improvement. In addition, if the State identifies any concerns about the quality of the data, the description must include how the State will address these concerns. Finally, if additional data are needed, the description should include the methods and timelines to collect and analyze the additional data.
- Analysis of State Infrastructure to Support Improvement and Build Capacity is defined as a description of how the State analyzed the capacity of its current infrastructure to

support improvement and build capacity in EIS programs and/or EIS providers to implement, scale up, and sustain the use of evidence-based practices to improve results for infants and toddlers with disabilities. State systems that make up its infrastructure include, at a minimum: governance, fiscal, quality standards, professional development, data, technical assistance, and accountability/monitoring. The description must include current strengths of the systems, the extent the systems are coordinated, and areas for improvement of functioning within and across the systems. The State must also identify current State-level improvement plans and other early learning initiatives, such as Race to the Top-Early Learning Challenge and the Home Visiting program, and describe the extent that these new initiatives are aligned, and how they are, or could be, integrated with, the SSIP. Finally, the State should identify representatives (e.g., offices, agencies, positions, individuals, and other stakeholders) that were involved in developing Phase I of the SSIP and that will be involved in developing and implementing Phase II of the SSIP.

- State-identified Measureable Result for Infants and Toddlers with Disabilities is defined a statement of the result(s) the State intends to achieve through the implementation of

the SSIP. The State-identified result(s) may, but need not, be an SPP/APR indicator or a component of an SPP/APR indicator. The State-identified result(s) must be clearly based on the Data and State Infrastructure Analyses and must be a child-level outcome in contrast to a process outcome. The State may select a single result (e.g., increase the rate of growth in infants and toddlers demonstrating positive social-emotional skills) or a cluster of related results (e.g., increase the percentage reported under child outcome B under Indicator 3 of the SPP/APR (knowledge and skills) and increase the percentage trend reported for families under Indicator 4 (helping their child develop and learn)).

- Selection of Coherent Improvement Strategies is defined as a description that demonstrates how the improvement strategies were selected; are sound, logical, and aligned, and will lead to a measurable improvement in State-identified result(s). The improvement strategies should include the strategies, identified through the Data and State Infrastructure Analyses, needed to improve the State infrastructure and to support EIS program and/or EIS provider implementation of evidence-based practices to improve results for infants and toddlers with disabilities. The State must describe how implementation of the

improvement strategies will address identified root causes for low performance and ultimately build EIS program and/or EIS provider capacity to achieve the State-identified Measureable Result for Infants and Toddlers with Disabilities. This description should include an explanation of how the improvement strategies were selected, and why they are sound, logical and aligned, and will lead to a measurable improvement in the State-identified result(s). The improvement strategies should include the strategies, identified through the Data and State Infrastructure Analyses, that are needed to improve the State infrastructure and to support EIS program and/or EIS provider implementation of evidence-based practices to improve the State-identified result(s) for infants and toddlers with disabilities. The State must describe how implementation of the improvement strategies will address identified root causes for low performance and ultimately build EIS program and/or EIS provider capacity to achieve the State-identified Measureable Result(s) for Infants and Toddlers with Disabilities.

- Theory of Action is defined as a graphic illustration that shows the rationale of how implementing the coherent set of improvement strategies selected will increase the State's capacity to lead meaningful change in EIS programs and/or

EIS providers, and achieve improvement in the State-identified result(s) for infants and toddlers with disabilities.

## Phase II

Phase II was revised to provide additional guidance on developing the plan, based on the Phase I analysis, that will be implemented in the State to achieve the State-identified Measurable Result for Infants and Toddlers with disabilities. Phase II includes infrastructure development, support for EIS program and/or EIS provider implementation of evidence-based practices, and evaluation.

- **Infrastructure Development:** The State must specify the improvements that will be made to the State infrastructure to better support EIS programs and/or EIS providers to implement and scale up evidence-based practices to improve the State-identified result(s) for infants and toddlers with disabilities. The State must identify the steps the State will take to further align and leverage current improvement plans and initiatives in the State, including other early learning initiatives such as Race to the Top-Early Learning Challenge and the Home Visiting program, which impacts infants and toddlers with disabilities. This section must also identify who will be in charge of implementing the changes to infrastructure, resources needed, expected

outcomes, and timelines for completing improvement efforts. In addition, the State should specify how it will involve multiple offices within the State lead agency (LA), as well as other State agencies (such as the State educational agency or SEA if different from the LA), in the improvement of its infrastructure.

- Support for EIS program and/or EIS provider Implementation of Evidence-based Practices: Specify how the State will support EIS programs and/or EIS providers in implementing the evidence-based practices that will result in changes in LA, and the EIS program and/or EIS provider practices to achieve the State-identified Measurable Result(s) for Infants and Toddlers with Disabilities. This section must identify steps and specific activities needed to implement the coherent improvement strategies, including communication strategies and stakeholder involvement; how identified barriers will be addressed; who will be in charge of implementing; how the activities will be implemented with fidelity; the resources that will be used to implement them; how the expected outcomes of the improvement strategies will be measured; and timelines for completion. In addition, the State should specify how it will involve multiple offices within the LA (or other State agencies including the SEA) to support EIS programs and/or EIS providers in scaling up and



sustaining the implementation of the evidence-based practices once they have been implemented with fidelity.

- Evaluation: The evaluation must include short-term and long-term objectives to measure implementation of the SSIP and its impact on achieving measureable improvement in the State-identified result(s) for infants and toddlers with disabilities and long-term objectives as those children enter preschool and kindergarten. The evaluation must be aligned to the theory of action and other components of the SSIP, include how stakeholders will be involved, and include the methods that the State will use to collect and analyze data to evaluate implementation and outcomes of the SSIP. The evaluation must specify: (1) how the State will use the information from the evaluation to examine the effectiveness of the implementation of the SSIP and the progress toward achieving intended improvements in the State-identified result(s) for infants and toddlers with disabilities, and to make modifications to the SSIP as necessary; and (2) how the information from the evaluation will be disseminated to stakeholders.

A State may also amend previously-submitted information from Phase I to update it and ensure its accuracy.

Phase III

Phase III was revised for clarity. In Phase III, the State must, consistent with the evaluation described in Phase II, assess and report on its progress in implementing the SSIP. This reporting will include data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term objectives for implementation of the SSIP and its progress in achieving the State-identified Measureable Result for Infants and Toddlers with Disabilities. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision. Also, the State must provide a rationale for any revisions that have been made, or revisions the State plans to make, in the SSIP in response to evaluation data, and describe how stakeholders were included in the decision-making process.

Changes: As described in the Discussion section directly above, Indicator 11 has been revised to address commenters' questions and concerns regarding clarifying the components and phases of the State's development and implementation of the SSIP.

Comment: A few commenters requested that the SSIP not be referred to as an indicator as the structure and content of Indicator 11 is inconsistent with the other SPP/APR indicators.

Discussion: We do not agree that the SSIP should not be included as an indicator because its structure and the content is not the same as the other SPP/APR indicators. By designating the SSIP as

an indicator, OSEP requires each State to identify its baseline data in FFY 2013 and targets for FFY 2014 through FFY 2018 that reflect improvement over the baseline data.

Changes: None.

Comment: A few commenters asked whether a State must require an SSIP of its EIS programs and/or EIS providers.

Discussion: Indicator 11 is a State-wide indicator and there is no requirement that the State lead agency require its EIS programs to develop and implement an SSIP, but the State may choose to do so.

Changes: None.

Comment: Many commenters requested that OSEP provide the criteria by which OSEP will evaluate an SSIP.

Discussion: We are developing the criteria by which OSEP will evaluate an SSIP and will share those criteria with States as a part of the support we provide to States under Results Driven Accountability.

Changes: None.

Comment: Several commenters requested that OSEP provide an SSIP model or template for States to follow.

Discussion: Indicator 11 outlines the specified content the State must include in each of the three phases of the SSIP. Additionally, GRADS 360, the online SPP/APR tool, will provide fields to report on each of the SSIP's required components. OSEP

has collaborated, and will continue to work, with technical assistance providers to provide States with further guidance regarding States' reporting under each phase and step in the process.

Changes: None.

Comment: A few commenters requested that OSEP provide guidance on how to establish targets for Indicator 11.

Discussion: The FFY 2013 SPP/APR, submitted in February 2015, must include FFY 2013 data as the baseline data and measurable and rigorous targets for FFYs 2014 through 2018 for Indicator 11 that are: expressed as percentages; and reflect a measurement that is aligned with the State-identified Measurable Result for Infants and Toddlers with Disabilities, *i.e.*, the desired infant and toddler-level outcome that is clearly based on the State's Data and State Infrastructure analyses.

For example, a State might report that "after conducting its Data and State Infrastructure Analyses, the State has determined that its State-identified Measurable Result for Infants and Toddlers with Disabilities will be how well it improves the acquisition and use of knowledge and skills (including early language/communication) for infants and toddlers with disabilities." For Indicator 11, the State would provide baseline data for FFY 2013 (expressed as a percentage) on the acquisition and use of knowledge and skills (including early

language/communication) as the State's result area for infants and toddlers with disabilities. The State would provide annual targets for each of five years from FFY 2014 through FFY 2018 (expressed as a percentage) and the State's end target for FFY 2018 under this SPP/APR would have to demonstrate improvement over the State's FFY 2013 baseline data.

Changes: We have added guidance to the Part C State Performance Plan (SPP)/Annual Performance Report (APR) Instruction Sheet on establishing measurable and rigorous targets for Indicator 11.

Comment: A few commenters questioned how Indicator 11 would impact a State's determination under IDEA sections 616(d) and 642.

Discussion: Indicator 11 will not impact the Department's determinations made under IDEA sections 616(d) and 642 in 2015 based on the FFY 2013 SPP/APR. The Department will consider the State's Indicator 11 and SSIP data in the data the Department considers for determinations made beginning with 2016 as part of Results-Driven Accountability.

Changes: None.