

Verification Report 12

VR12: Notification to School District of Compliance Rate on State Performance Plan (SPP) Indicator #12 - 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 Birthday

(Based on Referral of Children from Part C Received Between July 1, 2021 and June 30, 2022 , and Status of the IEP Implementation as of August 31, 2022)

The data elements that are displayed in this report are from the Special Education Events template for one chain that begins with Event Type Code EI01 (receipt of initial referral from Part C to evaluate a preschool child for special education eligibility). The following templates (or tables) are also used: Student_Lite (Student Demographics); and School_Enroll (Enrollment). Students with the following records are **included** in this report:

Enrollment Records:

- Enrollment record between July 1, 2021 and June 30, 2022 with reason for beginning enrollment code 4034; **and**
- Building of Enrollment code is a valid code in SEDREF; **and**

Any of the following Special Education Event records are submitted:

EI01 - receipt of initial referral from Part C to evaluate the child for preschool special education eligibility. Date of referral is between July 1, 2021 and June 30, 2022.

EI02 - receipt of written parent consent to evaluate the child (all events after 08/31/22 are ignored)

EI03 - CPSE meeting to determine eligibility (all events after 08/31/22 are ignored)

EI04 - full IEP implementation (all events after 08/31/22 are ignored)

This report includes a listing of students who are **included** in the report, which are those students that meet the above criteria and a listing of students who are **excluded** from the report, which are those students that meet some of the above criteria but not all. Most students with missing or inaccurate data are included in the report and in the calculation of the compliance rate. School districts should use these lists and report to verify the accuracy of data submitted for each student and to provide missing data. The reports with aggregate numbers provide the results the State will use in all Statewide and district level aggregations for compliance determinations, reporting and analysis.

Below is a description of the criteria for including student records in each cell of the seven rows of data in this report.

Data for Indicator #12

	Number of Children
1. Number of children who were served in Part C and referred to Part B for eligibility determination.	The number of children that have an EI01 record with a date from July 1, 2021 to June 30, 2022.
2. Number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthday.	Event Outcome Code = N and EI03 is on or before child's third birthday
3. Number of those found eligible who had an IEP developed and implemented by their third birthday.	Event Outcome Code = Y and EI04 date is on or before child's third birthdate.
4. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are in compliance with State requirements.	<p>Event Outcome Code is U and child's third birthday is after August 31, 2022 (reason code is not a factor). or Event Outcome Code is Y and child's third birthday is after August 31, 2022 and Event 4 is missing (reason code is not a factor). or Reason Code = EIR01 or EIR02 or EIR03 or EIR04 or EIR06 or EIR07 or EIR08 or EIR11 or EIR13 or EIR14 or EIR16 or EIR17 or EIR19</p> <p>AND one of the following:</p> <p>[Event Outcome Code is N and EI03 is after child's third birthday.] or [Event Outcome Code is U and child's third birthday is on or before August 31, 2022.] or [Event Outcome Code is U and EI03 is after child's third birthday.] or [Event Outcome Code is Y and EI04 is after child's third birthday.] or [Event Outcome Code is Y and EI04 is missing and child's third birthday is on or before August 31, 2022.]</p>
5. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are NOT in compliance with State requirements.	<p>Reason Code = EIR05 or EIR09 or EIR10 or EIR12 or EIR15 or EIR18</p> <p>AND one of the following</p> <p>[Event Outcome Code is N and EI03 is after child's third birthday.] or [Event Outcome Code is U and child's third birthday is on</p>

	<p>or before August 31, 2022.]</p> <p>or</p> <p>[Event Outcome Code is U and EI03 is after child's third birthday.]</p> <p>or</p> <p>[Event Outcome Code is Y and EI04 is after child's third birthday.]</p> <p>or</p> <p>[Event Outcome Code is Y and EI04 is missing and child's third birthday is on or before August 31, 2022.]</p>
6. Number of children for whom there are missing data or inaccurate data	One or more of the required data elements are missing or are inaccurate.
7. Compliance Rate [Line 3 divided by (Line 1 minus Line 2 minus Line 4) *100]	

Reasons Provided by the School District* or Students Whose Data are Missing or Inaccurate**

Reasons in Compliance with State Requirements (for children included in Row 4 of the above table)*	Number of Children
EIR01 or EIR02 or EIR03 or EIR04 or EIR06 or EIR07 or EIR08 or EIR11 or EIR13 or EIR14 or EIR16 or EIR17 or EIR19 or child's third birthday is after August 31, 2022	Number of children with each Reason Code that is in compliance with State requirements.
Reasons NOT in Compliance with State Requirements (for children included in Row 5 of the above table)*	
EIR05 or EIR09 or EIR10 or EIR12 or EIR15 or EIR18	Number of children with each Reason Code that is not in compliance with State requirements.
Students for Whom There are Missing Data or Inaccurate Data (for children included in Row 6 of the above table)**	
Descriptions of Missing Data or Inaccurate Data	Number of children with Missing Data or Inaccurate Data for each description.

*Only the reasons provided by the school district will be included in this table.

**It is possible for a school district to improve its compliance rate by providing missing data or making corrections to inaccurate data.

VR-12: Notification to School District of Compliance Rate on State Performance Plan (SPP) Indicator #12 - 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 Birthday.

Name: XXXXXXXXXXXX

SED Code: XXXXXXXXXXXXX

Date of Notification: Month, Day, Year when data are certified

Your district was assigned to report data for the 2021-22 school year on State Performance Plan (SPP) Indicator #12, which is the percent of children referred by Part C (Early Intervention (EI)) prior to age 3, who are found eligible for Part B (preschool special education services), and who have an IEP developed and implemented by their third birthdays or in compliance with timelines established in State law. You have submitted data for this indicator through the Special Education Events template in the chain that begins with an Event Type Code EI01 (initial referral from Early Intervention to the CPSE).

Your district's report indicates that xx.x percent of children referred by the Part C, Early Intervention Program prior to age 3, who were found to be eligible for Part B, preschool special education programs and services had their IEPs developed and implemented prior to their third birthday or in compliance with timelines established in State law. Data used to compute your compliance rate are provided below. The State target for this indicator is that 100% of children referred by Part C prior to age 3, who are found eligible for Part B will have their IEPs developed and implemented by their third birthdays or in compliance with timelines established in State law.

School districts are required to correct any noncompliance as soon as possible. The reasons reported by your district for delays in implementing IEPs on time may assist you in addressing issues leading to noncompliance.

Your district must take the actions identified in the section indicated by an X:

None. Your school district has a 100% compliance rate for this indicator or your school district did not have any students referred from EI or your school district did not have any eligible children that required their IEPs to be implemented by their third birthdays or all reasons for delay in implementing the IEP by the student's third birthday were in compliance with State requirements. Thank you for your efforts in ensuring timely implementation of IEPs of children referred by Part C for preschool special education programs and services.

Your school district's compliance rate is less than 100 percent. This is notification that your school district is not in compliance with the following regulatory citation:

34 CFR §300.124 - Transition of children from the Part C program to preschool programs. By the third birthday of a child participating in early intervention programs, an individualized education program (IEP) has been developed and is being implemented for the child.

Your district must take the following actions:

- Conduct a review of each identified student who did not receive their preschool special education services by his/her third birthday or within the timeline required by State regulations; and document that the student has since had his or her IEP developed and implemented or if not, there is a reason that is in compliance with State requirements. You must complete the student specific chart found at the end of the VR12 report for each identified student, if any, and maintain this documentation, and make it available upon request by the New York State Education Department (NYSED).

AND

- Conduct a review over a three consecutive month period to determine if all children who transition from Part C program to preschool special education have had their eligibility for preschool special education determined and if found eligible, had their IEPs developed and implemented by their third birthdays (except when the parent has agreed to keep their child in the EI program in accordance with State regulations). You must complete the student specific chart found at the end of the VR12 report and maintain this documentation, which must be made available for review upon request by NYSED. This will assure that the district has addressed the reasons why children transitioning from EI to preschool special education were not receiving timely special education services.

When the required documentation is complete and available for review by NYSED, you are ready to report the correction of noncompliance. You report this correction of noncompliance by submitting up to TWO online assurances.

1. In the first assurance (**Part 1**), the district will assure that for each identified student, if any, who did not receive their preschool special education services by their third birthday or within the timeline required by State regulations, and for whom data was not already available in SIRS, the student has since had his or her IEP developed and implemented or if not, there is a reason that is in compliance with State requirements.
2. In the second assurance (**Part 2**), the district will assure that it has addressed the reasons why the children did not have their eligibility for preschool special education determined and, if found eligible, have their IEPs developed and implemented by the third birthday or within the timeline required by State regulations.

These assurances are to be provided by logging onto the PD data system at <http://pd.nysed.gov>. The Statements of Assurances will be available for your use under the 2021-22 school year heading, under "End-of-Year Verification Reports," at the bottom of the VR12 Notification.

Data for Indicator #12

	Number of Children
1. Number of children who were served in Part C and referred to Part B for eligibility determination.	
2. Number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthday.	
3. Number of those found eligible who had an IEP developed and implemented by their third birthday.	
4. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are in compliance with State requirements.	
a) Of students listed in 4, Number of Children for whom IEP developed and parents chose to continue their child in Early Intervention Program (EIP) and transition to preschool special education after the child became three years of age	
b) Of students listed in 4, Number of Children for whom the Board of Education of school district arranged for the full implementation of the child's IEP, within 30 school days of the CPSE recommendation, however the program's starting date and/or days of operation were after the child's 3rd birthday	
c) Of students listed in 4, Number of Children not included in 4a or 4b (Line 4 minus line 4a minus Line 4b)	
5. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are NOT in compliance with State requirements.	
6. Number of children for whom there are missing data or inaccurate data.	
7. Compliance Rate [(Line 3 plus Line 4a plus Line 4b) divided by (Line 1 minus Line 2 minus Line 4c) *100]	

Please contact your Special Education Quality Assurance Office (SEQA) (<http://www.p12.nysed.gov/specialed/quality>) for assistance in addressing any issues of noncompliance.

District Assurance of Correction of Noncompliance

Indicator #12 - 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 Birthday

Part 1: Documentation of Correction of Noncompliance for Individual Students:

The child’s third birthday was before August 31, 2022, but the date the IEP was implemented was not available in the Special Education Events data submitted through the Student Information Repository System (SIRS) for students listed in the chart below. The reason for the delay in implementing the IEP for each student was determined to not be in compliance with State requirements. The district is required to complete the following chart with data in all columns to indicate that these students’ IEPs have since been implemented and if not, there are reasons that are in compliance with State requirements. This information is subject to verification by the New York State Education Department (NYSED). The district is required to maintain these data and make them available upon request by NYSED. Once this chart is completed, please read and submit **Part 1** of the assurance to NYSED.

Student’s Local ID	Student’s Date of Birth	Date of Referral to CPSE	The State will provide data for these columns if available.				Date IEP was Implemented. If not implemented, the reasons why.
			Date of Receipt of Parent Consent to Evaluate	Date of CPSE Meeting to Determine Eligibility	If determination was not made, the reasons why	If student determined eligible, the reasons why IEP not Implemented	
760474645	mm-dd-yyyy	mm-dd-yyyy					
897467934	mm-dd-yyyy	mm-dd-yyyy					
790264600	mm-dd-yyyy	mm-dd-yyyy					
743764973	mm-dd-yyyy	mm-dd-yyyy					

Part 2: Documentation of Correction of Noncompliance for All Students: A school district with a compliance rate that is less than 100% is required to maintain documentation in the chart below for a three consecutive month period of time and record that period in the first row. The data chart must document that all students' who were referred from Part C (Early Intervention) to Part B (preschool special education) for determination of eligibility had their eligibility determined and if found eligible, had their IEPs implemented by their third birthdays and if not, the delays were caused by reasons that are in compliance with State requirements. The consecutive three month time period must be within one year from the date of notification and between the months of September and June. Also, school districts must include data for **all** children (not a sample) who are referred from Part C within the three month period. The district is required to maintain these data and make them available upon request by NYSED. Once the chart is complete, please read and submit the assurance for Part 2 below the chart to NYSED.

This district's compliance rate for Indicator 12 was less than 100% and is maintaining data in this chart to document correction of noncompliance. The children listed in this chart were referred from Part C (Early Intervention) prior to their 3rd birthday for determination of eligibility for Part B (preschool special education) and if found eligible, had their IEP developed and implementation of their 3rd birthday and if not, there are reasons that are in compliance with State requirements.

The three-month time period is: --/--/---- to --/--/----

Student's Local ID	Student's Date of Birth	Date of Referral to CPSE	Date of Receipt of Parent Consent to Evaluate	Date of CPSE Meeting to Determine Eligibility	Outcome of Evaluation (indicate "student determined eligible" or "student determined not eligible") or if determination was not made, the reasons why.	Date IEP was Implemented. If not implemented, the reasons why.

Blank copies of this form may also be printed from http://www.p12.nysed.gov/sedcar/files/word/vr12_part2assurance_blank.doc of correction of noncompliance for Indicator 12.