MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Dr. David Cox
Superintendent
Allegany County Public Schools
P.O. Box 1724
Cumberland, MD 21502

Dear Dr. Cox:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Allegany County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Allegany County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Allegany County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Debra Metheny
Katherine Brown
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Allegany County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	98.46%	Met	Target met, no further action required.	95.80%	95.24%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	75.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	73.10%	66.70%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	66.67%	Met	Target met, no further action required.	56.90%	57.14%
		2. Exits within age expectations	59.14%	37.70%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	52.17%	58.11%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	69.09%	Met	Target met, no further action required.	63.79%	62.71%
		2. Exits within age expectations	54.03%	40.98%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	54.41%	55.41%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	71.67%	Met	Target met, no further action required.	60.66%	61.54%
		2. Exits within age expectations	49.52%	36.07%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	47.83%	52.70%
4A	Families who report EIS helped them know their rights		85.00%	100%	Met	Target met, no further action required.	95.5%	98.60%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	20 U.S.C. 1416a(3)(A) and 1442						
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	100%	Met	Target met, no further action required.	100%	97.10%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	98.73%	Met	Target met, no further action required.	100%	97.10%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	2.27%	Met	Target met, no further action required.	2.56%	2.89%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.27%	Met	Target met, no further action required.	3.53%	4.04%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	98.77%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction	94.29%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.09				within one year of the previous noncompliance identified in 15-16 noncompliance.		
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of hearings fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

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PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. George Arlotto
Superintendent
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, MD 21401

Congratulations!

Dear Dr. Arlotto:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Anne Arundel County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Anne Arundel County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Anne Arundel County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Bobbi Pedrick
Wes Campbell
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Anne Arundel County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	95.90%	Met	Target met, no further action required.	94.60%	94.92%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	99.24%	Met	Target met, no further action required.	98.80%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	77.24%	Met	Target met, no further action required.	80.95%	79.73%
		2. Exits within age expectations	59.14%	68.65%	Met	Target met, no further action required.	64.56%	61.40%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	87.33%	Met	Target met, no further action required.	84.68%	88.01%
		2. Exits within age expectations	54.03%	65.61%	Met	Target met, no further action required.	62.54%	64.53%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	88.71%	Met	Target met, no further action required.	88.87%	88.31%
		2. Exits within age expectations	49.52%	56.75%	Met	Target met, no further action required.	51.76%	56.33%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	96.79%	Met	Target met, no further action required.	97.5%	95.30%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	97.19%	Met	Target met, no further action required.	96.9%	95.00%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	97.53%	Met	Target met, no further action required.	97.9%	95.40%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.53%	1.44%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved	1.60%	1.38%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					child results.		
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	4.53%	Met	Target met, no further action required.	4.25%	4.21%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	99.81%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	98.76%	99.15%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	98.97%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.71%	99.27%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	days prior to the third birthday COMAR 13A.13.01.09						
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.60%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the pervious noncompliance identified in FFY 15-16 within one year of the written finding.	97.27%	97.87%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

March 6, 2018

Dr. Gregory Wm. Branch
Health Officer and Director
Dept. of Health & Human Services Baltimore County
6401 York Road, 3rd Floor
Baltimore, Maryland 21212

Dear Dr. Branch:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Baltimore County Infants and Toddlers Program has achieved the determination status of "**Needs Assistance – Year 1.**"*

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

*Note: "**Needs Assistance – Year 2**" in FFY 2017 determinations will place the Baltimore County Infants and Toddlers Program in the DSE/EIS "**Targeted**" tier of general supervision and performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive).

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Baltimore County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Baltimore County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc

c: Karen B. Salmon
Carol A. Williamson
Verletta White
Rebecca Rider
Paula Boykin
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Baltimore County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	99.46%	Met	Target met, no further action required.	99.30%	99.45%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	99.47%	Met	Target met, no further action required.	99.50%	97.90%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	59.28%	Met	Target met, no further action required.	56.61%	58.05%
		2. Exits within age expectations	59.14%	49.30%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	50.94%	59.57%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	65.01%	Met	Target met, no further action required.	63.99%	66.28%
		2. Exits within age expectations	54.03%	47.67%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	49.06%	58.30%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	64.33%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	63.64%	63.96%
		2. Exits within age expectations	50.02%	47.21%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence	47.50%	56.40%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					based practices to demonstrate improved child results.		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	98.02%	Met	Target met, no further action required.	99.00%	96.40%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	98.28%	Met	Target met, no further action required.	99.10%	96.00%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	97.68%	Met	Target met, no further action required.	99.40%	96.30%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.43%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.63%	1.51%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.74%	Met	Target met, no further action required.	3.62%	3.67%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	92.27%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	96.74%	97.33%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	95.79%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved	95.94%	98.08%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.81%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.81%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.60%	98.94%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearings fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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Congratulations!

March 6, 2018

Dr. Leana Wen
Health Commissioner
Baltimore City
1001 E. Fayette Street
Baltimore, MD 21202

Dear Dr. Wen:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Baltimore City Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Baltimore City Infants and Toddlers Program has been assigned the **"Universal"** tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Baltimore City Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MF/BMM/cc

Attachments

c: Karen B. Salmon
Carol A. Williamson
Sonja Santelises
Deborah Brooks
Gloria Valentine
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Baltimore City Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	96.81%	Met	Target met, no further action required.	97.10%	98.14%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	94.89%	Met	Target met, no further action required.	99.10%	99.00%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	50.93%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	58.37%	59.89%
		2. Exits within age expectations	59.14%	71.52%	Met	Target met, no further action required.	58.64%	67.12%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	52.58%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	47.01%	53.59%
		2. Exits within age expectations	54.03%	53.53%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	42.86%	44.07%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	54.34%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	48.96%	62.07%
		2. Exits within age expectations	49.52%	56.10%	Met	Target met, no further action required.	40.07%	49.49%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	95.71%	Met	Target met, no further action required.	95.60%	95.50%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	96.39%	Met	Target met, no further action required.	97.40%	96.10%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	97.44%	Met	Target met, no further action required.	98.20%	96.00%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.35%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.38%	1.12%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.06%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	2.76%	2.72%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	92.13%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	94.25%	94.35%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	97.06%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved	83.63%	96.07%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.67%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.68%	98.69%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
11	Number of complaints filed	N/A	1	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	100%	Met	Target met, no further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	None	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	2 Findings	N/A	The LITP has until September 2018 to demonstrate correction of the 2 findings of noncompliance issued as a result of the sub-recipient monitoring conducted in September 2017.	N/A	N/A

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

March 6, 2018

Dr. Daniel D. Curry
Superintendent
Calvert County Public Schools
1305 Dares Beach Road
Prince Frederick, Maryland 20678

Congratulations!

Dear Dr. Curry:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Calvert County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements**."

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached Part C Child Outcomes Baselines and Targets for Local Determinations document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Calvert County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Calvert County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Christina Harris
Sheila Myers
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Calvert County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	96.27%	Met	Target met, no further action required.	100%	98.53%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	84.85%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	89.30%	89.30%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	48.61%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	47.54%	63.27%
		2. Exits within age expectations	59.14%	61.16%	Met	Target met, no further action required.	69.63%	73.39%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	56.58%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	45.33%	67.24%
		2. Exits within age expectations	54.03%	63.64%	Met	Target met, no further action required.	63.70%	67.89%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	57.55%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and	59.13%	69.77%

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
						verified within one year.		
		2. Exits within age expectations	49.52%	46.28%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	53.33%	57.80%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	97.89%	Met	Target met, no further action required.	97.50%	95.20%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	98.95%	Met	Target met, no further action required.	97.40%	95.10%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	98.87%	Met	Target met, no further action required.	96.20%	97.20%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.53%	2.89%	Met	Target met, no further action required.	2.08%	2.65%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04		3.15%	4.71%	Met	Target met, no further action required.	4.71%	4.66%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07		100%	100%	Met	Target met, no further action required.	99.27%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07		100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09		100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was		100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09						
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	97.78%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	1	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	100%	Met	Target met, no further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. Patricia W. Saelens
Interim Superintendent
Caroline County Public schools
204 Franklin Street
Denton, MD 21629

Congratulations!

Dear Dr. Saelens:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Caroline County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements**."

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Caroline County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Caroline County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments

c: Karen B. Salmon
Carol A. Williamson
Elizabeth Anthony
Robin Fox
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Caroline County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	93.33%	Met	Target met, no further action required.	88.24%	93.75%
		2. Exits within age expectations	59.14%	85.00%	Met	Target met, no further action required.	78.26%	90.32%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	88.24%	Met	Target met, no further action required.	80.95%	86.96%
		2. Exits within age expectations	54.03%	80.00%	Met	Target met, no further action required.	39.13%	80.65%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	88.89%	Met	Target met, no further action required.	91.30%	90.32%
		2. Exits within age expectations	49.52%	75.00%	Met	Target met, no further action required.	30.43%	64.52%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	100%	Met	Target met, no further action required.	96.20%	88.00%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	100%	Met	Target met, no further action required.	96.30%	88.50%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		100%	100%	Met	Target met, no further action required.	96.30%	88.00%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.52%	4.56%	Met	Target met, no further action required.	3.66%	3.16%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04		3.10%	2.73%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence	2.87%%	3.26%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					based practices to demonstrate improved child results.		
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings file	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

March 6, 2018

Mr. Stephen H. Guthrie
Superintendent
Carroll County Public Schools
125 North Court Street
Westminster, MD 21157

Congratulations!

Dear Mr. Guthrie: Steve

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Carroll County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements**."

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
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To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Carroll County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Carroll County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments

c: Karen B. Salmon
Carol A. Williamson
Nicholas Shockney
Inez Marvel
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Carroll County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	96.12%	Met	Target met, no further action required.	97.20%	98.94%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	97.50%	Met	Target met, no further action required.	100%	97.70%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	57.14%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	57.55%	62.26%
		2. Exits within age expectations	59.14%	54.79%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	64.42%	63.80%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	60.26%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	54.78%	64.49%
		2. Exits within age expectations	54.03%	54.79%	Met	Target met, no further action required.	60.98%	65.43%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	64.37%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	61.90%	63.77%
		2. Exits within age expectations	49.52%	47.34%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence	54.88%	53.09%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					based practices to demonstrate improved child results.		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	96.05%	Met	Target met, no further action required.	98.70%	94.40%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	97.26%	Met	Target met, no further action required.	97.40%	95.50%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	97.22%	Met	Target met, no further action required.	97.40%	91.30%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	2.58%	Met	Target met, no further action required.	2.96%	2.98%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	4.06%	Met	Target met, no further action required.	4.48%	3.85%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	99.60%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	99.49%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.52%	99.10%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	98.11%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					verified within one year.		
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	97.17%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. D'Ette W. Devine
Superintendent
Cecil County Public Schools
201 Booth Street
Elkton, MD 21921

Dear Dr. Devine:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Cecil County Infants and Toddlers Program has achieved the determination status of "**Needs Assistance – Year 1.**"*

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

*Note: "**Needs Assistance – Year 2**" in FFY 2017 determinations will place the Cecil County Infants and Toddlers Program in the DSE/EIS "**Targeted**" tier of general supervision and performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive).

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Cecil County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results. However, DSE/EIS will provide a "**Focused**" tier of performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive) to strengthen the implementation of the State Systemic Improvement Plan (SSIP) in the Cecil County Infants and Toddlers Program.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Cecil County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Jennifer Ayers
Sarah J. Farr
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Cecil County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	98.92%	Met	Target met, no further action required.	98.40%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	35.94%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	23.21%	72.50%
		2. Exits within age expectations	59.14%	40.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	60.34%	84.54%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	34.78%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	29.85%	70.45%
		2. Exits within age expectations	54.03%	35.29%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	56.03%	81.44%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	51.32%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	46.43%	78.08%
		2. Exits within age	49.52%	34.12%	Not Met	Target not met. Submit an Improvement	48.28%	71.13%

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
		expectations				Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	97.01%	Met	Target met, no further action required.	98.60%	98.90%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	98.48%	Met	Target met, no further action required.	97.20%	98.90%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	98.51%	Met	Target met, no further action required.	98.60%	98.80%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.53%	0.79%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	0.75%	0.86%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04		3.15%	2.74%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	3.77%	3.38%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07		100%	98.45%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	98.91%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the		100%	100%	Met	Target met, no further action required	100%	98.04%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	date of referral COMAR 13A.13.01.07						
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	98.70%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. Kimberly Hill
Superintendent
Charles County Public Schools
P. O. Box 2770
LaPlata, MD 20646

Congratulations!

Dear Dr. Hill:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Charles County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements**."

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Charles County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Charles County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments

c: Karen B. Salmon
Carol A. Williamson
Arden Sotomayor
Daphine Burns
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Charles County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	99.42%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	62.35%	Met	Target met, no further action required.	62.07%	57.69%
		2. Exits within age expectations	59.14%	49.06%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	56.00%	56.67%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	70.93%	Met	Target met, no further action required.	59.00%	62.07%
		2. Exits within age expectations	54.03%	49.06%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	42.86%	56.00%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	74.00%	Met	Target met, no further action required.	68.10%	60.45%
		2. Exits within age expectations	49.52%	45.28%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the	38.89%	50.00%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					noncompliance must be demonstrated and verified within one year.		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	98.21%	Met	Target met, no further action required.	90.60%	94.90%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	98.15%	Met	Target met, no further action required.	96.80%	91.90%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	98.15%	Met	Target met, no further action required.	100%	94.90%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.64%	Met	Target met, no further action required.	1.01%	0.82%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	2.99%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	2.84%	3.03%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.07%	99.18%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09						
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. Dianna L. Mitchell
Superintendent
Dorchester County Board of Education
700 Glasgow Street
Cambridge, MD 21613

Congratulations!

Dear Dr. Mitchell:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Dorchester County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Dorchester County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Dorchester County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Angela McPeake Gebert
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Dorchester County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	31.25%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	71.88%	100%
		2. Exits within age expectations	59.14%	40.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	70.45%	100%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	40.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	69.70%	100%
		2. Exits within age expectations	54.03%	35.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	68.18%	100%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	55.56%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	75.00%	100%

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
		2. Exits within age expectations	49.52%	35.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	61.36%	100%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	96.08%	Met	Target met, no further action required.	94.70%	97.20%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	98.04%	Met	Target met, no further action required.	100%	97.30%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	100%	Met	Target met, no further action required.	100%	97.10%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.53%	1.90%	Met	Target met, no further action required.	3.50%	1.52%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04		3.15%	3.42%	Met	Target met, no further action required.	2.79%	2.75%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07		100%	97.83%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07		100%	100%	Met	Target met, no further action required.	100%	89.36%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday		100%	100%	Met	Target met, no further action required.	100%	91.67%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.09						
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	94.12%	83.33%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

March 6, 2018

Dr. Barbara Brookmyer
Health Officer
Frederick County
350 Montevue Lane
Frederick, MD 21702

Congratulations!

Dear Dr. Brookmyer:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Frederick County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Frederick County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results. However, DSE/EIS will provide a "**Focused**" tier of performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive) to strengthen the implementation of the State Systemic Improvement Plan (SSIP) in the Frederick County Infants and Toddlers Program.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Frederick County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Theresa Alban
Michelle Concepcion
Carol Breeze
Lisa Jarboe

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Frederick County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

art C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	98.60%	99.62%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	45.19%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	57.41%	56.38%
		2. Exits within age expectations	59.14%	53.24%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	66.50%	72.95%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	48.63%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	61.36%	65.32%
		2. Exits within age expectations	54.03%	52.78%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	61.84%	68.60%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	54.34%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	62.57%	70.12%
		2. Exits within age	49.52%	40.74%	Not Met	Target not met. Submit an Improvement	50.97%	60.39%

art C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	expectations				Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	97.21%	Met	Target met, no further action required.	100%	97.80%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	98.85%	Met	Target met, no further action required.	98.90%	95.50%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	97.11%	Met	Target met, no further action required.	98.40%	94.00%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.26%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.55%	1.79%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.40%	Met	Target met, no further action required.	3.39%	3.06%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	99.40%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.40%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90	100%	100%	Met	Target met, no further action required.	100%	100%

art C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	days prior to the third birthday COMAR 13A.13.01.09						
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.26%	96.95%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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Congratulations!

March 6, 2018

Mrs. Barbara L. Baker
Superintendent
Garrett County Board of Education
40 South Second Street
Oakland, MD 21550

Dear Mrs. Baker:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Garrett County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Garrett County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Garrett County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Heather Raybold
Deneice Crites
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Garrett County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	80.00%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	78.57%	Met	Target met, no further action required	76.92%	84.62%
		2. Exits within age expectations	59.14%	72.00%	Met	Target met, no further action required.	86.96%	85.00%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	77.78%	Met	Target met, no further action required.	86.67%	81.82%
		2. Exits within age expectations	54.03%	72.00%	Met	Target met, no further action required.	82.61%	85.00%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	63.16%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	81.25%	81.82%
		2. Exits within age expectations	49.52%	64.00%	Met	Target met, no further action required.	73.91%	85.00%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	95.08%	Met	Target met, no further action required.	100%	92.70%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	96.88%	Met	Target met, no further action required.	100%	92.70%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	96.88%	Met	Target met, no further action required.	100%	95.10%
5	Children birth to one served as a percentage of the population birth to one		1.53%	1.79%	Met	Target met, no further action required.	1.02%	2.46%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.02.04						
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	2.72%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	2.60%	3.97%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	80.00%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	80.00%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

March 6, 2018

Mrs. Barbara P. Canavan
Superintendent
Harford County Public Schools
102 South Hickory Avenue
Bel Air, MD 21014

Dear Mrs. Canavan:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Harford County Infants and Toddlers Program has achieved the determination status of "**Needs Assistance – Year 1.**"*

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

*Note: "**Needs Assistance – Year 2**" in FFY 2017 determinations will place the Harford County Infants and Toddlers Program in the DSE/EIS "**Targeted**" tier of general supervision and performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive).

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Harford County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Harford County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Susan Austin
Nicol Elliott
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Harford County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	48.78%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	54.67%	64.33%
		2. Exits within age expectations	59.14%	51.86%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	48.78%	56.65%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	58.85%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	63.56%	71.19%
		2. Exits within age expectations	54.03%	50.31%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	49.83%	58.51%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	55.27%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	61.18	67.17%
		2. Exits within age	49.52%	49.69%	Met	Target met, no further action required.	48.08%	55.85%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	expectations						
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	95.08%	Met	Target met, no further action required.	97.70%	95.40%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	96.77%	Met	Target met, no further action required.	95.50%	95.80%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	96.70%	Met	Target met, no further action required.	97.20%	95.30%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.61%	Met	Target met, no further action required.	1.54%	1.27%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.74%	Met	Target met, no further action required.	3.45%	3.80%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	91.20%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding	96.51%	95.00%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	90.16%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	96.90%	96.86%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.40%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.. Correction of the noncompliance must be demonstrated and verified within one year.	100%	99.40%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.40%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	98.88%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
12	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Dr. Michael J. Martirano
Superintendent
Howard County Public Schools
10910 Route 108
Ellicott City, MD 21042

Dear Dr. Martirano:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Howard County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Howard County Infants and Toddlers Program has been assigned the **"Universal"** tier for the delivery of the DSE/EIS technical assistance model for results. However, DSE/EIS will provide a "**Focused**" tier of performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive) to strengthen the implementation of the State Systemic Improvement Plan (SSIP) in the Howard County Infants and Toddlers Program.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Howard County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments

c: Karen B. Salmon
Carol A. Williamson
Terri Savage
Jennifer Harwood
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Howard County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	99.40%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	95.65%	Met	Target met, no further action required.	100%	96.40%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	61.02%	Met	Target met, no further action required.	61.80%	62.23%
		2. Exits within age expectations	59.14%	54.71%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	56.30%	57.95%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	66.67%	Met	Target met, no further action required	65.45%	68.48%
		2. Exits within age expectations	54.03%	55.93%	Met	Target met, no further action required.	52.36%	66.78%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	72.26%	Met	Target met, no further action required	69.83%	68.38%
		2. Exits within age expectations	49.52%	48.63%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	45.67%	47.70%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	96.92%	Met	Target met, no further action required.	98.90%	93.90%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	97.48%	Met	Target met, no further action required.	98.20%	94.20%
4C	Families who report EIS helped them help their		90.00%	97.56%	Met	Target met, no further action required.	98.80%	95.30%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	children develop and learn 20 U.S.C. 1416a(3)(A) and 1442						
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.25%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.29%	1.01%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.54%	Met	Target met, no further action required.	3.26%	3.24%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	99.77%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.78%	99.40%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	99.58%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.34%	99.78%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09						
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	98.95%	99.49%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. Karen M. Couch
Superintendent
Kent County Public Schools
5608 Boundary Avenue
Rock Hall, MD 21661

Dear Dr. Couch: Karen

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Kent County Infants and Toddlers Program has achieved the determination status of "**Needs Assistance – Year 1.**"*

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

*Note: "**Needs Assistance – Year 2**" in FFY 2017 determinations will place the Kent County Infants and Toddlers Program in the DSE/EIS "**Targeted**" tier of general supervision and performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive).

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Kent County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Kent County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Wendy Keen
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Kent County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	85.71%	Met	Target met, no further action required.	< 5 children	< 5 children
		2. Exits within age expectations	59.14%	44.44%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	< 5 children	< 5 children
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	100%	Met	Target met, no further action required.	< 5 children	< 5 children
		2. Exits within age expectations	54.03%	66.67%	Met	Target met, no further action required.	100%	< 5 children
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	71.43%	Met	Target met, no further action required.	100%	< 5 children
		2. Exits within age expectations	49.52%	66.67%	Met	Target met, no further action required.	100%	< 5 children
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	100%	Met	Target met, no further action required.	88.50%	100%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	95.24%	Met	Target met, no further action required.	88.80%	100%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	100%	Met	Target met, no further action required.	88.50%	100%
5	Children birth to one served as a percentage of		1.53%	0.63%	Not Met	Target not met. Submit an Improvement	2.78%	0.56%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	the population birth to one COMAR 13A.13.02.04				Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.		
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	4.69%	Met	Target met, no further action required.	4.50%	1.46%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	82.61%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	71.43%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	71.43%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
11	Number of complaints Filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Ms. Uma S. Ahluwalia, Director
Montgomery County Department of Health
and Human Services
401 Hungerford Drive, 5th Floor
Rockville, MD 20850

Dear Ms. Ahluwalia:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Montgomery County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Montgomery County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results. However, DSE/EIS will provide a "**Focused**" tier of performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive) to strengthen the implementation of the State Systemic Improvement Plan (SSIP) in the Montgomery County Infants and Toddlers Program.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Montgomery County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Jack Smith
Phillip Lynch
Mary Manning-Falzarano

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Montgomery County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	95.48%	Met	Target met, no further action required.	94.90%	94.43%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	97.90%	99.20%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	50.19%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	45.01%	58.32%
		2. Exits within age expectations	59.14%	61.11%	Met	Target met, no further action required.	61.27%	70.14%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	64.92%	Met	Target met, no further action required.	58.31%	70.93%
		2. Exits within age expectations	54.03%	58.23%	Met	Target met, no further action required.	57.14%	65.88%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	67.37%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	64.67%	74.24%
		2. Exits within age expectations	49.52%	53.90%	Met	Target met, no further action required.	51.36%	60.87%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	97.44%	Met	Target met, no further action required.	98.30%	94.90%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	97.71%	Met	Target met, no further action required.	96.90%	93.30%
4C	Families who report EIS helped them help their		90.00%	98.03%	Met	Target met, no further action required.	98.30%	93.90%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	children develop and learn 20 U.S.C. 1416a(3)(A) and 1442						
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.99%	Met	Target met, no further action required.	1.79%	1.88%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	4.25%	Met	Target met, no further action required.	4.18%	4.23%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	99.09%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.84%	99.11%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	99.57%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.95%	99.90%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.09						
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	99.88%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	99.31%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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March 6, 2018

Dr. Kevin M. Maxwell
Chief Executive Officer
Prince George's County Public Schools
14201 School Lane
Upper Marlboro, Maryland 20772

Congratulations!

Dear Dr. Maxwell: Kevin

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Prince George's County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Prince George's County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Prince George's County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Trinell Bowman
Alyson Felder
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Prince George's County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	98.84%	Met	Target met, no further action required.	97.70%	98.19%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	98.85%	Met	Target met, no further action required.	98.40%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	52.09%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	64.09%	72.71%
		2. Exits within age expectations	59.14%	46.79%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	48.03%	61.41%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	51.43%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	58.90%	68.12%
		2. Exits within age expectations	54.03%	40.84%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	41.80%	57.00%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	68.37%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	78.50%	84.92%
		2. Exits within age	49.52%	40.72%	Not Met	Target not met. Submit an Improvement	41.37%	53.61%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	expectations				Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	99.25%	Met	Target met, no further action required.	98.20%	96.30%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	97.48%	Met	Target met, no further action required.	96.00%	96.00%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	98.10%	Met	Target met, no further action required.	98.00%	95.70%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.35%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.43%	1.20%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.33%	Met	Target met, no further action required.	3.02%	2.92%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	97.97%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	99.31%	99.64%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral	100%	99.93%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.07				based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearings fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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Congratulations!

March 6, 2018

Dr. Andrea Kane
Superintendent
Queen Anne's County Board of Education
202 Chesterfield Avenue
Centreville, Maryland 21617

Dear Dr. Kane:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Queen Anne's County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Queen Anne's County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Queen Anne's County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Joleen McShane
Dawn Fraser

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Queen Anne's County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	67.50%	Met	Target met, no further action required.	52.94%	30.00%
		2. Exits within age expectations	59.14%	65.45%	Met	Target met, no further action required.	75.56%	82.50%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	74.36%	Met	Target met, no further action required.	75.00%	53.85%
		2. Exits within age expectations	54.03%	70.91%	Met	Target met, no further action required.	84.44%	85.00%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	76.47%	Met	Target met, no further action required.	76.47%	50.00%
		2. Exits within age expectations	49.52%	47.27%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	66.67%	62.50%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	100%	Met	Target met, no further action required.	100%	96.00%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	100%	Met	Target met, no further action required.	100%	96.00%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	100%	Met	Target met, no further action required.	100%	95.70%
5	Children birth to one served as a percentage of		1.53%	1.98%	Met	Target met, no further action required.	2.68%	2.64%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	the population birth to one COMAR 13A.13.02.04						
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	4.06%	Met	Target met, no further action required.	4.36%	3.46%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	95.59%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed Number of due process hearing fully adjudicated	N/A	None	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	N/A	N/A	No further action required.	N/A	N/A

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

March 6, 2018

Dr. James Scott Smith
Superintendent
St. Mary's County Public Schools
23160 Moakley Street, Suite 109
Leonardtown, Maryland 20650

Congratulations!

Dear Dr. Smith: Scott

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the St. Mary's County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the St. Mary's County Infants and Toddlers Program has been assigned the **"Universal"** tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the St. Mary's County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Susie Fowler
Cindy Kilcoyne
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

St. Mary's County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	56.07%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	71.00%	69.32
		2. Exits within age expectations	59.14%	58.23%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	69.93%	64.96%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	56.14%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	66.09%	64.52%
		2. Exits within age expectations	54.03%	55.70%	Met	Target met, no further action required.	62.75%	61.31%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	57.14%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	69.57%	73.45%
		2. Exits within age expectations	49.52%	47.47%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this	54.90%	55.47%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					letter; identify the root causes and evidence based practices to demonstrate improved child results		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	97.50%	Met	Target met, no further action required.	99.10%	96.20%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	98.25%	Met	Target met, no further action required.	97.30%	96.20%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	98.26%	Met	Target met, no further action required.	96.40%	95.40%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.58%	Met	Target met, no further action required.	1.19%	1.80%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.43%	Met	Target met, no further action required.	3.69%	3.61%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	98.48%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	95.73%	93.27%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	99.43%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and	97.90%	97.37%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	97.96%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required.	100%	100%
10	Timely and valid due	100%	100%	Met	Target met, no further action required.	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
12	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

March 6, 2018

Dr. John B. Gaddis
Superintendent
Somerset County Public Schools
7982-A- Tawes Campus Drive
Westover, Maryland 21871

Dear Dr. Gaddis:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Somerset County Infants and Toddlers Program has achieved the determination status of "**Needs Assistance – Year 1.**"*

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

*Note: "**Needs Assistance – Year 2**" in FFY 2017 determinations will place the Somerset County Infants and Toddlers Program in the DSE/EIS "**Targeted**" tier of general supervision and performance support within the four-tiered framework (Universal, Targeted, Focused, Intensive).

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year *Strategic Plan* (page 12) provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Somerset County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Somerset County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MF/BMM/cc
Attachments

c: Karen B. Salmon
Carol A. Williamson
Cheryl A. O'Neal
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Somerset County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	42.86%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	40.00%	0.00%
		2. Exits within age expectations	59.14%	33.33%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	60.00%	40.00%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	42.86%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	50.00%	16.67%
		2. Exits within age expectations	54.03%	33.33%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	60.00%	40.00%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	50.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	0.00%	14.29%
		2. Exits within age	49.52%	33.33%	Not Met	Target not met. Submit an Improvement	50.00%	40.00%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	expectations				Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	-	N/A	Less than 10 responses.	<10 responses	100%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	-	N/A	Less than 10 responses.	<10 responses	100%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	-	N/A	Less than 10 responses.	<10 responses	100%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.26%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.57%	1.11%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	2.05%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	1.86%	1.90%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the pervious noncompliance identified in FFY 15-16 within one year of the written finding.	92.31%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	80.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the	100%	86.67%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					noncompliance must be demonstrated and verified within one year.		
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	83.33%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	83.33%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Dr. Kelly L. Griffith
Superintendent
Talbot County Public Schools
P. O. Box 1029
Easton, MD 21601

Dear Dr. Griffith:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Talbot County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Talbot County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Talbot County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Kristin Mentges
Michelle Steelman
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Talbot County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	64.00%	Met	Target met, no further action required.	56.52%	77.27%
		2. Exits within age expectations	59.14%	59.52%	Met	Target met, no further action required.	62.50%	81.82%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	68.97%	Met	Target met, no further action required.	63.64%	82.61%
		2. Exits within age expectations	54.03%	59.52%	Met	Target met, no further action required.	67.50%	86.36%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	77.50%	Met	Target met, no further action required.	65.52%	87.10%
		2. Exits within age expectations	49.52%	61.90%	Met	Target met, no further action required.	67.50%	79.55%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	100%	Met	Target met, no further action required.	<5 children	93.30%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442		83.40%	100%	Met	Target met, no further action required.	<5 children	96.40%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442		90.00%	100%	Met	Target met, no further action required.	<5 children	100%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04		1.53%	5.88%	Met	Target met, no further action required.	3.25%	3.89%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	5.86%	Met	Target met, no further action required.	4.64%	4.28%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the pervious noncompliance identified in FFY 15-16 within one year of the written finding.	97.06%	93.65%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	94.12%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Dr. Boyd J. Michael
Superintendent
Washington County Board of Education
10435 Downsville Pike
Hagerstown, MD 21740

Dear Dr. Michael:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Washington County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Washington County Infants and Toddlers Program has been assigned the **"Universal"** tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Washington County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Jeff Gladhill
Mariam Robins
Branch Chiefs

Washington County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017) State Target	FFY 2016 (SFY 2017) Local Results	FFY 2016 (SFY 2017) Target Met	Action Required	Previous Results FFY 2015	Previous Results FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	99.44%	Met	Target met, no further action required.	98.80%	98.15%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	52.75%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	38.04%	56.52%
		2. Exits within age expectations	59.14%	55.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	55.33%	72.06%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	51.72%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	33.93%	58.02%
		2. Exits within age expectations	54.03%	42.14%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	40.00%	66.18%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	69.75%	Met	Target met, no further action required.	63.24%	68.97%
		2. Exits within age expectations	49.52%	39.39%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved	48.67%	51.47%

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Washington County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	99.44%	Met	Target met, no further action required.	98.80%	98.15%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	52.75%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	38.04%	56.52%
		2. Exits within age expectations	59.14%	55.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	55.33%	72.06%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	51.72%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	33.93%	58.02%
		2. Exits within age expectations	54.03%	42.14%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	40.00%	66.18%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	69.75%	Met	Target met, no further action required.	63.24%	68.97%
		2. Exits within age expectations	49.52%	39.39%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved	48.67%	51.47%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
					child results		
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442	85.00%	95.04%	Met	Target met, no further action required.	97.90%	94.00%
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	97.46%	Met	Target met, no further action required.	99.00%	93.80%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	97.44%	Met	Target met, no further action required.	97.90%	93.50%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	1.68%	Met	Target met, no further action required.	2.00%	1.97%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.40%	Met	Target met, no further action required.	3.30%	3.09%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	99.59%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding	98.03%	99.03%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.09						
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

Congratulations!

March 6, 2018

Dr. Donna C. Hanlin
Superintendent
Wicomico County Board of Education
P. O. Box 1538
Salisbury, MD 21802

Dear Dr. Hanlin:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Wicomico County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Wicomico County Infants and Toddlers Program has been assigned the **"Universal"** tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Wicomico County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Bonnie L. Walston
Patricia Adkins
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Wicomico County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	52.08%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	37.50%	54.55%
		2. Exits within age expectations	59.14%	67.47%	Met	Target met, no further action required.	59.00%	70.42%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	49.15%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	44.64%	64.52%
		2. Exits within age expectations	54.03%	59.04%	Met	Target met, no further action required.	56.00%	74.65%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	61.19%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	53.97%	78.72%
		2. Exits within age expectations	49.52%	57.83%	Met	Target met, no further action required.	57.00%	71.83%
4A	Families who report EIS helped them know their rights 20 U.S.C. 1416a(3)(A) and 1442		85.00%	98.98%	Met	Target met, no further action required.	99.20%	99.40%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	98.00%	Met	Target met, no further action required.	98.30%	99.40%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	99.01%	Met	Target met, no further action required.	98.30%	99.40%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	0.74%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	0.92%	1.59%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	2.20%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results.	3.21%	2.99%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

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Congratulations!

March 6, 2018

Mr. Louis Taylor
Superintendent
Worcester County Board of Education
6270 Worcester Highway
Newark, MD 21841

Dear Mr. Taylor:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required by the United States Department of Education (USDE), Office of Special Education Programs (OSEP) to make determinations annually regarding the performance of each local Infants and Toddlers Program using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§303.700 and 300.703]. The MSDE, DSE/EIS uses a results-based rubric for given indicators to evaluate each local Infants and Toddlers Program performance in meeting the State's identified targets. For Federal Fiscal Year (FFY) 2016 determinations, the Worcester County Infants and Toddlers Program has achieved the determination status of "**Meets Requirements.**"

Attached please find supporting documentation:

1. FFY 2016 Determination Overview (identifies the Part C Indicators used to assign a local determination on pages 1 and 2 – please note the addition of fiscal and complaints/due process hearing data);
2. FFY 2016 Local Determination Scoring Criteria (provides a six-year graduated results driven accountability plan used to make a local determination by year); and
3. FFY 2016 Annual Report Card on SPP/APR Part C Indicators (provides a three-year local data analysis and required actions).

To implement a results driven accountability system, we continue to focus on the three child outcome indicators. In 2015, a revised baseline was required and new targets established. Please see the attached *Part C Child Outcomes Baselines and Targets for Local Determinations* document. The DSE/EIS has developed one set of baselines and targets that are inclusive of children who receive services from birth to three, as well as children who receive services through an Extended IFSP. The decision to examine child outcomes as one group independent of age was unanimously supported by local Infants and Toddlers Program (LITP) Directors and Preschool Coordinators through a stakeholder discussion held in 2014. Please note the attached revised baseline and targets for local determinations of Maryland's LITPs will not be included in Maryland's Annual Performance Report (APR) to OSEP. For federal reporting, OSEP requested that Maryland report child outcomes data for children birth to three years separately from child outcomes data for children older than three so that comparisons could be made with other states that are not serving children through an IFSP after age three.

The shift to a more balanced accountability approach does not relieve the DSE/EIS from ensuring compliance, correction of identified noncompliance, and the receipt of timely and accurate data. As a result of the accountability shift to an increased emphasis on results, an LITP's determination status may be impacted in the future.

To support Maryland's commitment to narrow the opportunity and achievement gaps for infants, toddlers, and young children with disabilities and their families, the implementation of the DSE/EIS five-year strategic plan provides a statewide differentiated framework for general supervision and performance support. Based upon comprehensive data analysis (including the SPP/APR local determination status), the Worcester County Infants and Toddlers Program has been assigned the "**Universal**" tier for the delivery of the DSE/EIS technical assistance model for results.

Local Infants and Toddlers Programs are strongly encouraged to work closely with their Local Interagency Coordinating Council (LICC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for infants, toddlers, and young children with disabilities and their families. As we continue this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the Worcester County Infants and Toddlers Program to improve results for infants, toddlers, and preschool age children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/
Early Intervention Services

MEF/BMM/cc
Attachments
c: Karen B. Salmon
Carol A. Williamson
Rae Record
Kathy Simon
Branch Chiefs

Maryland State Department of Education
Division of Special Education/Early Intervention Services

FFY 2016 Determination Overview
Part C & Part B
July 1, 2016 – June 30, 2017

The Individuals with Disabilities Education Act (IDEA) is focused on state accountability for Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plan. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in June 2018.

To receive a State determination, the IDEA requires states to evaluate each Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the established Indicators. As a result of that evaluation, the state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires states to consider:

- Performance on Results and Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources;
- Any audit findings; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services (DSE/EIS), uses a results-based rubric on identified indicators to rate the performance for each LLA and LSS in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. The status and results for each LLA and LSS will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 1, 2018. For the FFY 2016 determinations, the MSDE, DSE/EIS has included additional indicators highlighted below in blue.

The following **Part C** indicators are included in assigning determinations:

Results	*Compliance*
2. Primary Service Setting 3A. Birth – 4 Outcomes – Emotional Skills 3B. Birth – 4 Outcomes – Knowledge and Skills 3C. Birth – 4 Outcomes – Use of appropriate behaviors 4A. Family Survey-Know their rights 4B. Family Survey-Effectively communicate their children's needs 4C. Family Survey-Help their children develop and learn 5. Child Find 0-1 6. Child Find 0-3	1. Timely Services 7. 45 Day Timeline 8A. Transition - Transition Outcomes 8B. Transition - Notification to LSS 8C. Transition - Timely Planning Meeting
Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate

Fiscal	*Complaints and Due Process Hearing*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The following **Part B** indicators are included in assigning determinations:

Results	*Compliance*
1. Students with IEPs graduating with a regular diploma	4B. Suspension/Expulsion - Significant Discrepancy Disaggregated by Race/Ethnicity
2. Students with IEPs dropping out	9. Disproportionate Representation Disaggregated by Race/Ethnicity
5A LRE for Students Ages 6-21 -Inside the regular class 80% or more of the day;	10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
5B LRE for Students Ages 6-21 -Inside the regular class less than 40% of the day; and	11. Initial Evaluation Timeline
5C LRE for Students Ages 6-21- In separate schools, residential facilities, or housebound/ hospital placements.	12. Part C to B Transition
4A Suspension/Expulsion – Significant Discrepancy in Single or Multiple Suspensions/Expulsions > than 10 days.	13. Secondary Transition
8A Preschool Parent Survey; or	
8B School Age Parent Survey.	
14 Post-School Outcomes	

Correction of Noncompliance	*Data and Submission of Reports*
Timely Correction of Noncompliance	Timely and Accurate
Fiscal	*Complaints and Due Process Hearings*
Fiscal Accountability	Number of State complaints filed
	Number of State complaints with violations
	Number of due process hearings filed
	Number of due process hearings with violations

The MSDE supports the efforts and work of each LLA and LSS to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. In certain circumstances, enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.P.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
(2) Direct the use of federal funds, in accordance with 34 C.P.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.P.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions. The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:
(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
(iv) Seeks to recover funds under Section 452 of the GEPA.
(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or
(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in in 34 C.F.R. §§ 300.180 through 300.183.

Framework for Assistance and Intervention

Needs Assistance

The process for the provision of assistance is dependent upon the degree of need within each LSS or LLA. The types of assistance must be individualized to address the root causes of the problem(s) for each indicator(s) in order to meet the specific identified needs. The MSDE will identify:

- What needs to change;
- How frequently and in what manner the local school system reports on progress; and
- The MSDE contact for support, information, documentation, and follow-up.

In collaboration with the MSDE, LSSs/LLAs will identify the type, amount, and frequency of assistance needed to address the specific needs. A wide variety of assistance is available. The MSDE is available to consult with LSSs/LLAs by telephone, fax, email, mail, or in-person. To enable a LSS to improve performance and meet compliance available assistance may include, but is not limited to the MSDE assisting a LSS/LLA to:

- Clarify/examine/develop/revise policies and procedures;
- Clarify/examine/develop/revise system administration and system of general supervision;
- Clarify/examine/develop/revise system of self-monitoring;
- Provide training/professional development;
- Access the advice of experts to address the area(s) of need, including explicit plans for addressing the area for concern within a specified period of time;

- Identify and implement professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
- Designate and use distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, assistance, and support;
- Devise additional approaches to providing assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under IDEA, and private providers of scientifically based technical assistance;
- Provide access to additional tools and resources;
- Share sample forms, procedures, processes;
- Provide information on where additional information, resources, support, and other organizations for support may be located;
- Examine/revise data collection;
- Improve collaboration/coordination with internal and external colleagues;
- Provide local director networking opportunities;
- Develop specialized programs/services;
- Examine options for increasing/reallocating personnel
- Clarify/examine/develop/revise fiscal management procedures and documentation
- Use evaluative measures to validate progress and correction of previous noncompliance
- Provide access to discretionary funds.

Needs Intervention

The determination category of "Needs Intervention" indicates a need for assistance in either performance and/or compliance areas within the LSS/LLA General Supervision process. Using the National Center for Special Education Accountability Monitoring (NCSEAM) "*Developing and Implementing an Effective System of General Supervision: Part B*," MSDE will direct the LSSILLA to examine, clarify, and develop an effective system of general supervision to address results and compliance. This may require more frequent MSDE oversight and direct onsite follow-up.

In collaboration with the LSSILLA, the MSDE may determine a local school system needs additional assistance beyond that listed above in the determination category of "Needs Assistance." Additional supports and required actions may include but are not limited to:

- Mandatory review of the local school system's system of general supervision to include:
    - Local Self-Assessment of Performance and Compliance;
    - Policies, procedures, and effective practices, including the local school system's required documentation of implementation;
    - Integrated Monitoring Activities;
    - Fiscal Management;
    - Data Processes and Results;
    - Improvement, Correction, Incentives, and Sanctions;
    - Effective Dispute Resolution; and
    - Directed Targeted Assistance and Professional Development.

- Identification and prioritization of corrective actions based upon the analysis of their system of general supervision, needs and resources;
- Development and implementation of required Corrective Action Plans with required timelines for submission, provision of evidence and data to demonstrate progress and correction as soon as possible but in no case later than one year;
- MSDE prescribing the use of discretionary funds;

- Identification of a local school system as a high risk grantee if a local school system is in the category of Needs Intervention for 2 years;
- Required quarterly reporting on status of correction of noncompliance

Needs Substantial Intervention

The determination category of "Needs Substantial Intervention" indicates a need for significant assistance and support in multiple results and compliance indicators. In addition to the available assistance listed above, to address "Needs Intervention," additional supports and required actions may include, but are not limited to:

- Redirect or target the use of funds allocated under IDEA Part B Discretionary funds;
- Reduce or eliminate the use of funds allocated under IDEA Part B Discretionary funds;
- Redirect or target the use of funds allocated under IDEA Part B Passthrough funds;
- Withhold or reduce Part B Passthrough funds pending completion of the corrective actions;
- Withhold or reduce State funds for special education services pending the completion of corrective actions;
- Assign MSDE staff on-site to assist in the completion of the corrective actions; and
- Assign a monitor to oversee the local school system's special education programs, with the responsibility for the costs of monitoring to be determined by the Department.

Prior to reducing or withholding funds, ail requirements regarding proper notice by MSDE to the local school system shall be met, consistent with 20 U.S.C. §1413(c) and (d).

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program, Birth – 4

Local Determination Scoring Criteria

Determination Year	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18
Data Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Determination	March 2015	March 2016	March 2017	March 1018	March 2019	March 2020
Early Childhood Results (IFSP)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least five results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	Change in methodology resulted in a new baseline for Indicator 3. LITP met State targets for at least three results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least four results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least six results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)	LITP met State targets for at least seven results indicators/ subindicators (3aSS1, 3aSS2, 3bSS1, 3bSS2, 3cSS1, 3cSS2, 4a, 4b, 4c, 5, & 6)
	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *Programs with 3 or fewer children in nan-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded.*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*	LITP met State target for Natural Environment (Indicator 2) birth to 3 & three through 4*. *"Or each IFSP includes a justification based on each child's needs. Programs with 3 or fewer children in non-NE settings may be excluded*
Compliance (All targets are 100%)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated substantial compliance in all compliance indicators/subindicators (1, 7, 8a, 8b, & 8c)
	LITP is not below 85% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.	LITP is not below 90% in indicators/subindicators 1, 7, 8a, 8b, or 8c.
	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)	LITP demonstrated full compliance (100%) in at least two compliance indicators/ subindicators (1, 7, 8a, 8b, & 8c)
	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal	LITP corrected all previously identified findings of noncompliance, including fiscal

	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification	noncompliance, within one year of notification
	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.	LITP submitted all data in a timely and accurate manner.

Local Infants and Toddlers Program Determination Criteria	**Meets Requirements** • Two of Two Results Indicator bands; and • Four of Five Compliance Indicator bands
	Needs Assistance • One of Two Results Indicator bands; and • Three of Five Compliance Indicator bands
	Needs Intervention • Zero of Two Results Indicator bands; and • One of Five Compliance Indicator bands
	Need Substantial Intervention • LITP demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification; • LITP failure to substantially comply has affected the core requirements, such as delivery of services to students with disabilities or to provide effective general supervision and oversight; or • LITP informed the State that it is unwilling to comply with the core requirements.

Worcester County Infants and Toddlers Program
Annual Data on Part C State Performance Plan (SPP) Priority Indicators
for the Period July 1, 2016 – June 30, 2017

Part C Annual SPP Performance Report								
SPP/APR Indicators Results Indicator Compliance Indicator			FFY 2016 (SFY 2017)			Action Required	Previous Results	
			State Target	Local Results	Target Met		FFY 2015	FFY 2014
2	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
2 Ext IFSP	Infants and Toddlers with IFSPs who receive services in natural environments COMAR 13A.13.01.07		93.50%	100%	Met	Target met, no further action required.	100%	100%
3A	Birth - 4 Outcomes: Use of social – emotional skills COMAR 13A.13.01.08	1. Exits with substantial growth	58.87%	50.00%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	53.85%	80.00%
		2. Exits within age expectations	59.14%	60.47%	Met	Target met, no further action required.	68.09%	80.00%
3B	Birth - 4 Outcomes: Use of knowledge and skills COMAR 13A.13.01.08	1. Exits with substantial growth	62.21%	51.72%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	48.00%	85.71%
		2. Exits within age expectations	54.03%	55.81%	Met	Target met, no further action required.	65.96%	76.67%
3C	Birth - 4 Outcomes: Use of appropriate behaviors COMAR 13A.13.01.08	1. Exits with substantial growth	69.00%	65.85%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	52.50%	70.83%
		2. Exits within age expectations	49.52%	34.88%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results	55.32%	53.33%
4A	Families who report EIS helped them know their		85.00%	96.88%	Met	Target met, no further action required.	96.20%	97.40%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	rights 20 U.S.C. 1416a(3)(A) and 1442						
4B	Families who report EIS helped them communicate their child's needs 20 U.S.C. 1416a(3)(A) and 1442	83.40%	96.60%	Met	Target met, no further action required.	92.00%	89.70%
4C	Families who report EIS helped them help their children develop and learn 20 U.S.C. 1416a(3)(A) and 1442	90.00%	96.88%	Met	Target met, no further action required.	100%	91.70%
5	Children birth to one served as a percentage of the population birth to one COMAR 13A.13.02.04	1.53%	2.18%	Met	Target met, no further action required.	2.28%	2.43%
6	Children birth to three served as a percentage of the population birth to 3 COMAR 13A.13.02.04	3.15%	3.37%	Met	Target met, no further action required.	3.68%	3.07%
1	Timely Delivery of IFSP Services COMAR 13A.13.01.07	100%	100%	Met	Target met, no further action required. Subsequent data demonstrated correction of the previous noncompliance identified in FFY 15-16 within one year of the written finding.	98.41%	100%
7	Percentage of toddlers for whom the evaluation and the initial IFSP was within 45 days from the date of referral COMAR 13A.13.01.07	100%	98.51%	Not Met	Target not met. Submit an Improvement Plan within 30 days from the date of this letter; identify the root causes and evidence based practices to demonstrate improved child results. Correction of the noncompliance must be demonstrated and verified within one year.	100%	100%
8A	Percentage of toddlers exiting Part C for whom an IFSP was developed at least 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
8B	Percentage of toddlers for whom the LEA was notified of potential Part B eligibility at least 90 days prior to the third birthday	100%	100%	Met	Target met, no further action required.	100%	100%

Part C Annual SPP Performance Report							
SPP/APR Indicators Results Indicator Compliance Indicator		FFY 2016 (SFY 2017)			Action Required	Previous Results	
		State Target	Local Results	Target Met		FFY 2015	FFY 2014
	COMAR 13A.13.01.09						
8C	Percentage of children for whom the transition conference was held 90 days, and not more than nine months, prior to the toddler's third birthday COMAR 13A.13.01.09	100%	100%	Met	Target met, no further action required.	100%	100%
9	Correction of Noncompliance COMAR 13A.13.02.04	100%	100%	Met	Target met, no further action required	100%	100%
10	Timely and valid data	100%	100%	Met	Target met, no further action required	100%	100%
11	Number of complaints file	N/A	None	N/A	No further action required.	N/A	N/A
	Number of reports issued within timelines	100%	N/A	N/A	No further action required.	N/A	N/A
12	Number of due process hearings filed	N/A	None	N/A	No further action required.	N/A	N/A
	Number of due process hearing fully adjudicated	100%	N/A	N/A	No further action required.	N/A	N/A
13	Fiscal	100%	100%	Met	Target met, no further action required.	100%	100%