

# **STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART C**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on  
FFY 2019**

**Nebraska**



**PART C DUE  
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION  
WASHINGTON, DC 20202**

## Introduction

### Instructions

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State's systems designed to drive improved results for infants and toddlers with disabilities and their families and to ensure that the Lead Agency (LA) meets the requirements of Part C of the IDEA. This introduction must include descriptions of the State's General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

### Intro - Indicator Data

#### Executive Summary

#### Additional information related to data collection and reporting

#### General Supervision System

**The systems that are in place to ensure that IDEA Part C requirements are met, e.g., monitoring systems, dispute resolution systems.**

##### General Supervision System

The systems that are in place to ensure that IDEA Part C requirements are met, e.g., monitoring systems, dispute resolution systems.

##### Monitoring:

The Individuals with Disabilities Education Act (IDEA) Part C system in Nebraska, known as the Early Development Network (EDN), is co-administered by the Nebraska Department of Education (NDE), Office of Special Education and the Nebraska Department of Health and Human Services (NDHHS), Division of Medicaid and Long-term Care (aka "Co-Lead Agencies" or "the Co-Leads"). Per the Nebraska Early Intervention Act, these 2 agencies are responsible for the planning, implementation, and administration of the federal Early Intervention Services System and the Nebraska Early Intervention Act. Additionally, the Nebraska Early Intervention Act requires interagency Planning Region Teams (PRTs) to be responsible for assisting in the planning and implementation of the Early Intervention Act in each local community or region. The IDEA Part C regulations require the Nebraska Part C Co-Lead Agencies to monitor local Early Intervention Programs on the implementation of early intervention regulations outlined in NDE 92 NAC 52 (Rule 52) and NDHHS 480 NAC 3. Each of the PRTs is an interagency coordinating council made up of local schools, health and human service agencies, community agencies, Head Start, families, and others who provide early intervention services. Each PRT covers a specific geographic area of the state and is responsible for implementation of an interagency system of services in the region. The EDN Services Coordination agency within the PRT assumes the responsibility for delivery of the entitlement of services coordination in the region. The EDN Services Coordination agency may be the same agency selected by the PRT as the lead agency, but in many cases, these are two separate agencies working collaboratively to provide early intervention services in the region. The Nebraska Part C Co-Lead Monitoring process gathers data from multiple sources, analyzes results, identifies gaps with Part C services, rates PRT performance, and stimulates the development of improvement activities for the PRT. The monitoring process relies on multiple sources of data to gauge the effectiveness of early intervention supports and services for infants and toddlers with disabilities and their families. Nebraska has developed monitoring procedures which require PRT's to be reviewed at least once every three (3) years for implementation of the requirements under Part C of IDEA. The Nebraska Part C Co-Lead Agencies review a variety of data sources to document each PRT's compliance with NDE 92 NAC 52 (Rule 52) and NDHHS 480 NAC 3, including:

1. IFSP File Review
2. Completion of prior Corrective Action Plans;
3. Policies and Procedures Review;
4. Forms Review;
5. Review of results from mediations, complaint and due process reports; and
6. Review of supporting data from sources such as PRT child count, Referral vs. Verification Data, Referral Sources, CAPTA, and Performance Reports for the last 3 years.

The steps in the monitoring process include:

**Step One:** The Part C Co-Leads schedule the monitoring plan for the upcoming year. The monitoring team is composed of the Part C Co-Coordination and additional NDE and NDHHS staff to assist in the Monitoring

process. The PRT Lead Agency receives the Notification letter informing the PRT of the scheduled date of the upcoming Part C Monitoring.

The Part C Monitoring Team meets with the PRT members to discuss the various components of the monitoring process, including IFSP file reviews, correction of noncompliance, verification of correction of noncompliance, how information generated from the monitoring activities will be incorporated into the Corrective Action Plan (CAP) and PRT Improvement planning process to improve results for infants/toddlers with disabilities and their families.

**Step Two:** The Part C Monitoring Team reviews the PRT's early intervention process, including the following components:

- Forms used by the PRT to document the implementation of 92 NAC 52 and 480 NAC 3
- IFSP Files
- PRT Policies, Procedures and Practices
- Review of any complaints filed and investigated by the Co-Lead Agencies pursuant to 92 NAC 52 and 480 NAC 3
- Review of any due process findings issued pursuant to 92 NAC 55
- Review of the timely correction of any noncompliance identified during the previous monitoring cycle
- Issues identified as part of previous fiscal review or sub-recipient fiscal reviews

**Step Three:** The Part C Monitoring Team conducts the Focused Onsite PRT Exit Conference. The result of the PRT monitoring is shared with the PRT members. This visit allows an opportunity for clarification or submission of evidence to determine whether or not compliance was met.

**Step Four:** The Part C Co-Leads provide written notification of Findings to the PRT. The PRT must submit a CAP within 45 days to the Part C Co-Leads. Upon submission of the PRT's CAP, the Part C Co-Leads will give approval in writing.

**Step Five:** Verification of Correction of Noncompliance and Closeout of Monitoring Process. Pursuant to 92 NAC 52-004.02E, all noncompliance must be corrected as soon as possible, and in no case later than one year from the date on which the PRT is notified of a finding of noncompliance. For all individual instances of noncompliance that can be corrected, the PRT must immediately correct and submit evidence of correction to the Part C Co-Leads, who will document the receipt of evidence of the individual correction. The Closeout Letter will be completed by Part C Co-Leads following the completion of the verification activities and the final report. This Closeout Letter is a clear statement by the Part C Co-Leads that the PRT has corrected the areas of noncompliance previously identified, has successfully completed the CAP, and the PRT is now in full compliance with IDEA Part C Regulations, NDE 92 NAC 52, and NDHHS 480 NAC 3.

Dispute Resolution:

Complaints

The NDE Complaint Investigator will complete the complaint process as identified in 92 NAC 51-009.11, meeting the appropriate timelines. All correspondence to the complainants is completed by the Complaint Investigator. If any noncompliance is identified, the agency will be contacted and required to complete a CAP, and the Complaint Investigator will send the Closeout Letter.

#### Due Process Hearings-

The NDE Legal Office provides guidance to Parents, etc., on completing the Dispute Resolution element of the due process hearing in accordance with 92 NAC 51-009.13. Other mediation requests are handled through the regional Mediation Centers, in accordance with 92 NAC 51-009.12.

#### Mediation-

Mediation is an integral part of the complaint and due process procedures. There are six (6) Mediation Centers located regionally throughout the State of Nebraska to provide services to parents, families and school districts.

#### Provision of a Free Appropriate Public Education (FAPE)

Since Nebraska is a Birth-mandate state, the Nebraska Department of Education, Office of Special Education works with school districts, service agencies and approved cooperatives to ensure that all infants and toddlers with disabilities in the State of Nebraska are receiving a free, appropriate public education (FAPE) in their natural environment to the maximum extent appropriate.

#### Timely and Accurate Reporting of Data:

The Nebraska Department of Education, Office of Special Education works with PRTs, school districts, service agencies and approved cooperatives to ensure that all data requirements are met in reporting the data. "Deadlines are Deadlines" is the rule for reporting data on time, and ensuring that the data is accurate and not needing to be returned for further review and revision.

#### Technical Assistance System:

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to early intervention service (EIS) programs.**

See Attachment titled, "APRIntroTAandPD."

#### Professional Development System:

**The mechanisms the State has in place to ensure that service providers are effectively providing services that improve results for infants and toddlers with disabilities and their families.**

See Attachment titled, "APRIntroTAandPD."

#### Stakeholder Involvement:

**The mechanism for soliciting broad stakeholder input on targets in the SPP/APR, and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 11, the State Systemic Improvement Plan (SSIP).**

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

#### Apply stakeholder involvement from introduction to all Part C results indicators (y/n)

YES

#### Reporting to the Public:

**How and where the State reported to the public on the FFY 2018 performance of each EIS Program located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2018 APR, as required by 34 CFR §303.702(b)(1)(i)(A); and a description of where, on its website, a complete copy of the State's SPP/APR, including any revision if the State has revised the targets that it submitted with its FFY 2018 APR in 2020, is available.**

Planning Region Team performance on each of the APR indicators is reported each spring on the Early Development Network website. The report can be found at, <http://edn.ne.gov/spp/regional-data.html>. The Early Development Network website is a site that provides information to the public, families, service providers and the Planning Region Teams on the Early Intervention program in Nebraska. A copy of the state's SPP is located on the EDN site, <http://edn.ne.gov/cms/public-reporting-0>.

#### Intro - Prior FFY Required Actions

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year 5; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State's capacity to improve its SiMR data.

OSEP notes that one or more of the attachments included in the State's FFY 2018 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education's IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

#### Response to actions required in FFY 2018 SPP/APR

## **Intro - OSEP Response**

The State Interagency Coordinating Council (SICC) submitted to the Secretary its annual report that is required under IDEA section 641(e)(1)(D) and 34 C.F.R. §303.604(c). The SICC noted it has elected to support the State lead agency's submission of its SPP/APR as its annual report in lieu of submitting a separate report. OSEP accepts the SICC form, which will not be posted publicly with the State's SPP/APR documents.

## **Intro - Required Actions**

# Indicator 1: Timely Provision of Services

## Instructions and Measurement

**Monitoring Priority:** Early Intervention Services In Natural Environments

**Compliance indicator:** Percent of infants and toddlers with Individual Family Service Plans (IFSPs) who receive the early intervention services on their IFSPs in a timely manner. (20 U.S.C. 1416(a)(3)(A) and 1442)

### Data Source

Data to be taken from monitoring or State data system and must be based on actual, not an average, number of days. Include the State's criteria for "timely" receipt of early intervention services (i.e., the time period from parent consent to when IFSP services are actually initiated).

### Measurement

Percent = [(# of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner) divided by the (total # of infants and toddlers with IFSPs)] times 100.

Account for untimely receipt of services, including the reasons for delays.

### Instructions

If data are from State monitoring, describe the method used to select early intervention service (EIS) programs for monitoring. If data are from a State database, describe the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period) and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

Targets must be 100%.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. States report in both the numerator and denominator under Indicator 1 on the number of children for whom the State ensured the timely initiation of new services identified on the IFSP. Include the timely initiation of new early intervention services from both initial IFSPs and subsequent IFSPs. Provide actual numbers used in the calculation.

The State's timeliness measure for this indicator must be either: (1) a time period that runs from when the parent consents to IFSP services; or (2) the IFSP initiation date (established by the IFSP Team, including the parent).

States are not required to report in their calculation the number of children for whom the State has identified the cause for the delay as exceptional family circumstances, as defined in 34 CFR §303.310(b), documented in the child's record. If a State chooses to report in its calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record, the numbers of these children are to be included in the numerator and denominator. Include in the discussion of the data, the numbers the State used to determine its calculation under this indicator and report separately the number of documented delays attributable to exceptional family circumstances.

Provide detailed information about the timely correction of noncompliance as noted in the Office of Special Education Programs' (OSEP's) response table for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, methods to ensure correction, and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	99.43%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	100.00%	98.55%	100.00%	100.00%	100.00%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

Number of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner	Total number of infants and toddlers with IFSPs	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
137	141	100.00%	100%	97.16%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

Slippage can be attributed to 4 individual files which were found to be out of compliance in meeting the 30 day timeline for provision of services from date of parental consent. The delays in each file were attributed to either provider scheduling delays in meeting the 30 day timeline or incorrect data entry of "start date" on the IFSP service page. The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle, therefore 1/3 of the PRTs are monitored each year. In FFY 2019, 10 different Planning Regions participated in an IFSP file review for a total of 141 files. In FFY 2018, 9 of the Planning Regions participated in an IFSP file review for a total of 119 files. Because the Co-Leads monitor a different cohort of PRTs each year, we are unable to provide a year to year comparison but were able to identify specific factors as described above to provide a valid reason for slippage from last year to this year. Because the requirements for this indicator have a significant impact on the provision of services to infants and toddlers, the Co-Leads will provide training to ensure that all EIS programs correctly implement the specific regulatory requirements and have strategies in place to ensure compliance. The Co-Leads will continue to conduct additional professional development/technical assistance activities as outlined under the Professional Development and Technical Assistance section of the APR.

**Number of documented delays attributable to exceptional family circumstances**

*This number will be added to the "Number of infants and toddlers with IFSPs who receive their early intervention services on their IFSPs in a timely manner" field above to calculate the numerator for this indicator.*

0

**Include your State's criteria for "timely" receipt of early intervention services (i.e., the time period from parent consent to when IFSP services are actually initiated).**

Nebraska's criteria for timely receipt of early intervention services is as soon as possible after the parent consents in writing to the service but not later than 30 days of receipt of parental consent.

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to select EIS programs for monitoring.**

The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. IFSP files and other records maintained by Services Coordinators are reviewed for compliance with IDEA and Medicaid. The Individualized Family Service Plan (IFSP) checklist file review for Improving Learning for Children with Disabilities (ILCD) gathers data regarding the receipt of early intervention services on IFSPs in a timely manner. In FFY 2019, 10 of the Planning Regions participated in an IFSP file review for a total of 141 files. 137 of the 141 files (97%) were in compliance with the IFSP services provided in a timely manner.

**If needed, provide additional information about this indicator here.**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**1 - Prior FFY Required Actions**

None

**1 - OSEP Response**

## 1 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 2: Services in Natural Environments

### Instructions and Measurement

**Monitoring Priority:** Early Intervention Services In Natural Environments

**Results indicator:** Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings. (20 U.S.C. 1416(a)(3)(A) and 1442)

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part C Child Count and Settings data collection in the EDFacts Metadata and Process System (EMAPS)).

**Measurement**

Percent = [(# of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings) divided by the (total # of infants and toddlers with IFSPs)] times 100.

**Instructions**

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

The data reported in this indicator should be consistent with the State's 618 data reported in Table 2. If not, explain.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	91.03%

FFY	2014	2015	2016	2017	2018
Target>=	96.75%	97.00%	97.50%	98.00%	98.20%
Data	98.32%	98.27%	98.98%	99.49%	99.24%

### Targets

FFY	2019
Target>=	98.20%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups	07/08/2020	Number of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings	2,098
SY 2019-20 Child Count/Educational Environment Data Groups	07/08/2020	Total number of infants and toddlers with IFSPs	2,116

### FFY 2019 SPP/APR Data

Number of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings	Total number of Infants and toddlers with IFSPs	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2,098	2,116	99.24%	98.20%	99.15%	Met Target	No Slippage

Provide additional information about this indicator (optional)

**2 - Prior FFY Required Actions**

None

**2 - OSEP Response**

**2 - Required Actions**

## Indicator 3: Early Childhood Outcomes

### Instructions and Measurement

**Monitoring Priority:** Early Intervention Services In Natural Environments

**Results indicator:** Percent of infants and toddlers with IFSPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Data Source

State selected data source.

#### Measurement

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of infants and toddlers who did not improve functioning = [(# of infants and toddlers who did not improve functioning) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers = [(# of infants and toddlers who improved functioning to reach a level comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.
- e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers = [(# of infants and toddlers who maintained functioning at a level comparable to same-aged peers) divided by (# of infants and toddlers with IFSPs assessed)] times 100.

#### Summary Statements for Each of the Three Outcomes:

**Summary Statement 1:** Of those infants and toddlers who entered early intervention below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program.

##### Measurement for Summary Statement 1:

Percent = [(# of infants and toddlers reported in progress category (c) plus # of infants and toddlers reported in category (d)) divided by ((# of infants and toddlers reported in progress category (a) plus # of infants and toddlers reported in progress category (b) plus # of infants and toddlers reported in progress category (c) plus # of infants and toddlers reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned 3 years of age or exited the program.

##### Measurement for Summary Statement 2:

Percent = [(# of infants and toddlers reported in progress category (d) plus # of infants and toddlers reported in progress category (e)) divided by the (total # of infants and toddlers reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

#### Instructions

**Sampling of infants and toddlers with IFSPs** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions page 2 for additional instructions on sampling.)

In the measurement, include in the numerator and denominator only infants and toddlers with IFSPs who received early intervention services for at least six months before exiting the Part C program.

Report: (1) the number of infants and toddlers who exited the Part C program during the reporting period, as reported in the State's Part C exiting data under Section 618 of the IDEA; and (2) the number of those infants and toddlers who did not receive early intervention services for at least six months before exiting the Part C program.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements.

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining "comparable to same-aged peers." If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Process (COS), then the criteria for defining "comparable to same-aged peers" has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

If the State's Part C eligibility criteria include infants and toddlers who are at risk of having substantial developmental delays (or "at-risk infants and toddlers") under IDEA section 632(5)(B)(i), the State must report data in two ways. First, it must report on all eligible children but exclude its at-risk infants and toddlers (i.e., include just those infants and toddlers experiencing developmental delay (or "developmentally delayed children") or having a diagnosed physical or mental condition that has a high probability of resulting in developmental delay (or "children with diagnosed conditions")). Second, the State must separately report outcome data on either: (1) just its at-risk infants and toddlers; or (2) aggregated performance data on all of the infants and toddlers it serves under Part C (including developmentally delayed children, children with diagnosed conditions, and at-risk infants and toddlers).

### 3 - Indicator Data

Does your State's Part C eligibility criteria include infants and toddlers who are at risk of having substantial developmental delays (or "at-risk infants and toddlers") under IDEA section 632(5)(B)(i)? (yes/no)

NO

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

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In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

#### Historical Data

Outcome	Baseline	FFY	2014	2015	2016	2017	2018
A1	2013	Target>=	39.50%	40.00%	40.50%	41.00%	41.50%
A1	39.46%	Data	58.01%	53.77%	55.68%	44.28%	39.34%
A2	2013	Target>=	43.70%	44.50%	45.50%	46.00%	47.00%
A2	43.69%	Data	29.20%	27.91%	29.45%	29.51%	25.15%
B1	2013	Target>=	40.20%	40.50%	41.00%	41.50%	42.50%
B1	40.23%	Data	50.39%	46.09%	45.22%	39.41%	33.55%
B2	2013	Target>=	33.50%	34.00%	34.50%	35.00%	36.00%
B2	33.53%	Data	26.69%	22.77%	23.10%	29.31%	23.77%
C1	2013	Target>=	55.80%	56.50%	57.00%	58.50%	60.00%
C1	55.79%	Data	71.47%	58.87%	64.71%	87.32%	80.99%
C2	2013	Target>=	71.20%	72.00%	73.00%	74.00%	75.00%
C2	71.18%	Data	53.76%	50.31%	63.37%	90.20%	91.81%

#### Targets

FFY	2019
Target A1>=	41.50%
Target A2>=	47.00%
Target B1>=	42.50%
Target B2>=	36.00%
Target C1>=	60.00%
Target C2>=	75.00%

#### FFY 2019 SPP/APR Data

Number of infants and toddlers with IFSPs assessed

1,047

#### Outcome A: Positive social-emotional skills (including social relationships)

Outcome A Progress Category	Number of children	Percentage of Total
a. Infants and toddlers who did not improve functioning	47	4.49%
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	301	28.75%

<b>Outcome A Progress Category</b>	<b>Number of children</b>	<b>Percentage of Total</b>
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	174	16.62%
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	297	28.37%
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	228	21.78%

<b>Outcome A</b>	<b>Numerator</b>	<b>Denominator</b>	<b>FFY 2018 Data</b>	<b>FFY 2019 Target</b>	<b>FFY 2019 Data</b>	<b>Status</b>	<b>Slippage</b>
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program	471	819	39.34%	41.50%	57.51%	Met Target	No Slippage
A2. The percent of infants and toddlers who were functioning within age expectations in Outcome A by the time they turned 3 years of age or exited the program	525	1,047	25.15%	47.00%	50.14%	Met Target	No Slippage

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

<b>Outcome B Progress Category</b>	<b>Number of Children</b>	<b>Percentage of Total</b>
a. Infants and toddlers who did not improve functioning	33	3.17%
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	327	31.41%
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	173	16.62%
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	299	28.72%
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	209	20.08%

<b>Outcome B</b>	<b>Numerator</b>	<b>Denominator</b>	<b>FFY 2018 Data</b>	<b>FFY 2019 Target</b>	<b>FFY 2019 Data</b>	<b>Status</b>	<b>Slippage</b>
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program	472	832	33.55%	42.50%	56.73%	Met Target	No Slippage
B2. The percent of infants and toddlers who were functioning within age expectations in Outcome B by the time they turned 3 years of age or exited the program	508	1,041	23.77%	36.00%	48.80%	Met Target	No Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

<b>Outcome C Progress Category</b>	<b>Number of Children</b>	<b>Percentage of Total</b>
a. Infants and toddlers who did not improve functioning	44	4.21%
b. Infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	279	26.67%
c. Infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach it	141	13.48%

Outcome C Progress Category	Number of Children	Percentage of Total
d. Infants and toddlers who improved functioning to reach a level comparable to same-aged peers	259	24.76%
e. Infants and toddlers who maintained functioning at a level comparable to same-aged peers	323	30.88%

Outcome C	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program	400	723	80.99%	60.00%	55.33%	Did Not Meet Target	Slippage
C2. The percent of infants and toddlers who were functioning within age expectations in Outcome C by the time they turned 3 years of age or exited the program	582	1,046	91.81%	75.00%	55.64%	Did Not Meet Target	Slippage

**Provide reasons for C1 slippage, if applicable**

This year Nebraska's Part C OSEP data demonstrated a decline in Summary Statements 1 and 2 for Outcomes C. In August 2017, Teaching Strategies converted their online platform to accommodate the changes made to the tool to include items up to third grade. In addition, the items that were used as part of the analyses for Outcome C were modified. Since those changes were made, Nebraska Department of Education has been in discussions with Teaching Strategies about their concerns regarding the downward trends for Outcomes A and B Summary Statement 1 and 2 and the inflated scores for Outcome C Summary Statements 1 and 2. As a result of these discussions with Teaching Strategies, their research team completed extensive analyses in the Summer of 2020. The purpose of these analyses was to better align the ranges for age-appropriate functioning by re-calculating the cut scores and to improve the statistical mapping from TS GOLD scores to the Child Outcomes Summary Form 7-point scores used by the majority of the states. These new cut scores were applied to Nebraska's data for the past two years. The results found that Nebraska data across all outcomes was now more aligned with national data. The results found higher percentages of children meeting the benchmarks for Summary Statements 1 and 2 for Outcomes A and B than in previous years. The results for Outcome C found lower percentages of children meeting the benchmarks than in previous years. These adjustments in the cut scores are responsible for the decline seen this year's data for Outcome C. Targets will be reset next year for all Outcomes based on the new calculations.

**Provide reasons for C2 slippage, if applicable**

This year Nebraska's Part C OSEP data demonstrated a decline in Summary Statements 1 and 2 for Outcomes C. In August 2017, Teaching Strategies converted their online platform to accommodate the changes made to the tool to include items up to third grade. In addition, the items that were used as part of the analyses for Outcome C were modified. Since those changes were made, Nebraska Department of Education has been in discussions with Teaching Strategies about their concerns regarding the downward trends for Outcomes A and B Summary Statement 1 and 2 and the inflated scores for Outcome C Summary Statements 1 and 2. As a result of these discussions with Teaching Strategies, their research team completed extensive analyses in the Summer of 2020. The purpose of these analyses was to better align the ranges for age-appropriate functioning by re-calculating the cut scores and to improve the statistical mapping from TS GOLD scores to the Child Outcomes Summary Form 7-point scores used by the majority of the states. These new cut scores were applied to Nebraska's data for the past two years. The results found that Nebraska data across all outcomes was now more aligned with national data. The results found higher percentages of children meeting the benchmarks for Summary Statements 1 and 2 for Outcomes A and B than in previous years. The results for Outcome C found lower percentages of children meeting the benchmarks than in previous years. These adjustments in the cut scores are responsible for the decline seen this year's data for Outcome C. Targets will be reset next year for all Outcomes based on the new calculations.

**The number of infants and toddlers who did not receive early intervention services for at least six months before exiting the Part C program.**

Question	Number
The number of infants and toddlers who exited the Part C program during the reporting period, as reported in the State's part C exiting 618 data	1,595
The number of those infants and toddlers who did not receive early intervention services for at least six months before exiting the Part C program.	176

Sampling Question	Yes / No
Was sampling used?	NO

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

NO

**Provide the criteria for defining "comparable to same-aged peers."**

Teaching Strategies (TS) GOLD is a scientifically-based authentic, observational assessment system designed for children from birth through third grade. In Nebraska, it is used for children from birth to kindergarten to evaluate their development and learning across the three functional outcomes. At a child's entry and exit, teachers/providers gather and document

observations in the GOLD online system, which form the basis of their scoring across four areas of development (social emotional, physical, language, and cognitive) and two areas of content learning (literacy and mathematics). Objectives and dimensions that comprise each of the functional outcomes are based on a crosswalk recommended by the national Early Childhood Outcomes (ECO) Center. Criteria for defining "comparable to same-aged peers" was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the ECO Child Outcome Summary (COS) ratings. These ratings by age are programmed into the GOLD online system which generates a rating based on TS GOLD scores. Research studies examining the reliability and validity of TS GOLD may be found at <http://teachingstrategies.com/assessment/research/>.

**List the instruments and procedures used to gather data for this indicator.**

Teaching Strategies (TS) GOLD, an authentic, observational assessment designed for children birth through 3rd grade, is the assessment used to gather data for Indicator C3. At the child's entry or at six months of age and at the time of exit from Part C or at age 3, teachers/providers gather and document information from observations of the child or from an interview (e.g., Routine Based Interview) with the parent(s). This data forms the basis of the scoring across four areas of development (social emotional, physical, language, and cognitive) and two areas of content learning (literacy and mathematics). TS GOLD objectives and dimensions that comprise each of the functional outcomes that are reported are based on a crosswalk recommended by the national Early Child Outcomes (ECO) Center. Criteria for defining "comparable to same-aged peers" was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the Child Outcomes Summary (COS) ratings. These ratings by age are programmed into the TS GOLD online system which generates a rating based on TS GOLD scores for each functional outcomes. Research studies examining the reliability and validity of the TS GOLD may be found at: <https://teachingstrategies.com/our-approach/research/>.

**Provide additional information about this indicator (optional)**

**3 - Prior FFY Required Actions**

None

**3 - OSEP Response**

**3 - Required Actions**

## Indicator 4: Family Involvement

### Instructions and Measurement

**Monitoring Priority:** Early Intervention Services In Natural Environments

**Results indicator:** Percent of families participating in Part C who report that early intervention services have helped the family:

- A. Know their rights;
- B. Effectively communicate their children's needs; and
- C. Help their children develop and learn.

(20 U.S.C. 1416(a)(3)(A) and 1442)

#### Data Source

State selected data source. State must describe the data source in the SPP/APR.

#### Measurement

- A. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family know their rights) divided by the (# of respondent families participating in Part C)] times 100.
- B. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs) divided by the (# of respondent families participating in Part C)] times 100.
- C. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family help their children develop and learn) divided by the (# of respondent families participating in Part C)] times 100.

#### Instructions

Sampling of families participating in Part C is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions page 2 for additional instructions on sampling.)

Provide the actual numbers used in the calculation.

Describe the results of the calculations and compare the results to the target.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of families to whom the surveys were distributed.

Include the State's analysis of the extent to which the demographics of the families responding are representative of the demographics of infants, toddlers, and families enrolled in the Part C program. States should consider categories such as race and ethnicity, age of the infant or toddler, and geographic location in the State.

If the analysis shows that the demographics of the families responding are not representative of the demographics of infants, toddlers, and families enrolled in the Part C program, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to families (e.g., by mail, by e-mail, on-line, by telephone, in-person), if a survey was used, and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 4 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2014	2015	2016	2017	2018
A	2006	Target>=	83.00%	84.00%	85.00%	86.00%	87.00%
A	73.80 %	Data	86.35%	86.33%	85.92%	87.37%	89.00%
B	2006	Target>=	81.00%	81.50%	82.00%	82.30%	82.60%
B	70.50 %	Data	83.75%	84.80%	84.62%	86.39%	88.04%
C	2006	Target>=	91.30%	91.40%	91.50%	91.60%	91.70%
C	84.00 %	Data	92.60%	95.84%	88.74%	89.84%	96.07%

### Targets

FFY	2019
Target A>=	87.00%
Target B>=	82.60%
Target C>=	91.70%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The

group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

**FFY 2019 SPP/APR Data**

The number of families to whom surveys were distributed	2,262
Number of respondent families participating in Part C	1,541
A1. Number of respondent families participating in Part C who report that early intervention services have helped the family know their rights	1,426
A2. Number of responses to the question of whether early intervention services have helped the family know their rights	1,541
B1. Number of respondent families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs	1,419
B2. Number of responses to the question of whether early intervention services have helped the family effectively communicate their children's needs	1,541
C1. Number of respondent families participating in Part C who report that early intervention services have helped the family help their children develop and learn	1,481
C2. Number of responses to the question of whether early intervention services have helped the family help their children develop and learn	1,541

Measure	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Percent of families participating in Part C who report that early intervention services have helped the family know their rights (A1 divided by A2)	89.00%	87.00%	92.54%	Met Target	No Slippage
B. Percent of families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs (B1 divided by B2)	88.04%	82.60%	92.08%	Met Target	No Slippage
C. Percent of families participating in Part C who report that early intervention services have helped the family help their children develop and learn (C1 divided by C2)	96.07%	91.70%	96.11%	Met Target	No Slippage

Sampling Question	Yes / No
Was sampling used?	NO

Question	Yes / No
Was a collection tool used?	YES
If yes, is it a new or revised collection tool?	NO
The demographics of the families responding are representative of the demographics of infants, toddlers, and families enrolled in the Part C program.	YES

**Include the State's analysis of the extent to which the demographics of the families responding are representative of the demographics of infants, toddlers, and families enrolled in the Part C program.**

The survey items were validated by the National Center for Special Education Accountability Monitoring (NCSEAM) as part of the Impact on Family Scale (IFS). Based on highly successful return rates in past years, Nebraska continued to use a personalized introductory letter to families before delivering the survey, a follow-up postcard to families, and personal contacts by local representatives to remind families to return the survey. A total of 2262 surveys were delivered to families with children in Part C in 2019-2020; 1541 surveys were completed and returned for a state return rate of 68.1%. Our response rate this year was slightly lower than recent years, attributable to the global COVID 19 pandemic.

Nebraska also attempted to ensure representativeness by hand-delivering the survey to every family enrolled in Part C. Families identified as Spanish-speaking received all survey materials translated into Spanish and were provided a toll-free phone number that was answered by a Spanish translator

who could answer questions or read the survey to the family. A separate toll-free phone number was provided through PTI-Nebraska for families who speak other languages or those needing special assistance in reading and/or understanding the survey questions. The Nebraska survey also asks families to identify their race/ethnicity, child's age, and length of time in program.

Surveys were keyed by Westat staff and analysis of the data for the Planning Region Teams was conducted by Westat. Rasch Analysis was conducted by Dr. Batya Elbaum that revealed a mean IFS measure at 840.3 with a scale reliability at .90. Applying the standard adopted by Nebraska Part C, corresponding measures of 538.9, 555.9 and 516.1 for sub-indicators 4a, 4b, and 4c respectively, the percent of agreement by surveyed families was calculated. Each of the 29 PRTs had at least a 50% return rate or higher which culminated in a statewide 68.1% return rate. This high response rate ensures demographic representativeness of our Part C program within each of the PRTs as well as throughout the state

Race/Ethnicity & Representativeness 2020

Missing - 1.1%

American Indian/Alaska Native - 1.5%

Asian - 1.8%

Black - 3.2%

Hispanic - 13.4%

Hawaiian Native/Pacific Islander - 0.1%

White - 66.1%

Two or more races - 14.98%

**Provide additional information about this indicator (optional)**

**4 - Prior FFY Required Actions**

None

**4 - OSEP Response**

**4 - Required Actions**

## Indicator 5: Child Find (Birth to One)

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Child Find

**Results indicator:** Percent of infants and toddlers birth to 1 with IFSPs compared to national data. (20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part C Child Count and Settings data collection in the EDFacts Metadata and Process System (EMAPS)) and Census (for the denominator).

#### Measurement

Percent = [(# of infants and toddlers birth to 1 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target and to national data. The data reported in this indicator should be consistent with the State's reported 618 data reported in Table 1. If not, explain why.

## 5 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	0.64%

FFY	2014	2015	2016	2017	2018
Target >=	0.57%	0.60%	0.63%	0.66%	0.70%
Data	0.75%	0.80%	1.01%	1.03%	1.09%

### Targets

FFY	2019
Target >=	0.70%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups	07/08/2020	Number of infants and toddlers birth to 1 with IFSPs	282
Annual State Resident Population Estimates for 6 Race Groups (5 Race Alone Groups and Two or More Races) by Age, Sex, and Hispanic Origin	06/25/2020	Population of infants and toddlers birth to 1	25,252

### FFY 2019 SPP/APR Data

Number of infants and toddlers birth to 1 with IFSPs	Population of infants and toddlers birth to 1	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
282	25,252	1.09%	0.70%	1.12%	Met Target	No Slippage

**Compare your results to the national data**

Nebraska continues to see an increase in the birth to 1 population served in the state, changing where Nebraska ranks in relation to other states as demonstrated below:

NE - Indicator C5 - BirthToOne  
Year - # served - Population - % served  
2015-16 - 209 - 26,178 - 0.8%  
2016-17 - 270 - 26,594 - 1.02%  
2017-18 - 272 - 26,340 - 1.03%  
2018-19- 281 - 25,809 - 1.09%  
2019-20 - 282 - 25,252 - 1.12%

**Provide additional information about this indicator (optional)**

**5 - Prior FFY Required Actions**

None

**5 - OSEP Response**

**5 - Required Actions**

## Indicator 6: Child Find (Birth to Three)

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Child Find

**Results indicator:** Percent of infants and toddlers birth to 3 with IFSPs compared to national data. (20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data collected under IDEA section 618 of the IDEA (IDEA Part C Child Count and Settings data collection in the EDFacts Metadata and Process System (EMAPS)) and Census (for the denominator).

#### Measurement

Percent = [(# of infants and toddlers birth to 3 with IFSPs) divided by the (population of infants and toddlers birth to 3)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target and to national data. The data reported in this indicator should be consistent with the State's reported 618 data reported in Table 1. If not, explain why.

## 6 - Indicator Data

Baseline Year	Baseline Data
2005	1.67%

FFY	2014	2015	2016	2017	2018
Target >=	1.84%	1.86%	1.88%	1.90%	1.92%
Data	1.91%	2.06%	2.32%	2.46%	2.69%

#### Targets

FFY	2019
Target >=	1.92%

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups	07/08/2020	Number of infants and toddlers birth to 3 with IFSPs	2,116
Annual State Resident Population Estimates for 6 Race Groups (5 Race Alone Groups and Two or More Races) by Age, Sex, and Hispanic Origin	06/25/2020	Population of infants and toddlers birth to 3	76,974

#### FFY 2019 SPP/APR Data

Number of infants and toddlers birth to 3 with IFSPs	Population of infants and toddlers birth to 3	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2,116	76,974	2.69%	1.92%	2.75%	Met Target	No Slippage

#### Compare your results to the national data

Nebraska continues to see an increase in the birth to 3 population served in the state, changing where Nebraska ranks in relation to other states as demonstrated below:

NE - Indicator C6- BirthToThree  
Year - # served - Population - % served  
2015-16 - 1,619 - 78,546 - 2.06%  
2016-17 - 1,859 - 80,064 - 2.32%  
2017-18 - 1,964 - 79,828 - 2.46%  
2018-19 - 2,118 - 78,751 - 2.69%  
2019-20 - 2,116 - 76,974 - 2.75%

**Provide additional information about this indicator (optional)**

### **6 - Prior FFY Required Actions**

None

### **6 - OSEP Response**

### **6 - Required Actions**

## Indicator 7: 45-Day Timeline

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Child Find

**Compliance indicator:** Percent of eligible infants and toddlers with IFSPs for whom an initial evaluation and initial assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline. (20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data to be taken from monitoring or State data system and must address the timeline from point of referral to initial IFSP meeting based on actual, not an average, number of days.

#### Measurement

Percent = [(# of eligible infants and toddlers with IFSPs for whom an initial evaluation and initial assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline) divided by the (# of eligible infants and toddlers evaluated and assessed for whom an initial IFSP meeting was required to be conducted)] times 100.

Account for untimely evaluations, assessments, and initial IFSP meetings, including the reasons for delays.

#### Instructions

If data are from State monitoring, describe the method used to select EIS programs for monitoring. If data are from a State database, describe the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period) and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

Targets must be 100%.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide actual numbers used in the calculation.

States are not required to report in their calculation the number of children for whom the State has identified the cause for the delay as exceptional family circumstances, as defined in 34 CFR §303.310(b), documented in the child's record. If a State chooses to report in its calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record, the numbers of these children are to be included in the numerator and denominator. Include in the discussion of the data, the numbers the State used to determine its calculation under this indicator and report separately the number of documented delays attributable to exceptional family circumstances.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, methods to ensure correction, and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 7 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	79.80%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.11%	85.51%	93.66%	97.22%	84.87%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

Number of eligible infants and toddlers with IFSPs for whom an initial evaluation and assessment and an initial IFSP meeting was conducted within Part C's 45-day timeline	Number of eligible infants and toddlers evaluated and assessed for whom an initial IFSP meeting was required to be conducted	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
128	141	84.87%	100%	90.78%	Did Not Meet Target	No Slippage

### Number of documented delays attributable to exceptional family circumstances

This number will be added to the "Number of eligible infants and toddlers with IFSPs for whom an initial evaluation and assessment and an initial IFSP meeting was conducted within Part C's 45-day timeline" field above to calculate the numerator for this indicator.

0

What is the source of the data provided for this indicator?

State monitoring

**Describe the method used to select EIS programs for monitoring.**

The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. IFSP files and other records maintained by Services Coordinators are reviewed for compliance with IDEA and Medicaid. The Individualized Family Service Plan (IFSP) checklist file review for Improving Learning for Children with Disabilities (ILCD) gathers data regarding the receipt of early intervention services on IFSPs in a timely manner. In FFY 2019, 10 of the Planning Regions participated in an IFSP file review for a total of 141 files. In 13 of the 141 files the 45 day timeline was not met. The Co-Leads notified the 6 programs in writing concerning the findings of noncompliance and the requirement that the noncompliance be corrected as soon as possible. The State has verified that the EIS programs are correctly implementing the specific regulatory requirements and have ensured that the children received an initial evaluation, assessment and IFSP meeting, although late, and the services listed on the IFSP within a timely manner from the IFSP meeting.

**Provide additional information about this indicator (optional)**

Delays are attributable to provider scheduling delays and provider miscalculation of timelines.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
18	18	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The Co-Leads notified each EIS program in writing concerning the finding of noncompliance and the requirement that the noncompliance be corrected as soon as possible, but in no case more than one year from identification. The State verified that each EIS program not in compliance, correctly implemented the specific regulatory requirement and ensured that all children received an evaluation, assessment, and IFSP meeting, although late, and the services listed on the IFSP in a timely manner as noted in the FFY 2018 APR. Each EIS program was required to develop and implement a Corrective Action Plan to ensure correction of noncompliance within one year. The Co-Leads monitored the implementation of the Corrective Action Plan. In addition, the Co-Leads reviewed files of newly-referred children for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements, were implemented. Within one year of identification each EIS program was found to be in 100% compliance in meeting the 45-day timeline.

**Describe how the State verified that each individual case of noncompliance was corrected**

Each EIS program was required to develop and implement a Corrective Action Plan to ensure correction of noncompliance within one year. The Co-Leads monitored the implementation of the Corrective Action Plan. In addition, the Co-Leads reviewed files of newly-referred children for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements, were implemented. Within one year of identification each EIS program was found to be in 100% compliance in meeting the 45-day timeline.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**7 - Prior FFY Required Actions**

None

**7 - OSEP Response**

**7 - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.



## Indicator 8A: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Effective Transition

**Compliance indicator:** The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data to be taken from monitoring or State data system.

#### Measurement

- A. Percent = [(# of toddlers with disabilities exiting Part C who have an IFSP with transition steps and services at least 90 days, and at the discretion of all parties not more than nine months, prior to their third birthday) divided by the (# of toddlers with disabilities exiting Part C)] times 100.
- B. Percent = [(# of toddlers with disabilities exiting Part C where notification (consistent with any opt-out policy adopted by the State) to the SEA and LEA occurred at least 90 days prior to their third birthday for toddlers potentially eligible for Part B preschool services) divided by the (# of toddlers with disabilities exiting Part C who were potentially eligible for Part B)] times 100.
- C. Percent = [(# of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B) divided by the (# of toddlers with disabilities exiting Part C who were potentially eligible for Part B)] times 100.

Account for untimely transition planning under 8A, 8B, and 8C, including the reasons for delays.

#### Instructions

Indicators 8A, 8B, and 8C: Targets must be 100%.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data. Provide the actual numbers used in the calculation.

Indicators 8A and 8C: If data are from the State's monitoring, describe the procedures used to collect these data. If data are from State monitoring, also describe the method used to select EIS programs for monitoring. If data are from a State database, describe the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period) and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

Indicators 8A and 8C: States are not required to report in their calculation the number of children for whom the State has identified the cause for the delay as exceptional family circumstances, as defined in 34 CFR §303.310(b), documented in the child's record. If a State chooses to report in its calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record, the numbers of these children are to be included in the numerator and denominator. Include in the discussion of the data, the numbers the State used to determine its calculation under this indicator and report separately the number of documented delays attributable to exceptional family circumstances.

Indicator 8B: Under 34 CFR §303.401(e), the State may adopt a written policy that requires the lead agency to provide notice to the parent of an eligible child with an IFSP of the impending notification to the SEA and LEA under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §303.209(b)(1) and (2) and permits the parent within a specified time period to "opt-out" of the referral. Under the State's opt-out policy, the State is not required to include in the calculation under 8B (in either the numerator or denominator) the number of children for whom the parents have opted out. However, the State must include in the discussion of data, the number of parents who opted out. In addition, any written opt-out policy must be on file with the Department of Education as part of the State's Part C application under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §§303.209(b) and 303.401(d).

Indicator 8C: The measurement is intended to capture those children for whom a transition conference must be held within the required timeline and, as such, only children between 2 years 3 months and age 3 should be included in the denominator.

Indicator 8C: Do not include in the calculation, but provide a separate number for those toddlers for whom the parent did not provide approval for the transition conference.

Indicators 8A, 8B, and 8C: Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, methods to ensure correction, and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 8A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	86.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	91.67%	75.76%	69.23%	93.06%	51.85%

**Targets**

FFY	2019
Target	100%

**FFY 2019 SPP/APR Data**

Data include only those toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday. (yes/no)

YES

Number of children exiting Part C who have an IFSP with transition steps and services	Number of toddlers with disabilities exiting Part C	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
57	64	51.85%	100%	89.06%	Did Not Meet Target	No Slippage

**Number of documented delays attributable to exceptional family circumstances**

This number will be added to the "Number of children exiting Part C who have an IFSP with transition steps and services" field to calculate the numerator for this indicator.

0

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to select EIS programs for monitoring.**

The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. IFSP files and other records maintained by Services Coordinators are reviewed for compliance with IDEA and Medicaid. In FFY 2019, ten (10) of the Planning Regions participated in an IFSP file review for a total of 141 files, of which 64 files had transition plans reviewed for compliance. The Co-Leads determined that all 64 files contained complete transition plans prior to the child exiting Part C. However, 7 transition plans were found to be out of compliance due to the transition plan was completed fewer than 90 days prior to the child's 3rd birthday or did not contain specific steps/services individualized to the child's/family's needs. The Co-Leads notified the 6 EIS programs in writing concerning the findings of noncompliance and the requirement that the noncompliance be corrected as soon as possible but in no case more than one year from identification.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
26	26	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

In each case of noncompliance, the Co-Leads notified the EIS program in writing concerning the finding of noncompliance and the requirement that the noncompliance be corrected as soon as possible, but in no case more than one year from identification. The State verified that each EIS program not in compliance correctly implemented the specific regulatory requirement and ensured that all children exiting Part C received an IFSP with transition steps and services prior to exiting Part C. Each EIS program was required to develop and implement a Corrective Action Plan. In addition, the Co-Leads reviewed different files of children exiting Part C for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements were implemented. Within one year of identification each EIS program was found to be in 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

Each EIS program was required to develop and implement a Corrective Action Plan to ensure correction of noncompliance within one year. The Co-Leads monitored the implementation of the Corrective Action Plan. In addition, the Co-Leads reviewed additional files of children exiting Part C for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements, were implemented. Within one year of identification each EIS program was found to be in 100% compliance. The requirements and appropriate documentation of transition plans for children exiting Part C will continue to be a training topic to ensure that all EIS programs correctly implement the specific regulatory requirements and have strategies in plan to ensure compliance. The state has verified that each EIS program was correctly implementing the specific regulatory requirements and ensured that all children, who had not yet exited Part C, were provided with appropriate transition plans documenting all necessary transition steps and services prior to the children exiting Part C.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**8A - Prior FFY Required Actions**

None

**8A - OSEP Response**

**8A - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 8B: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Effective Transition

**Compliance indicator:** The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data to be taken from monitoring or State data system.

#### Measurement

- Percent =  $[(\# \text{ of toddlers with disabilities exiting Part C who have an IFSP with transition steps and services at least 90 days, and at the discretion of all parties not more than nine months, prior to their third birthday}) \div (\# \text{ of toddlers with disabilities exiting Part C})] \times 100$ .
- Percent =  $[(\# \text{ of toddlers with disabilities exiting Part C where notification (consistent with any opt-out policy adopted by the State) to the SEA and LEA occurred at least 90 days prior to their third birthday for toddlers potentially eligible for Part B preschool services}) \div (\# \text{ of toddlers with disabilities exiting Part C who were potentially eligible for Part B})] \times 100$ .
- Percent =  $[(\# \text{ of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B}) \div (\# \text{ of toddlers with disabilities exiting Part C who were potentially eligible for Part B})] \times 100$ .

Account for timely transition planning under 8A, 8B, and 8C, including the reasons for delays.

#### Instructions

Indicators 8A, 8B, and 8C: Targets must be 100%.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data. Provide the actual numbers used in the calculation.

Indicators 8A and 8C: If data are from the State's monitoring, describe the procedures used to collect these data. If data are from State monitoring, also describe the method used to select EIS programs for monitoring. If data are from a State database, describe the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period) and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

Indicators 8A and 8C: States are not required to report in their calculation the number of children for whom the State has identified the cause for the delay as exceptional family circumstances, as defined in 34 CFR §303.310(b), documented in the child's record. If a State chooses to report in its calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record, the numbers of these children are to be included in the numerator and denominator. Include in the discussion of the data, the numbers the State used to determine its calculation under this indicator and report separately the number of documented delays attributable to exceptional family circumstances.

Indicator 8B: Under 34 CFR §303.401(e), the State may adopt a written policy that requires the lead agency to provide notice to the parent of an eligible child with an IFSP of the impending notification to the SEA and LEA under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §303.209(b)(1) and (2) and permits the parent within a specified time period to "opt-out" of the referral. Under the State's opt-out policy, the State is not required to include in the calculation under 8B (in either the numerator or denominator) the number of children for whom the parents have opted out. However, the State must include in the discussion of data, the number of parents who opted out. In addition, any written opt-out policy must be on file with the Department of Education as part of the State's Part C application under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §§303.209(b) and 303.401(d).

Indicator 8C: The measurement is intended to capture those children for whom a transition conference must be held within the required timeline and, as such, only children between 2 years 3 months and age 3 should be included in the denominator.

Indicator 8C: Do not include in the calculation, but provide a separate number for those toddlers for whom the parent did not provide approval for the transition conference.

Indicators 8A, 8B, and 8C: Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, methods to ensure correction, and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 8B - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	86.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	100.00%	100.00%	100.00%	100.00%	100.00%

**Targets**

FFY	2019
Target	100%

**FFY 2019 SPP/APR Data**

Data include notification to both the SEA and LEA

YES

Number of toddlers with disabilities exiting Part C where notification to the SEA and LEA occurred at least 90 days prior to their third birthday for toddlers potentially eligible for Part B preschool services	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
64	64	100.00%	100%	100.00%	Met Target	No Slippage

**Number of parents who opted out**

This number will be subtracted from the "Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B" field to calculate the denominator for this indicator.

0

**Describe the method used to collect these data**

Nebraska uses State Monitoring. The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (a.k.a. the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. In FFY 2019, ten (10) of the Planning Regions participated in an IFSP file review for a total of 141 files, of which 64 files had children exiting Part C who received proper Notification to LEA and SEA as the child was potentially eligible for Part B.

**Do you have a written opt-out policy? (yes/no)**

NO

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to select EIS programs for monitoring.**

The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. IFSP files and other records maintained by Services Coordinators are reviewed for compliance with IDEA and Medicaid. In FFY 2019, ten (10) of the Planning Regions participated in an IFSP file review for a total of 141 files, of which 64 files had children exiting Part C who received proper Notification to LEA and SEA as the child was potentially eligible for Part B.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**8B - Prior FFY Required Actions**

None

**8B - OSEP Response**

## 8B - Required Actions

## Indicator 8C: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / Effective Transition

**Compliance indicator:** The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday;
- B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services; and
- C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.

(20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data to be taken from monitoring or State data system.

#### Measurement

- A. Percent = [(# of toddlers with disabilities exiting Part C who have an IFSP with transition steps and services at least 90 days, and at the discretion of all parties not more than nine months, prior to their third birthday) divided by the (# of toddlers with disabilities exiting Part C)] times 100.
- B. Percent = [(# of toddlers with disabilities exiting Part C where notification (consistent with any opt-out policy adopted by the State) to the SEA and LEA occurred at least 90 days prior to their third birthday for toddlers potentially eligible for Part B preschool services) divided by the (# of toddlers with disabilities exiting Part C who were potentially eligible for Part B)] times 100.
- C. Percent = [(# of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B) divided by the (# of toddlers with disabilities exiting Part C who were potentially eligible for Part B)] times 100.

Account for untimely transition planning under 8A, 8B, and 8C, including the reasons for delays.

#### Instructions

Indicators 8A, 8B, and 8C: Targets must be 100%.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data. Provide the actual numbers used in the calculation.

Indicators 8A and 8C: If data are from the State's monitoring, describe the procedures used to collect these data. If data are from State monitoring, also describe the method used to select EIS programs for monitoring. If data are from a State database, describe the time period in which the data were collected (e.g., September through December, fourth quarter, selection from the full reporting period) and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

Indicators 8A and 8C: States are not required to report in their calculation the number of children for whom the State has identified the cause for the delay as exceptional family circumstances, as defined in 34 CFR §303.310(b), documented in the child's record. If a State chooses to report in its calculation children for whom the State has identified the cause for the delay as exceptional family circumstances documented in the child's record, the numbers of these children are to be included in the numerator and denominator. Include in the discussion of the data, the numbers the State used to determine its calculation under this indicator and report separately the number of documented delays attributable to exceptional family circumstances.

Indicator 8B: Under 34 CFR §303.401(e), the State may adopt a written policy that requires the lead agency to provide notice to the parent of an eligible child with an IFSP of the impending notification to the SEA and LEA under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §303.209(b)(1) and (2) and permits the parent within a specified time period to "opt-out" of the referral. Under the State's opt-out policy, the State is not required to include in the calculation under 8B (in either the numerator or denominator) the number of children for whom the parents have opted out. However, the State must include in the discussion of data, the number of parents who opted out. In addition, any written opt-out policy must be on file with the Department of Education as part of the State's Part C application under IDEA section 637(a)(9)(A)(ii)(I) and 34 CFR §§303.209(b) and 303.401(d).

Indicator 8C: The measurement is intended to capture those children for whom a transition conference must be held within the required timeline and, as such, only children between 2 years 3 months and age 3 should be included in the denominator.

Indicator 8C: Do not include in the calculation, but provide a separate number for those toddlers for whom the parent did not provide approval for the transition conference.

Indicators 8A, 8B, and 8C: Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, methods to ensure correction, and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 8C - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	100.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	100.00%	96.97%	76.92%	95.83%	87.04%

**Targets**

FFY	2019
Target	100%

**FFY 2019 SPP/APR Data**

Data reflect only those toddlers for whom the Lead Agency has conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services (yes/no)

YES

Number of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties not more than nine months prior to the toddler's third birthday for toddlers potentially eligible for Part B	Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
56	64	87.04%	100%	87.50%	Did Not Meet Target	No Slippage

Number of toddlers for whom the parent did not provide approval for the transition conference

This number will be subtracted from the "Number of toddlers with disabilities exiting Part C who were potentially eligible for Part B" field to calculate the denominator for this indicator.

0

Number of documented delays attributable to exceptional family circumstances

This number will be added to the "Number of toddlers with disabilities exiting Part C where the transition conference occurred at least 90 days, and at the discretion of all parties not more than nine months prior to the toddler's third birthday for toddlers potentially eligible for Part B" field to calculate the numerator for this indicator.

0

What is the source of the data provided for this indicator?

State monitoring

Describe the method used to select EIS programs for monitoring.

The Nebraska Department of Education (NDE) and Nebraska Department of Health and Human Services (NDHHS), acting as co-lead agencies (the Co-Leads), are responsible for ensuring Part C of the Individuals with Disabilities Education Act (IDEA) is fully implemented for all infants and toddlers with disabilities and their families through the Early Development Network (EDN). The Part C Co-Leads monitor the state's Planning Region Teams (PRTs) on a three year cycle. IFSP files and other records maintained by Services Coordinators are reviewed for compliance with IDEA and Medicaid. In FFY 2019, ten (10) of the Planning Regions participated in an IFSP file review for a total of 141 files, of which 64 files had children exiting Part C in which it was required to conduct a transition conference by the third birthday. The Co-Leads notified the 4 EIS programs in writing concerning the findings of noncompliance and the requirement that the noncompliance be corrected as soon as possible but in no case more than one year from identification. The State has verified that the EIS programs are correctly implementing the specific regulatory requirements and have ensured that the child/family received a transition conference and plan, although late, and the services listed on the IFSP within a timely manner from the IFSP meeting.

Provide additional information about this indicator (optional)

Delays are attributable to provider scheduling delays and provider miscalculation of timelines.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
7	7	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements

In each case of noncompliance, the Co-Leads notified the EIS program in writing concerning the finding of noncompliance and the requirement that the noncompliance be corrected as soon as possible, but in no case more than one year from identification. The State verified that each EIS program not in compliance correctly implemented the specific regulatory requirement and ensured that all children exiting Part C received a transition conference prior to exiting Part C. Each EIS program was required to develop and implement a Corrective Action Plan. In addition, the Co-Leads reviewed different files of children exiting Part C for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements were implemented. Within one year of identification each EIS program was found to be in 100% compliance.

Describe how the State verified that each individual case of noncompliance was corrected

Each EIS program was required to develop and implement a Corrective Action Plan to ensure correction of noncompliance within one year. The Co-Leads monitored the implementation of the Corrective Action Plan. In addition, the Co-Leads reviewed additional files of children exiting Part C for assurance that compliance was met and the CAP-related processes, as well as specific regulatory requirements, were implemented. Within one year of identification each EIS program was found to be in 100% compliance. The transition conference/planning requirements for children exiting Part C will continue to be a training topic to ensure that all EIS programs correctly implement the specific regulatory requirements and have strategies in plan to ensure compliance. The state has verified that each EIS program was correctly implementing the specific regulatory requirements and ensured that all children, who had not yet exited Part C, received a transition conference prior to exiting Part C.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**8C - Prior FFY Required Actions**

None

**8C - OSEP Response**

**8C - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 9: Resolution Sessions

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / General Supervision

**Results indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted). (20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part C Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent = (3.1(a) divided by 3.1) times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

This indicator is not applicable to a State that has adopted Part C due process procedures under section 639 of the IDEA.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, the State must develop baseline and targets and report them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's 618 data, explain.

States are not required to report data at the EIS program level.

### 9 - Indicator Data

#### Not Applicable

**Select yes if this indicator is not applicable.**

NO

**Select yes to use target ranges.**

Target Range not used

**Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.**

NO

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part C Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1 Number of resolution sessions	0
SY 2019-20 EMAPS IDEA Part C Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1(a) Number resolution sessions resolved through settlement agreements	0

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

#### Historical Data

Baseline Year	Baseline Data

FFY	2014	2015	2016	2017	2018
Target>=					

Data					
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**Targets**

FFY	2019
Target>=	

**FFY 2019 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0				N/A	N/A

Provide additional information about this indicator (optional)

**9 - Prior FFY Required Actions**

None

**9 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2019. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

**9 - Required Actions**

## Indicator 10: Mediation

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part C / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B) and 1442)

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part C Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent = ((2.1(a)(i) + 2.1(b)(i)) divided by 2.1) times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of mediations reaches 10 or greater, the State must develop baseline and targets and report them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's 618 data, explain.

States are not required to report data at the EIS program level.

### 10 - Indicator Data

#### Select yes to use target ranges

Target Range not used

#### Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part C Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1 Mediations held	1
SY 2019-20 EMAPS IDEA Part C Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.a.i Mediations agreements related to due process complaints	0
SY 2019-20 EMAPS IDEA Part C Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.b.i Mediations agreements not related to due process complaints	1

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska has established a broad based stakeholder group. The group includes representatives of parents, school district Directors of Special Education, special education staff, early childhood programs, Routines Based Early Intervention (RBEI), higher education, services coordination, Head Start, Health and Human Services, community agencies, early intervention service providers, court system, psychologists, early childhood special education, and the medical field.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted the Co-leads in establishing the State Identified Measurable Result (SIMR). During 2015 through 2020 the Stakeholders provided guidance and input on Phase II and Phase III activities and evaluation measures of the SSIP.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SSIP and SPP/APR, Nebraska also obtains input from the Special Education Advisory Council (SEAC) and the Early Childhood Interagency Coordinating Council (ECICC). These Councils are established pursuant to 34 CFR 300.167 and 34 CFR 303.600 and as such provide for input from a diverse group of stakeholders. The Councils regularly discuss the SPP/APR and provide input on the targets and strategies contained therein. SEAC and ECICC will continue to be utilized for input on the development of the SSIP and the SIMR.

#### Historical Data

Baseline Year	Baseline Data
2005	

FFY	2014	2015	2016	2017	2018
Target >=					
Data					

**Targets**

FFY	2019
Target>=	

**FFY 2019 SPP/APR Data**

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	1	1			100.00%	N/A	N/A

Provide additional information about this indicator (optional)

**10 - Prior FFY Required Actions**

None

**10 - OSEP Response**

The State reported fewer than ten mediations held in FFY 2019. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

**10 - Required Actions**

## **Certification**

### **Instructions**

Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.

### **Certify**

I certify that I am the Director of the State's Lead Agency under Part C of the IDEA, or his or her designee, and that the State's submission of its IDEA Part C State Performance Plan/Annual Performance Report is accurate.

### **Select the certifier's role**

Lead Agency Director

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part C State Performance Plan/Annual Performance Report.**

**Name:**

Amy Rhone

**Title:**

State Director

**Email:**

amy.rhone@nebraska.gov

**Phone:**

(531) 207-9978

**Submitted on:**

04/27/21 6:15:40 PM