

Revised July 2023

Nebraska's Levels of Determinations Regarding Planning Region Teams' (PRT) Performance IDEA Part C

Monitoring, Technical Assistance, and Enforcement §303.700 (a)(3)

Levels of Determination	Criteria	Actions
<p>Meet Requirements §303.703 (b)(1)(i)</p>	<p>80%-100%</p>	<p>Part C Co-Lead Agencies will take one of the following actions:</p> <ul style="list-style-type: none"> ● Notification to the PRT informing them on the level of determination
<p>Needs Assistance §303.703 (b)(1)(ii)</p>	<p>60%-79%</p>	<p style="text-align: center;"><u>Year 1</u></p> <p>One of the following actions is accessible to the PRT through the Part C Co-Lead Agencies:</p> <ul style="list-style-type: none"> ● Review progress on Corrective Action Plan (CAP) for any identified compliance issues based upon Monitoring ● Require the PRT to revise the Targeted Improvement Plan (TIP) to improve results <p style="text-align: center;"><u>Year 2</u></p> <p>Part C Co-Lead Agencies will take one of the following actions:</p> <ul style="list-style-type: none"> ● Advise the PRT of available technical assistance (TA) resources which may include: <ul style="list-style-type: none"> ○ Advice from experts; ○ Assistance in identifying and implementing professional development, early intervention service provision strategies, and methods of early intervention service provision that are based on scientifically based research; ○ Designating and using administrators, services coordinators, service providers, and other personnel to provide advice, technical assistance, and support; ○ Devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance, and private providers of scientifically based technical assistance

**Required Action at 2nd
Consecutive Year**

- Identify the PRT as high-risk and impose special conditions on the PRT System Support grant which may include requiring the funds to be utilized in targeted areas

Needs Intervention
§303.703 (b)(1)(iii)

40%-59%

Year 1

One of the following actions is accessible to the PRT through the Part C Co-Lead Agencies:

- Review progress on CAP for any identified compliance issues based upon Regulatory Monitoring
- Require the PRT to revise the TIP for area(s) in need of improvement

Year 2 or Year 1 with Needs Assistance Year Prior

The Part Co-Lead Agencies may take any of the actions described in Enforcement Areas of Needs Assistance

Year 3

**Required Action at 3rd
Consecutive Year**

The Part Co-Lead Agencies may take one or more of the following actions:

- Any of the actions from Year 1 and Year 2
- Conduct an onsite fiscal compliance review/NDE Rule 52 and DHHS 480 NAC 1 compliance visit
- Identify the PRT as high risk and NDE may impose special conditions on the PRT System Support grant which may include requiring the funds to be utilized in targeted areas
- Withhold, in whole or in part, any further payments to the PRT under the PRT System Support Grant

**If at any point in time a PRT is determined to be in needs assistance or lower and then the following year is found to be at a lower level of determination, this will be considered the second consecutive year thus initiating enforcement actions.*

**Needs Substantial
Intervention**
§303.703 (b)(1)(iv)
Required Action

39% and below

Part C Co-Lead Agencies will take one or more of the following actions:

- Any one or more of the actions from Needs Assistance and/or Needs Interventions Enforcement Areas
- Withhold, in whole or in part, any further payments to the PRT under the PRT System Support Grant
- Conduct an on-site NDE Rule 52 and DHHS 480 NAC 1 compliance visit
- Conduct an onsite fiscal audit