

Verification Report 12

Notification to School District of Compliance Rate on State Performance Plan (SPP) Indicator #12 - Percent of Children Referred by Part C Prior to age 3, Who Are Found Eligible for Part B, and Who Have an IEP Developed and Implemented by Their Third Birthday

Based on Referral of Children from Part C Received Between July 1, 2022 and June 30, 2023, and Status of the IEP Implementation as of August 31, 2023

About this Report

This is a report regarding children transitioning from Part C Early Intervention to Part B Students with Disabilities. It is a report of the percent of children referred by Part C prior to age 3, and of those, who are found eligible for Part B and who have an IEP developed and implemented by their third birthday. Data elements displayed in this report are submitted to the Student Information Repository System (SIRS) in the following eScholar templates: Student Lite (student demographics); School Entry Exit (enrollment); and Special Education Events.

Students who meet the following criteria are included in this report:

- Enrollment record between July 1, 2022 and June 30, 2023
- Reason for Beginning Enrollment Code 4034
- Building of Enrollment Code that is valid in SEDREF
- Any of the following Event Type Codes submitted in the Special Education Events template:
 - EI01 – receipt of initial referral from Part C to evaluate the child for preschool special education eligibility, with a date of referral that is between July 1, 2022 and June 30, 2023
 - EI02 – receipt of written parent consent to evaluate the child (all events after 8/31/2023 are ignored)
 - EI03 – CPSE meeting to determine eligibility (all events after 8/31/23 are ignored)**OR**
 - EI04 – full implementation (all events after 8/31/23 are ignored).

Directions for Certification of Initial Data Submission

1. Review the data to verify that this report accurately reflects students who were referred and evaluated for eligibility for Part B and had an IEP implemented by their third birthday. Click on the number in each cell in the table to see the list of included students. You can also view and download the list of included students from the main menu in PD System by navigating to "EOY Reports," then VR12, then choosing "Inclusion EOY Reports VR12."
2. Review the data to verify that each included student with a third birthday on or before August 31st who was found eligible for preschool special education was reported with a Date of Full Implementation of IEP by the certification due date. The RIC deadline will be in the week prior to the certification due date. **Revised data must be submitted in time to be refreshed in PD prior to the certification due date. Data will be locked in PD after the certification due date.**
3. Review the list of potential students under "Potential EOY Reports VR12" to verify that these students do not meet the criteria to be included.
4. Review the data to verify that each Delay Reason Code reported is accurate.
5. If data in this report is inaccurate and needs to be revised, please submit the revised data to your Regional Information Center (RIC) or, for large cities, to the state data warehouse prior to the certification due date. Check with your RIC on their deadline for submitting data to ensure that the data is refreshed in PD by the certification due date. The RIC deadline will be in the week prior to the certification due date. **Revised data must be submitted in time to be refreshed in PD prior to the certification due date. Data will be locked in PD after the certification due date.**
6. Certify the data as accurate after you have reviewed the data and made any necessary corrections.

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

Data for Indicator #12

	Number of Children
1. Number of children who were served in Part C and referred to Part B for eligibility determination from July 1, 2022 to June 30, 2023.	EI01 record
2. Number of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthday.	Event Outcome Code = N and EI03 is on or before child's third birthday
3. Number of those found eligible who had an IEP developed and implemented by their third birthday.	Event Outcome Code = Y and EI04 date is on or before child's third birthday
4. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are in compliance with State requirements.	<p>Event Outcome Code is U and child's third birthday is after August 31, 2023 (reason code is not a factor)</p> <p>OR</p> <p>Event Outcome Code is Y, child's third birthday is after August 31, 2023, and EI04 is missing (reason code is not a factor)</p> <p>OR</p> <p>Reason Code = EIR01, EIR02, EIR03, EIR04, EIR06, EIR07, EIR08, EIR11, EIR13, EIR14, EIR16, EIR17, or EIR19</p> <p>AND one of the following:</p> <p>[Event Outcome Code is N or U and EI03 is after child's third birthday]</p> <p>OR</p> <p>[Event Outcome Code is U and child's third birthday is on or before August 31, 2023]</p> <p>OR</p> <p>[Event Outcome Code is Y and EI04 is after child's third birthday]*</p> <p>OR</p> <p>[Event Outcome Code is Y, EI04 is missing, and child's third birthday is on or before August 31, 2023]*</p> <p>*These are the only two scenarios applicable to the use of EIR13.</p>
5. Number of children for whom delays in determination of eligibility or delays in implementing the IEP were caused by reasons that are NOT in compliance with State requirements.	<p>Reason Code = EIR05, EIR09, EIR10, EIR12, EIR15, or EIR18</p> <p>AND one of the following:</p> <p>[Event Outcome Code is N and EI03 is after child's third birthday]</p>

	<p>OR [Event Outcome Code is U and child's third birthday is on or before August 31, 2023]</p> <p>OR [Event Outcome Code is U and EI03 is after child's third birthday]</p> <p>OR [Event Outcome Code is Y and EI04 is after child's third birthday]</p> <p>OR [Event Outcome Code is Y, EI04 is missing, and child's third birthday is on or before August 31, 2023.]</p>
<p>6. Number of children for whom there are missing data or inaccurate data. These children are counted as noncompliant.</p>	<p>One or more of the required data elements are missing or are inaccurate.</p>
<p>7. Compliance Rate [(Line 3) divided by (Line 3 plus Line 5 plus Line 6)]* 100</p>	

Template of Data Display for Indicator #12

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

Reasons for Delays or Students Whose Data are Missing or Inaccurate

Reasons in Compliance with State Requirements	Number of Children
Reasons NOT in Compliance with State Requirements	
Students for Whom there are Missing or Inaccurate Data	

Please contact your Special Education Quality Assurance Office (SEQA) <http://www.nysed.gov/special-education/special-education-quality-assurance-regional-offices> for assistance in addressing any issues of noncompliance.

If you have questions regarding the data and procedures included in this report, please submit your questions to SEDCAR at datasupport@nysed.gov with a subject line of "VR12".

Procedures for Districts with Noncompliance

Districts whose VR12 reports show 2022-23 noncompliance with the requirements of SPP Indicator 12 will need to provide assurance and documentation of correction of noncompliance for individual students and for all students by following the procedures described below.

District Assurance of Correction of Noncompliance Indicator #12 - Percent of Children Referred by Part C Prior to Age 3, who are Found Eligible for Part B, and who Have an IEP Developed and Implemented by Their Third Birthday

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

- The students listed in the VR12 Part 1 Assurance Chart below were reported to NYSED as NOT having an IEP implemented by the third birthday and, for each student, the reason for the delay that was reported was NOT in compliance with State requirements. The district is required to review the chart and identify any students who are missing a Date of Full IEP Implementation. For these students, if the full IEP has been implemented, the school district must report the full IEP implementation date (EI04) using the LO Historical data reporting process. The school district's data coordinator is familiar with this process and should be consulted and involved.
- **NOTE: The PD data system WILL NOT update to show any dates submitted through the LO Historical process. "Not Reported" will continue to appear in the VR12 Part 1 Assurance Chart below for students missing a Date of Full IEP Implementation.**
- If the full IEP has not been implemented, the school district must document the reason(s) why the full IEP has not been implemented. This documentation must be made available upon request by NYSED's Special Education Quality Assurance (SEQA) personnel who will be continuing the review of records for these students to determine whether each individual case of noncompliance has been corrected.
- Once the review of the VR12 Part 1 Assurance Chart and any required documentation is complete, including the submission of full IEP implementation dates to LO Historical, please read and submit Part 1 of the VR12 Assurance. NYSED will verify data reported through LO Historical and SEQA personnel will request additional documentation from the school district if further verification is required to ensure all cases of identified 2022-23 student-specific noncompliance have been resolved.

VR12 Part 1 Assurance Chart				
Student's Local ID	Student's Date of Birth	Date of Referral to CPSE	Date of Receipt of Parent Consent to Evaluate	Date of Full IEP Implementation
00001234	12/15/2019	09/30/2022	11/30/2022	12/28/2022
00001256	12/10/2018	08/03/2022	08/13/2022	Not Reported

The Date of Full IEP Implementation for this student must be reported to Level 0 Historical once the meeting has been held.

Part 2: Documentation of Correction of Noncompliance for All Students:

The school district is required to submit 2022-23 Early Intervention (EI) Special Education Events data to SIRS. A sample of your school district's submitted data will be reviewed to determine whether all students in the sample had a full IEP implemented by the third birthday.

First Data Submission

The first 2023-24 EI Special Education Events data submission must include all children referred from Part C on or after July 1, 2023 and who have all four EI dates in the Special Education Events chain. This means that all events in the EI special ed events chain have been completed:

1. Date of Initial Referral to CPSE (EI01)
2. Date of Parent Consent to Evaluate (EI02)
3. Date of CPSE Meeting to Discuss Completed Evaluation and Determine Eligibility (EI03)
4. Date of Full IEP Implementation (EI04)

Please read and submit Part 2 of the VR12 Assurance when the first submission of 2023-24 EI Special Education Events data has been completed.

Following NYSED review of a sample of records from this data submission, there can be three outcomes:

1. No noncompliance is identified. All students in the sample have a full IEP implemented by the third birthday, or if the full IEP was not implemented by the third birthday, there is a reason that is considered to be in compliance with New York State requirements. When no noncompliance is found, this review will be used to verify that your school district is correctly implementing timely evaluation regulatory requirements.
2. Noncompliance is identified. If any students in the sample did not have a full IEP implemented by the third birthday and there is a reason that is not considered to be in compliance with New York State requirements, your school district will be directed to complete the following action:
 - o submit 2023-24 EI Special Education Events data an additional time that includes all children referred from Part C on or after July 1, 2023 with a full IEP implemented and who have all four EI dates in the Special Education Events chain. See below for information on the additional submission.
3. There are insufficient records for review. In this case, your district must submit additional 2023-24 EI Special Education Events data that includes all children referred from Part C on or after July 1, 2023 with a full IEP implemented and who have all four EI dates in the Special Education Events chain. See below for information on the additional submission.

Additional Data Submission

If applicable, the additional submission for the 2023-24 school year must include all children referred from Part C on or after July 1, 2023 and who have all four EI dates in the Special Education Events chain. This submission will include children from the first submission with updated events, as applicable, and additional children who were referred from Part C after the first submission. The updated events data will be reviewed to verify the correct implementation of early childhood transition regulatory requirements. Following a review of a new sample of records from this data submission, if no noncompliance is identified (i.e., all students in the sample had their IEP implemented by their third birthday or if not, there is a reason considered to be in compliance with regulatory requirements), this review will be used to verify that your school district is correctly implementing early childhood transition regulatory requirements. If no children were referred from Part C during the 2023-24 school year, your school district will be directed by SEQA to submit a Superintendent's certification to this effect.

Verification that your school district has resolved all individual cases of identified noncompliance and is correctly implementing early childhood transition regulatory requirements will result in a notification that the school district has corrected the 2022-23 SPP Indicator 12 findings of noncompliance. If any individual cases of identified noncompliance are not verified as resolved, or review of subsequent data does not demonstrate the correct implementation of regulatory requirements, the school district will be identified as having longstanding noncompliance with early childhood transition requirements, a compliance assurance plan will be issued, and your school district will be required to continue to report EI Special Education Events data for the 2024-2025 school year.