

Section C: Core Integrated Monitoring Activities

Virginia's GSM framework consists of five (5) core integrated monitoring activities. Purpose, authority and application for each core activity is presented below. How each core activity is implemented—including SLA internal procedures—is found in accompanying appendices.

Core Activity 1: Compliance Indicators Measurement and Verification (CIMV)

Purpose

Compliance indicators measurement and verification (CIMV) allows for the SLA to evaluate and record local and statewide performance on each of the five (5) Part C compliance indicators: C-01 (Timely Initiation of Services); C-07 (45-day Timeline); and C-08A-08B-08C (Transition).

Authority

[34 CFR 303.701\(c\)](#) State performance plans and data collection. – *Each State must collect valid and reliable information as needed to report annually to the Secretary under 34 CFR § 303.702(b)(2) on the indicators established by the Secretary for the State performance plans.*

Application

- The SLA conducts CIMV annually.
- Each LEIS is included in the review.
- CIMV includes the entirety of three (3) months of data (e.g., January, February and March).¹
- All children for whom an indicator applies are included in the review—i.e., sampling is not used.²
- Compliance is defined as 100%.

Core Activity 2: Results Indicators Measurement

Purpose

In addition to measuring Part C compliance indicators (via the annual CIMV), the SLA also evaluates local and statewide data for Part C results indicators to include C-02 (Primary Service Setting), C-03 (Child Outcomes), C-04 (Family Outcomes), C-05 (Child Find: Birth-to-1), and C-06 (Child Find: Birth-to-3). Further, the SLA evaluates each LEIS on factors such as data accuracy, data completeness, the significance (or lack thereof) of data anomalies, and timely submission of contract deliverables. Results are then compiled for each individual locality, and an annual determination (e.g., “meets requirements”, “needs assistance”, et. al.) is made.

¹ Effective SFY25 (July 1, 2024 – June 30, 2025)

² Effective SFY25 (July 1, 2024 – June 30, 2025)

Localities are notified of their annual performance and determination via issuance of the *Local Early Intervention System (LEIS) Monitoring Results and Determination* report (“determination report”).

Lastly, local and statewide results are made publicly available shortly following submission of each annual SPP/APR.

Authority

- [34 CFR 303.701\(c\)\(1\)](#) State performance plans and data collection. – *Each State must collect valid and reliable information as needed to report annually to the Secretary under 34 CFR § 303.702(b)(2) on the indicators established by the Secretary for the State performance plans.*
- [34 CFR 303.700\(a\)\(2\)](#) State monitoring and enforcement. – *The lead agency must...make determinations annually about the performance of each EIS program using the categories identified in § 303.703(b)...*
- [34 CFR 303.702\(b\)\(1\)\(i\)\(A\)](#) State use of targets and reporting. – *The State must...report annually to the public on the performance of each EIS program located in the State on the targets in the State's performance plan as soon as practicable but no later than 120 days following the State's submission of its annual performance report to the Secretary...*

Application

- The SLA evaluates local Part C results indicators annually.
- Each LEIS is included in the review.
- Measurement periods vary by results indicator:
 - C-02 (Primary Service Setting) is based on a 1-day child count (e.g., December 1).
 - C-03 (Child Outcomes) includes all children exiting within a 12-calendar-month period (e.g., July 1, YYYY – June 30, YYYY).
 - C-04 (Family Outcomes) is based on a 1-day child census (e.g., children and families receiving services on December 1) All families with a child enrolled on that date receive the family outcomes survey.
 - C-05 (Child Find: Birth-to-1) is based on a 1-day child count (e.g., December 1).
 - C-06 (Child Find: Birth-to-3) is based on a 1-day child count (e.g., December 1).
- All children for whom an indicator applies are included in the review—i.e., sampling is not used.³
- Unlike Part C compliance indicators (which require 100% compliance), results indicators are measured against state-defined targets.

³ Note re: C-04 (Family Outcomes): All families receiving services based on the 1-day child census receive an annual survey for purposes of measuring the C-04 indicator(s). To ensure a representative sample, not all survey responses are factored into local and state results.

Core Activity 3: Periodic Oversight of Systems and Methods (POSM)

Purpose

Periodic oversight of systems and methods (POSM) is modeled on differentiated monitoring and support 2.0 (DMS 2.0) as conducted by the U.S. Department of Education, Office of Special Education Programs (OSEP), and provides a mechanism by which each of Virginia's forty (40) LEIS receives a structured, in-depth review of local Part C implementation.

Authority

On July 24, 2023, the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS), [issued OSEP QA 23-01: State General Supervision Responsibilities Under Parts B and C of the IDEA: Monitoring, Technical Assistance and Enforcement](#). This document aligns and supersedes previous guidance issued by the Department and clarifies a number of State responsibilities. Among these, question A-11—How frequently should a State monitor its ... EIS programs or providers?—is answered as follows:

A State should monitor all ... EIS programs and providers within a reasonable period of time and at least once within a six-year period (which is based on the duration of the SPP/APR). However, where ... EIS program or provider data or other available information indicates an area of concern, a State should consider whether more frequent or targeted monitoring (i.e., a monitoring activity that occurs outside of the State's normal cycle to address emerging or new issues, and typically is limited in scope) is necessary. Regardless of when the State monitors its ... EIS programs or providers, States should inform ... EIS programs or providers of when and how data are being used, including the time period it reflects, for the purposes of determining compliance and identifying noncompliance.

Application

- POSM is implemented on a 5-year cycle.⁴
- Each LEIS participates during the 5-year cycle.
- Eight (8) localities participate each year (in groups A-E) to ensure that all forty (40) LEIS in Virginia participate during each 5-year cycle.
 - Localities are selected annually for inclusion in the next upcoming group using a decision matrix, staff input and other considerations (e.g., SLA staffing and regional representation).
- The specific topics to be investigated during each POSM cycle are determined and announced in advance of cycle launch and implementation. The SLA reserves the right to modify these selected topics if evidence of widespread misunderstanding or misapplication is discovered.

⁴ Beginning SFY25 (July 1, 2024 – June 30, 2025)

Core Activity 4: Investigation of Out-of-Cycle (OOC) Noncompliance

Purpose

Virginia implements a systematic and structured approach to investigating credible allegations or reports of noncompliance at any point in time.

Authority

On July 24, 2023, the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS), issued [OSEP QA 23-01: State General Supervision Responsibilities Under Parts B and C of the IDEA: Monitoring, Technical Assistance and Enforcement](#). This document aligns and supersedes previous guidance issued by the Department and clarifies a number of State responsibilities. Among these, question B-2—What actions must a State take when made aware of an area of concern with an ... EIS program's or provider's implementation of IDEA?—is answered as follows:

The State must ensure that its general supervision system includes policies, procedures, and practices that are reasonably designed to consider and address areas of concern (i.e., credible allegations of ... EIS program or provider noncompliance) in a timely manner.

34 C.F.R. §§ 300.149 and 303.120. A State must conduct proper due diligence when made aware of an area of concern regarding an ... EIS program's or provider's implementation of IDEA and reach a conclusion in a reasonable amount of time. As the grantees for IDEA's three formula grants (i.e., Part B Section 611, Part B Section 619, and Part C), States are responsible for monitoring (see Question A-1) and are required to comply with IDEA requirements, and expected to follow OSEP's published interpretations. When applying for IDEA Part B and Part C grant funds, States assure the Department that they have in effect policies, procedures, and practices that are consistent with the IDEA statutory and regulatory requirements.

When a State is made aware of an area of concern with an ... EIS program's or provider's implementation of IDEA, the State must conduct its due diligence in a timely manner to address the area of concern and reach a conclusion in a reasonable amount of time. A State's proper due diligence activities may include but are not limited to: conducting clarifying legal research, interviewing staff, parents of children with disabilities, children with disabilities, and groups that represent the families and communities served by the ... EIS programs or providers, and reviewing and analyzing data or information. Examples of data or information a State may analyze could include: fiscal contracts or other relevant financial information, State customer service information, administrative or judicial decisions, media reports, previous ... EIS program or provider self-reviews or self-assessments, document submissions, and any other relevant ... EIS program or provider monitoring information. (See also Question B-3).

If, through its due diligence, the State determines that the ... EIS program or provider is out of compliance with an applicable IDEA requirement, the State must issue a written notification of noncompliance (i.e., a finding) to the relevant ... EIS program or provider. This finding must be timely issued, generally within three months of the State exercising due diligence, regarding the area of concern, and reaching a conclusion in a reasonable amount of time that the ... EIS program or provider has violated an IDEA requirement, unless the ... EIS program or provider immediately (i.e., before the State issues a finding) corrects the noncompliance and the State is able to verify the correction (see Questions B-11 and B-12).

Core Activity 5: Structured and Supervised Local Monitoring

Purpose

Structured and supervised local monitoring supports timely correction of noncompliance of Part C compliance indicators (C-01, C-07, C-08A, C-08B and C-08C).

Authority

34 CFR § 303.700(a)(3) – State monitoring and enforcement. – *The lead agency must...enforce this part consistent with § 303.704, using appropriate enforcement mechanisms, which must include, if applicable, the enforcement mechanisms identified in § 303.704(a)(1) (technical assistance) and § 303.704(a)(2) (imposing conditions on the lead agency's funding of an EIS program or, if the lead agency does not provide part C funds to the EIS program, an EIS provider), § 303.704(b)(2)(i) (corrective action or improvement plan) and § 303.704(b)(2)(iv) (withholding of funds, in whole or in part by the lead agency), and § 303.704(c)(2) (withholding of funds, in whole or in part by the lead agency)...*

Application

- The SLA conducts structured and supervised local monitoring on an as-needed basis. Beginning on July 1 of each year, structured and supervised local monitoring with subsequent monthly reporting to the SLA on the status of correction is required for all localities that are unable to demonstrate pre-finding correction of noncompliance prior to official notification on 06/30/YYYY [via their Determination Report (copy 1 of 2)].
- All children for whom an indicator applies are included in the review—i.e., sampling is not used.
- Compliance is defined as 100%.

See Appendix D: ITCVA System of Enforcements for a list of enforcement actions available to the SLA.

Application

- The SLA conducts its investigations of out-of-cycle noncompliance (“OOC noncompliance) on an as-needed basis when made aware of an area of concern.

- All local systems are subject to one or more OOC noncompliance investigations when circumstances warrant such an investigation.
- Compliance is defined as 100% (i.e., complete correction of the OOC noncompliance).