



**child
development
services**

State Intermediate Educational Unit-146 State House Station,
Augusta, ME 04333 Telephone (207) 624-6660-Fax (207) 624-
6661-TTY-1- 888-577-6690

May 22, 2009

Marnie Morneault
Board Chairperson
Androscoggin County Child Development Services
16 Huckins Street
Lewiston, Maine 04240

Dear Ms. Morneault:

On March 10th and 17th 2009, the Androscoggin County Child Development Services site was visited by a Monitoring Team from the State Child Development Services Intermediate Educational Unit. The purpose of the on-site monitoring visit was to determine the site's correction of non-compliance identified in the Letter of Findings issued on March 19, 2008.

During the visit, a file review was completed on 13 Part B files and 11 Part C files. Files were chosen of children who have had an IFSP or IEP meeting since September of 2008 demonstrating the use of the state required special education forms. In addition a desk audit of the site's profile data was conducted.

SECTION I.

Part C:

File Review

In the Letter of findings of March 2008, the Androscoggin County site had 17 findings of non-compliance in Part C.

- 1) Prior written notice of the initial referral, initial placement and if the IFSP team proposes or refuses to initiate or change identification, evaluation, educational program and or placements was not documented.
- 2) Documentation of providing Parents with Procedural Rights and Safeguards.
- 3) Receipt of Consent for Initial Evaluation and any further evaluations determined necessary by the IFSP team. The forms were not dated by staff as well as the date of when the Parent signed was missing.
- 4) Completion of evaluations and the Initial Early Childhood Team meeting held to determine eligibility for services within 45 days from the receipt of referral to the site.
- 5) Documentation of IFSP meeting notices on file.

- 6) Team meeting notices sent out to parents at least seven days prior to the meeting.
- 7) Documentation that copies of the evaluation reports were provided to the parent within reasonable time prior to the IFSP/ IEP meeting at which the evaluation was discussed.
- 8) The use of the Child Outcome Summary form upon entry into services (within 30 days of identification) and upon exit from program if the child has been in services for 6 months or longer.
- 9) Documentation of Family Routines and Priorities.
- 10) Eligibility for Maine Part C Services with determination of eligibility (the staff was not checking off the box at the top of the form indicating eligibility on a consistent basis).
- 11) Documentation of Child / Family Outcomes including:
 - i. Outcome statement
 - ii. Short term objectives
 - iii. Strategies
 - iv. Progress
- 12) Documentation of the child's Present Abilities, strengths and needs:
 1. Summary of relevant health status
 2. Using Hand and Moving Body (gross and fine motor)
 3. Playing, Thinking, Exploring (cognitive skills)
 4. Expressing and Responding to feelings and interacting with others (Social and Emotional)
 5. Eating, Dressing, and Toileting (Self-Help or Adaptive skills)
 6. Evaluator's name, credentials, role/organization, signature and date
 7. Team summary chart of five domains
- 13) Timely services for children Birth -3.
- 14) Natural Environment Justification and documentation
- 15) Early Intervention Services being provided in the child's natural environment
- 16) All areas of the Transition Plan on the IFSP including:
 - a. For children entering Part B at least 90 days before the child's third birthday
 - b. Documenting steps to be taken to support transition to Part B or Kindergarten on the IFSP.
- 17) Listing of Qualified Enrolled Provider or Licensed Contracted Provider on the services page instead of listing the specific discipline of the person responsible for the delivery of the service.

After the file review, The Androscoggin County CDS has corrected 12 of the 17 areas of non-compliance in Part C since the letter of findings of March 2008. The site remains to be out of compliance in the following areas:

- Completion of evaluations and IFSP team meeting within 45 days from the receipt of referral.
- Transition planning and conference for children transitioning from Part C to Part B services must be held no later than 90 days before the child's third birthday.

- Parental consent to evaluate form is missing dates to document when the form was sent to the parent, when it was received by the site and the date the parent signed the form.
- Early Intervention Services being provided in the child's natural environment
- Timely services for children Birth -3.

In addition to the 5 outstanding areas of non-compliance from 2008, the Year two monitoring visit identified 1 new finding of non-compliance:

- Documentation that a copy of the IFSP was sent to the parent within 21 days of the IFSP meeting.

Desk Audit

Natural Environment

During the file review of 11 Part C files, it was found that all of the services listed on the IFSPs were being provided within the child's natural environment.

In a desk audit of the Site's Part C profile data for the FFY 2007 APR submission, the site provides services to children birth to three in their natural environments at a rate of 86.4%. This is an increase from 83.7% in the FFY 2006 profile data. The state's target for this performance requirement is 91.0%. The site has made progress over the last year but has not met the state target. The site must include a goal within their corrective action plan to improve their performance in this area.

Part C to Part B Transition

During the file review, there were three applicable files reviewed to determine compliance with this area. All three of the files met 100% compliance. In a discussion with the site director, she indicated they have made some changes in case managers job responsibilities. They have assigned an intake case manager for all of the Part C initial referral process and upon the eligibility determination they are assigned to a Part C case manager. This will allow for the Part C case managers to focus on the timeline requirements for transition from Part C to Part B. A focused monitoring will be conducted in June of 2009 to determine the site's compliance rate with transition steps, services and conference requirements.

In a desk audit of the Site's Part C FFY 2007 data, the site was at 30.0% compliance with the requirements of including transition steps and services in the IFSP. The site is in 100% compliance in providing notification to the Part B agency of children potentially eligible for services. The site's compliance rate with holding a transition conference within 90 days of the child's 3rd birthday was at 10% compliance. A focused monitoring will be conducted in June of 2009 to determine the site's compliance rate. The site will need to include a goal within their corrective action plan to ensure continued compliance with steps and services and 100% compliance with transition conference requirements.

Timely Services for Part C

In a desk audit of the Site's Part C data regarding the timely provision of services to children in Part C, the site is performing above the state average in developmental therapy/ special instruction. In all other areas, the site is performing below the state average. The site does not meet the required 100% compliance rate in any of the areas. The site's percentage of compliance for the FFY 2007 is as follows:

Service Type	% Timely	State Average
Developmental Therapy / Special Instruction	97.2%	96.2%
Occupational Therapy	87.3%	91.4%
Physical Therapy	93.9%	96.6%
Speech Therapy	90.4%	95.8%
All Therapies	92.2%	94.5%

The site's percentage of compliance for the FFY 2006 was as follows:

Service Type	% Timely	State Average
Developmental Therapy / Special Instruction	96.6%	97.7%
Occupational Therapy	95.7%	96.5%
Physical Therapy	95.3%	95.6%
Speech Therapy	93.1%	93.3%
All Therapies	95.1%	95.4%

The site has decreased its performance in providing timely services to children in Part C. A goal to reach the 100% compliance rate must be included in the site's corrective action plan. The site may be advised to revise and focus the use of its funds to increase its compliance in this area.

Part C Child Find Timelines

During the file review, the site was found to be at 55% compliance in completing Part C child find requirements within the 45 day timeline. This is a decrease in compliance from 75% documented in the letter of findings of March 2008.

In a review of the site's profile data, the site is performing above the state average but does not meet the required 100% compliance rate.

The site's compliance rate in FFY 2006 was 91% and in FFY 2007 it is 92.9%. The State average is 91.1%. The required compliance target is 100%. The site is performing above the site average according to the data on their profile. However, in a review of the files during the on-site monitoring, there has been a decrease in compliance. Due to the decrease in compliance, the site must include a goal in their corrective action plan to bring their compliance in this area to 100%. The site may be advised to revise and focus the use of its funds to increase its compliance in this area.

Part B

File Review:

In the Letter of findings of March 2008, the Androscoggin County site had 12 findings of non-compliance in Part B:

- 1) Documentation of providing Parents with Procedural Rights and Safeguards
- 2) Prior Written notice of Initial referral for evaluations
- 3) Evidence of input for the IFSP / IEP team to determine the evaluation needs of the child suspected of having a disability
- 4) Receipt of Consent for Initial Evaluation and consent for any further evaluations determined by the IEP team. Documentation of form was found to be at 100% in the files but 30% of the forms did not document the date the parent signed the form nor when it was received by the site
- 5) Meeting the 60 day time line from the receipt of consent to evaluate to a meeting being held to determine eligibility for special education services
- 6) Prior Written Notice sent to the parents documenting the determinations of eligibility meeting with parental consent for placement into Special Education Services
- 7) Parental Notice of the IEP meeting with at least seven days notice
- 8) Documentation of providing copies of evaluation reports to the parent within a reasonable time prior to the meeting in which the evaluation is to be discussed
- 9) Documentation of copies of the minutes and IEP provided to the parent within 21 days of the meeting
- 10) Written Notice if the IEU proposes or refuses to initiate or change identification, evaluation, educational program or placement.
- 11) Required Members present at the IEP team meetings
- 12) The following areas of the IEP did not meet compliance:
 - a. Consideration of the concerns of the parents for enhancing their child's education
 - b. How progress toward the annual goals will be measured
 - c. Specific discipline of the person responsible for the delivery of special education services
 - d. An explanation of the extent, if any, to which the child will not participate with non-disabled children in a educational program
 - e. Documentation of the need for supplemental aids and services and modifications or supports to the educational environment

After the file review, The Androscoggin County CDS has corrected 9 of the 12 areas of non-compliance in Part B since March of 2008. The site remains to be out of compliance in the following 3 areas:

- Completion of evaluations and IEP team meeting to determine eligibility within 45 school days from the receipt of consent to evaluate.
- Written notice of the Initial Referral to special education.

- Parental consent to evaluate form is missing dates to document when the form was sent to the parent, when it was received by the site and the date the parent signed the form.

In addition to the 3 outstanding areas of non-compliance from 2008, the Year two monitoring visit identified 2 new finding of non-compliance:

- Consistent use of the state required speech and language eligibility forms and an observation of the child in a learning environment with non-disabled peers, as part of the initial referral process
- Services provided within the Least Restrictive Environment for children ages 3-5.

Desk Audit:

Least Restrictive Environment

In a review of the site's profile FFY 2007 data, the site was performing at a 56% rate in providing preschool special education services to children ages 3-5 in settings with typically developing peers. In FFY 2006 the site was performing at a 68% performance rate. The State average is 61.4%. The site is performing below the State average and does not meet the performance target of 83%. It has decreased its performance in this area. The site must include a goal within the site's corrective action plan to increase performance in this area. The site may be advised to revise and focus the use of its funds to increase its compliance in this area.

Part B Child Find Timeline

During the on-site file review of Part B files, the site was found to be at 92% compliance in completing Part B child find requirements within the 45 school day timeline. This is an increase from 80% compliance indicated within the letter of findings of March of 2008.

In a review of the site's profile data, the site is performing above the state average but does not meet the required 100% compliance rate.

The site's compliance rate in FFY 2006 was 99.1% and in FFY 2007 it is 97.8%. The State average is 97.6%. The site has decreased its performance since FFY 2006 but remains above the state average. The required compliance target is 100%. The site must include a goal in their corrective action plan to bring their compliance in this area to 100%.

SECTION II.

General Supervision

A review was conducted by the State CDS Office to determine Androscoggin County Child Development Services site's compliance with requirements determined for the Human Resources, Fiscal, and Data Management departments.

In all areas reviewed, Androscoggin County Child Development Services is regarded as a high functioning site that complies with requests for Human Resource, Fiscal and Data information to the CDS State IEU in a timely manner.

SECTION III.

Summary:

As determined in the March 2008 letter of findings, the Androscoggin County CDS site had one year to correct the findings of non-compliance for both Part C and Part B. Based upon the monitoring of March 2009, the site has corrected 12 of 17 findings of non-compliance in Part C and 9 of 12 findings of non-compliance in Part B within the required one year timeframe. There was 1 new finding of non-compliance in Part C and 2 new findings of non-compliance in Part B. The site will have one year from receipt of this letter to correct those areas of non-compliance.

The Androscoggin County Child Development site has received their public profile reporting their performance in meeting compliance with federal indicators. Based upon the Androscoggin County Development Services Site performance, the site may be required to complete the following to address the areas of non-compliance:

- Complete a Focused Self-Assessment
- Require a Partial Verification Audit (on identified indicators)
- One day Site Review
- Be advised by the State CDS Office of the Available Resources and Technical Assistance
- The Site may be identified as a High Risk Grantee
- Require a Corrective Action Plan
- The State CDS office may require the Site to revise the use of their funds

As part of the State CDS General Supervision System (GSST), the site must comply with the requirements outlined in the GSST which can be found at

http://www.maine.gov/education/speced/cds/supervision/gsst_109.ppt

Corrective Action:

- 1. The Androscoggin County CDS was required to attend the GSST training on May 19, 2009 as outlined in the April 28, 2009 letter from the State Director of Child Development Services. The site director attended the training as scheduled. The information provided during the training will guide the site through the process and activities that will be required by the site. A due date for the completion of a corrective action plan will be provided by July 1, 2009.**

- a. In addition to the requirements outlined in the Self-Assessment, the Corrective Action Plan must include goals for correcting non-compliance in:**
- i. Timely service delivery for children in Part C**
 - ii. Part C and Part B Child Find Timelines**
 - iii. Part C services within the Natural Environment**
 - iv. Part C to Part B Transition requirements**
 - v. Part B services within the Least Restrictive Environment**

If you have any questions regarding this matter, please do not hesitate to contact me at 624-6660 or via email at erica.thompson@maine.gov.

Sincerely,

Erica Thompson
Distinguished Educator
Child Development Services
Monitoring and Technical Assistance

Enclosed: Part C and Part B Child Record Audit Summary Forms

Copies sent to: Susan Gendron, Commissioner
David Stockford, Policy and Team Leader
Debra Hannigan, State Director Child Development Services
Holly Day, Androscoggin County CDS Site Director