



**child
development
services**

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May 4, 2009

Ann Haley
Interim Board Chair
CDS Hancock County
190 Bangor Road, Suite A
Ellsworth, ME 04605

Dear Ms. Haley:

On February 24, 2009, the Hancock County Child Development Services site was visited to monitor the site's progress on correcting areas of non-compliance identified in the letter of findings of June 30, 2008.

During the visit, a file review was completed on 9 Part B files and 7 Part C files. Files were chosen of children who have had an IFSP or IEP meeting since September of 2007 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 June 2008, the Hancock County site had 9 findings of non-compliance in Part C:

- Written Notice of the initial referral
- Completion of evaluations and IFSP team meeting within 45 days from the receipt of referral.
- Parental notice of the IFSP meeting
- 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.
- Documentation that the IFSP was provided to the parent within 21 days of the IFSP meeting.
- Documentation of the Child Outcome Summary form in the children's files.
- Inclusion of the evaluator's names, credentials, role/organization, signature and date in the IFSP
- Inclusion of the objectives on the outcomes page of the IFSP

- Timely provision of services for children in Part C

After the file review, The Hancock County CDS has corrected 6 of the 9 areas of non-compliance in Part C within one year of the letter of findings of June 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.
- Timely provision of services for children in Part C

Desk Audit

Natural Environment

During the file review of seven Part C files, it was found that none of the services listed on the IFSPs were being provided within the child's natural environment. While there was documentation of the justification as to why the services were being provided in alternate settings, the justification statements were found to be based upon provider availability versus the team's decision of setting based upon the family and child's needs.

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 77.3%. This is an increase from 59% 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 not enough applicable files reviewed to determine compliance with this area. A focused monitoring will be conducted in June of 2009 to determine the site's compliance with transition steps, services and conference requirements.

In a desk audit of the Site's Part C FFY 2007 data, the site is in 100% compliance with the requirements of including transition steps and services in the IFSP and 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 is at 75% 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 all areas but does not meet the required 100% compliance rate in all areas. The site meets 100% compliance in the provision of Developmental Therapy / Special Instruction, Physical Therapy and Speech Therapy. The site's percentage of compliance for the FFY 2007 is as follows:

| Service Type | % Timely | State Average |
|---|-----------------|----------------------|
| Developmental Therapy / Special Instruction | 100% | 96.2% |
| Occupational Therapy | 97.5% | 91.4% |
| Physical Therapy | 100% | 96.6% |
| Speech Therapy | 100% | 95.8% |
| All Therapies | 98.9% | 94.5% |

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

| Service Type | % Timely | State Average |
|---|-----------------|----------------------|
| Developmental Therapy / Special Instruction | 100% | 97.7% |
| Occupational Therapy | 98.7% | 96.5% |
| Physical Therapy | 100% | 95.6% |
| Speech Therapy | 99.8% | 93.3% |
| All Therapies | 99.6% | 95.4% |

While the site is commended for their high compliance rate in this compliance area and its increased performance in the provision of speech therapy, a goal to reach the 100% compliance rate must be included in the site's corrective action plan.

Part C Child Find Timelines

During the file review, the site was found to be at 72% compliance in completing Part C child find requirements within the 45 day timeline. This is an increase in compliance from 40% documented in the letter of findings of June 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 85% and in FFY 2007 it is 94.6%. The State average is 91.1%. The site is commended for their increased compliance rate in this area. 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%.

Part B

File Review:

In the Letter of findings of June 2008, the Hancock County site had 4 findings of non-compliance in Part B:

- Completion of evaluations and IEP team meeting to determine eligibility within 60 days from the receipt of consent to evaluate.
- The use of a variety of assessment tools and strategies, including the use of observation and the state required speech and language forms, as part of the initial evaluation process.
- Completion of the Supplemental Services section of the IEP.
- The documentation of Extended School Year Services on the IEP services table and the need for ESY services within the child's educational record.

After the file review, The Hancock County CDS has corrected 3 of the 4 areas of non-compliance in Part B within one year of the letter of findings of June 2008. The site remains to be out of compliance in the following areas:

- Completion of evaluations and IEP team meeting to determine eligibility within 45 school days from the receipt of consent to evaluate.

The site demonstrated correction of the findings of non-compliance in less than one year. The files were well organized and included all required state forms and the use of an observation during initial eligibility process in all files.

Desk Audit:

Least Restrictive Environment

In a review of the site's profile data, the site is performing at a 68.7% rate in providing preschool special education services to children ages 3-5 in settings with typically developing peers. The State average is 61.4%. While the site is performing above the State average, the site does not meet the performance target of 83%. The site must include a goal within the site's corrective action plan to increase performance 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 72% compliance in completing Part B child find requirements within the 45 school day timeline. This is an increase from 60% compliance indicated within the letter of findings of June 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 95.4% and in FFY 2007 it is 93.8%. The State average is 97.6%. The site has decreased its compliance rate. 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 Hancock County Child Development Services site's compliance with requirements determined for the Human Resources, Fiscal, and Data Management departments.

In all areas reviewed, Hancock 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 June 2008 letter of findings, the Hancock 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 February 2009, the site has corrected 6 of 9 findings of non-compliance in Part C and 3 of 4 findings of non-compliance in Part B within the required one year timeframe.

After the file review and a discussion with the Hancock County CDS site director, the on-site monitoring completed on February 24th will be considered the site's Year 2 visit. As outlined in this letter, a desk audit was completed reviewing the site's performance and compliance in several areas.

As a result the following areas were found to be areas requiring additional corrective action and will need to be corrected or improved upon in performance within one year of the receipt of this letter.

Part C:

- Provision of Part C services provided within the Natural Environment

Part B:

- Provision of Part B services in settings with typically developing peers

The Hancock County Child Development site has received their public profile reporting their performance in meeting compliance with federal indicators. Based upon the Hancock 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 Desk Audit (on identified indicators)
- Be advised by the State CDS Office of the Available Resources and Technical Assistance
- Require a Corrective Action Plan
- Report of Promising Practices
- May require a site visit
- May impose conditions on use of 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 Hancock County CDS is required to attend the GSST training on May 11, 2009 as outlined in the April 28, 2009 letter from the State Director of Child Development Services. The information provided during the training will guide you through the process and activities that will be required by you and the site. A due date for the completion of a corrective action plan will be provided during the training.**
 - 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 Child Record Audit Summary Forms

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