



**child
development
services**

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June 29, 2009

Kathy Alley
Board Chairperson
Knox County Child Development Services
SHS #11
Greenlaw 1st Floor
Augusta, Maine 04333

Dear Ms. Alley:

On March 5, 2009 and June 2, 2009 the Knox 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 10, 2008.

During the two visits, a file review was completed on 19 Part B files and 6 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 June 2008, the Knox County site had 11 findings of non-compliance in Part C:

- 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.
- Use of a State approved evaluation tool as part of the initial evaluation process
- 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.
- Transition from Part C Early intervention services to Part B services special education services
- Documentation of copy of the IFSP provided to the parent within 21 days of the meeting

- 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.
- The following areas of the IFSP did not meet compliance:
 - Documentation of:
 - Present Abilities, strengths and needs:
 - Summary of relevant health status
 - Using Hand and Moving Body (gross and fine motor)
 - Playing, Thinking, Exploring (cognitive skills)
 - Expressing and Responding to feelings and interacting with others (Social and Emotional)
 - Eating, Dressing, and Toileting (Self-Help or Adaptive skills)
 - Evaluator’s name, credentials, role/organization, signature and date
 - Team summary chart of five domains
 - Eligibility for Maine Part C Services with determination of eligibility
 - Documentation of Child / Family Outcomes including:
 - Outcome statement
 - Short term objectives
 - Strategies
 - Progress
 - Start and end dates
 - Other services(other services needed by the child but not entitled under Part C
- Natural Environment Justification and documentation
- Early Intervention Services being provided in the child’s natural environment
- 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.
- Timely provision of services for children in Part C

After the file review, The Knox County CDS has corrected 9 of the 11 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.
- Timely provision of services for children in Part C

Desk Audit

Natural Environment

During the file review of 6 Part C files, it was found that all of the files listed services provided in the natural environment.

In a desk audit of the Site's Part C profile data for the FFY 2007 APR submission, the site provided services to children birth to three in their natural environments at a rate of 83.7%. The site was found to be performing at 76.6% rate in FFY 2006. The state's FFY 2007 target for this performance requirement was 91.0%. The site has increased its performance in this area but remains below the state target of 91.0% performance. The site must include a goal to increase its performance in this area in its corrective action plan.

Part C to Part B Transition

During the file review, there were 2 applicable files reviewed to determine compliance with this area. Both of the 2 files met 100% compliance. The transition process was well documented and met the required timelines.

In a desk audit of the Site's Part C FFY 2007 data, the site was 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 was at 80%.

For further data collection and verification of compliance a focused monitoring was conducted in June of 2009 to determine the site's compliance with transition steps, services and conference requirements. The site completed an internal review of 20% of their Part C files from a list compiled by the CDS state office. The results were as follows:

IFSP included transition steps and services: 100% compliance

Transition conference conducted: 100% compliance

Transition conference held at least 90 days before the child's third birthday: 100% compliance

If the child was found eligible for Part B services, The IEP was developed as of the child's third birthday: 100% compliance

The Knox County CDS has corrected the findings of non-compliance for transition from Part C to Part B identified in the June 2008 letter of findings. It is recommended that the site continue to internally monitor their compliance in this area to ensure continued compliance.

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 FFY 2007 state average in all areas. The site's percentage of compliance for the FFY 2007 is as follows:

Service Type	% Timely	State Average
Developmental Therapy / Special Instruction	98.8%	96.2%
Occupational Therapy	98.8%	91.4%
Physical Therapy	99.2%	96.6%
Speech Therapy	94.4%	95.8%
All Therapies	97.9%	94.5%

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

Service Type	% Timely	State Average
Developmental Therapy / Special Instruction	99.4%	97.7%
Occupational Therapy	96.6%	96.5%
Physical Therapy	98.5%	95.6%
Speech Therapy	99.0%	93.3%
All Therapies	98.5%	95.4%

The site has decreased its performance in providing developmental therapy/ special instruction and speech therapy and increased its performance in occupational therapy and physical therapy. The site needs to include a goal to increase the timely provision of Part C services to meet 100% compliance within its corrective action plan.

Part C Child Find Timelines

During the file review of six files, the site was found to be at 90% compliance in completing Part C child find requirements within the 45 day timeline. This is an increase in compliance from 85% documented in the letter of findings of June 2008.

A desk audit was completed through the CDS database to monitor compliance with the 45 day Part C timeline requirement. Twenty one children's files were viewed in the data base with referrals from September 2008. 10 of the 21 files met compliance. This is a 48% compliance rate.

In a review of the site's profile data, the site is performing above the FFY 2007 state average but does not meet the required 100% compliance rate.

The site's compliance rate in FFY 2006 was 94% and in FFY 2007 it is 98.5%. The FFY 2007 State average was 91.1%. 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 Knox County site had 11 findings of non-compliance in Part B:

- 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.

- Development of the initial IEP within 30 days of the eligibility determination. **The site has modified the state required special education IEP. The site must remove all modifications to the IEP.**
- 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.
- Documentation of copies of the minutes and IEP provided to the parent within 21 days of the meeting
- Providing at least seven days notice to the parent of an IEP team meeting.
- Written Notice if the IEU proposes or refuses to initiate or change identification, evaluation, educational program or placement.
- The following areas of the IEP did not meet compliance:
 - Statement of how the child's parents will be regularly informed of their child's progress toward their annual goals.
 - Specific special education services including frequency
 - Specific discipline of the person responsible for the delivery of special education services
 - Date of initiation/ duration of services
 - An explanation of the extent, if any, to which the child will not participate with non-disabled children in a educational program
 - Documentation of the need for supplemental aids and services and modifications or supports to the educational environment

After the file review, The Knox County CDS has corrected 10 of the 11 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 (previously 60 calendar days) from the receipt of consent to evaluate.

Desk Audit:

Least Restrictive Environment

In a review of the site's FFY 2007 profile data, the site is performing at an 83.6% rate in providing preschool special education services to children ages 3-5 in settings with typically developing peers. The FFY 2007 state average was 61.4%. The site is performing above the state average and meets the FFY 2007 target of 83%. The site should be commended for their high level of performance in this area.

Part B Child Find Timeline

During the on-site file review of 19 Part B files, the site was found to be at 100% compliance in completing Part B child find requirements within the 45 school day timeline. This is an increase from 75% compliance indicated within the letter of findings of June 2008.

A desk audit was completed through the CDS database to monitor compliance with the 45 school day Part B timeline requirement. Fifteen children's files were viewed in the data base with referrals from September 2008. All fifteen files met compliance. This is a 100% compliance rate.

In a review of the site's profile data, the site is performing above the FFY 2007 state average but does not meet the required 100% compliance rate.

The site's compliance rate in FFY 2006 was 97.9% and in FFY 2007 it is 98.5%. The FFY 2007 state average was 93.4%. The site has increased compliance in this area and is above the state average of 97.6%. 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%. The site has demonstrated marked improvement in this area.

Section II.

General Supervision

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

In all areas reviewed, Knox 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 Knox 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 May 2009, the site has corrected 9 of 11 findings of non-compliance in Part C and 10 of 11 findings of non-compliance in Part B within the required one year timeframe.

The Knox County Child Development site has received their public profile reporting their performance in meeting compliance with federal indicators. Based upon the Knox County Development Services Site FFY 2007 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 Knox County CDS was 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 was 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. Part C and Part B Child Find Timelines**
 - ii. Timely service provision of Part C services**

If you have any questions regarding this matter, please do not hesitate to contact me at 624-6660 or 474-7424 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
Jude Thomas, Knox County CDS Site Director