



**child  
development  
services**

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May 6, 2009

Howard Wright  
Lincoln County Board of Directors Chairperson  
PO Box 255  
Southport, ME 04576

Dear Mr. Wright:

On March 4, 2009, the Lincoln 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 11, 2008.

During the visit, a file review was completed on 6 Part B files and 5 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 5 Part C files and 10 Part B files for timeline compliance and the site's profile data was conducted.

**Section I.**

**Part C:**

**File Review**

In the Letter of findings of June 2008, the Lincoln County site had 5 findings of non-compliance in Part C:

- Listing the members of the team on the Written Notice Form
- Completion of evaluations and IFSP team meeting within 45 days from the receipt of referral.
- Written Notice of the initial placement into Early Intervention Part C services
- Early intervention Services provided within the child's natural environment.
- Listing the specific setting for the supports and services to take place for the family and children
- Timely Provision of services for children in Part C

After the file review, The Lincoln County CDS has corrected 4 of the 5 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 5 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 100%. This is an increase from 92.6% in the FFY 2006 profile data. The state's target for this performance requirement is 91.0%. The site is performing well above the state target and is commended on their performance in this area. Excellent job.

### **Part C to Part B Transition**

During the file review, there were not enough applicable files reviewed to determine compliance with this area. Applicable files that were reviewed met 100% compliance in all transition requirements. A focused monitoring will be conducted in June of 2009 to determine the site's continued 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 3<sup>rd</sup> birthday is also at 100% compliance. A focused monitoring will be conducted in June of 2009 to determine the site's continued compliance rate.

### **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 Physical Therapy, Speech Therapy and Occupational Therapy but does not meet the required 100% compliance rate. . The site meets 100% compliance in the provision of Physical Therapy Occupational Therapy. The site's percentage of compliance for the FFY 2007 is as follows:

<b>Service Type</b>	<b>% Timely</b>	<b>State Average</b>
Developmental Therapy / Special Instruction	81.4%	96.2%
Occupational Therapy	100%	91.4%
Physical Therapy	100%	96.6%
Speech Therapy	92.0%	95.8%
All Therapies	94.3%	94.5%

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

<b>Service Type</b>	<b>% Timely</b>	<b>State Average</b>
Developmental Therapy / Special Instruction	100%	97.7%
Occupational Therapy	92.5%	96.5%
Physical Therapy	100%	95.6%
Speech Therapy	94.4%	93.3%
All Therapies	96.1%	95.4%

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 100% compliance in completing Part C child find requirements within the 45 day timeline. This is an increase in compliance from 75% 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 94% and in FFY 2007 it is 95.1%. 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 Lincoln County site had 7 findings of non-compliance in Part B:

- Use of the written notice of initial referral consistently
- Completion of evaluations and IEP team meeting to determine eligibility within 60 days from the receipt of consent to evaluate.
- Copy of the IEP provided to the parent within 21 days of the IEP team meeting.
- Statement of the child's present level of functioning and performance, including how the disability affects the child's participation in appropriate activities.
- Including a statement of how the child's parents will be regularly informed of their child's progress toward their annual goals
- An explanation of the extent, if any, to which the child will not participate with non-disabled children
- Completion of Section 8 of the IEP, Supplementary Aides and services

After the file review, The Lincoln County CDS has corrected 6 of the 7 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 an 83.6% rate in providing preschool special education services to children ages 3-5 in settings with typically developing peers. The State average is 61.4%. The site is performing above the state average as well as the state target of 83.0%. The site is commended for their 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 100% compliance in completing Part B child find requirements within the 45 school day timeline. This is an increase from 65% 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 98.6% and in FFY 2007 it is 98.4%. 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 Lincoln County Child Development Services site's compliance with requirements determined for the Human Resources, Fiscal, and Data Management departments.

In all areas reviewed, Lincoln 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 Lincoln 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 4 of the 5 findings of non-compliance in Part C and 6 of the 7 findings of non-compliance in Part B within the required one year timeframe.

After the file review and a discussion with the Lincoln County CDS site director, the on-site monitoring completed on March 4<sup>th</sup> 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.

The Lincoln County Child Development site has received their public profile reporting their performance in meeting compliance with federal indicators. Based upon the Lincoln 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](http://www.maine.gov/education/speced/cds/supervision/gsst_109.ppt)

### **Corrective Action:**

- 1. The Lincoln 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**

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](mailto: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  
Gail Donahue, Lincoln County CDS Site Director