



**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

Michele Pino  
Board Chairperson  
Southern Kennebec Child Development Services  
90 Western Avenue  
Suite 6  
Augusta, ME 04330

Dear Ms. Pino:

On March 12, 2009, the Southern Kennebec 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 March 4, 2008 and December 2008.

During the visit, a file review was completed on 21 Part B files and 8 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 March 2008, the Southern Kennebec County site had 16 findings of non-compliance in Part C. The site was visited in September of 2008 and a letter was sent to the site on December 17<sup>th</sup> indicating the correction of 9 of the 16 areas of non-compliance for Part C. The site remained out of compliance in 7 areas:

- Written Notice of the initial referral
- Receipt of consent for initial evaluation
- 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.
- Documentation that the IFSP was provided to the parent within 21 days of the IFSP meeting.
- Documentation of Other Services offered to families and children that are not covered under Part C.
- Consistent use of the DOE approved assessment tool as part of the initial referral process.

After the file review, The Southern Kennebec County CDS has corrected 4 of the 7 areas of non-compliance in Part C since the letter of findings of December of 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.
- Documentation of Other Services offered to families and children that are not covered under Part C.

## **Desk Audit**

### **Natural Environment**

During the file review of seven 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 87.2%. 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 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 66.7% 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 3<sup>rd</sup> birthday was at 33.3% 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 any of the areas. 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	99.6%	96.2%
Occupational Therapy	99.9%	91.4%
Physical Therapy	97.4%	96.6%
Speech Therapy	97.1%	95.8%
All Therapies	99.0%	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	97.3%	97.7%
Occupational Therapy	98.9%	96.5%
Physical Therapy	95.6%	95.6%
Speech Therapy	99.4%	93.3%
All Therapies	95.4%	95.4%

While the site is commended for their high compliance rate in this compliance area and its increased performance in the provision of services in all areas, 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 75% compliance in completing Part C child find requirements within the 45 day timeline. This is a decrease in compliance from 78% documented in the letter of findings of December 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 87% and in FFY 2007 it is 81.9%. The State average is 91.1%. The required compliance target is 100%. Due to the significant 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 Southern Kennebec County site had 19 findings of non-compliance in Part B. The site was visited in September of 2008 and a letter was sent to the site on December 17<sup>th</sup> indicating the correction of 7 of the 19 areas of non-compliance for Part B. The site remained out of compliance in 12 areas:

- 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.
- Documentation of providing Parents with Procedural Rights and Safeguards
- Receipt of Consent for Initial Evaluation

- **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.**
- Prior Written notice of Initial referral for evaluations
- The following areas of the IEP did not meet compliance.
  - Statement of the child's present level of functioning and performance, including how the disability affect the child's participation in appropriate activities
  - Specific special education services and supportive services including the frequency, person responsible for the services, and location of the services
  - An explanation of the extent, if any, to which the child will not participate with non-disabled children in a educational program
  - Supplemental aids and services to children
  - Statement of how the child's parents will be regularly informed of their child's progress toward their annual goals

After the file review, The Southern Kennebec County CDS has corrected 9 of the 12 areas of non-compliance in Part B since December 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.
- Documentation of the Supplemental aids and services to children
- Statement of how the child's parents will be regularly informed of their child's progress toward their annual goals.

### **Desk Audit:**

#### **Least Restrictive Environment**

In a review of the site's profile FFY 2007 data, the site is performing at a 75.9% 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 an 86% performance rate. 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% and has decreased their 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 77% compliance in completing Part B child find requirements within the 45 school day timeline. This is an increase from 66% compliance indicated within the letter of findings of December 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 96.7% and in FFY 2007 it is 94.8%. 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%. The site may be advised to revise and focus the use of its funds to increase its compliance in this area.

## **Section II.**

### **General Supervision**

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

In all areas reviewed, Southern Kennebec County Child Development Services is regarded as a responsive site to requests made by the CDS State IEU. Their responses and submission of data and reports are timely.

The site is commended for the efforts that have been made to create collaborative relationships with programs and providers for the creation of settings for children ages 3-5 in the least restrictive environment. Communication with the site director is negatively impacted due to ineffective use of email. Emails are handled by the office staff and shared with the site director second hand. Responses are sent back by the office staff. The site director is encouraged to increase her use of email to enhance communication with the CDS State IEU and to increase communication with community programs and providers.

## **SECTION III.**

### **Summary:**

As determined in the March 2008 letter of findings, the Southern Kennebec 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 December 2008 and March 2009, the site has corrected 13 of 16 findings of non-compliance in Part C and 16 of 19 findings of non-compliance in Part B within the required one year timeframe.

The Southern Kennebec County Child Development site has received their public profile reporting their performance in meeting compliance with federal indicators. Based upon the Southern Kennebec 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 Southern Kennebec 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 site director was unable to attend the training as scheduled. The site director attended training on May 21, 2009. The information provided during the training will guide the site 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. 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](mailto: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  
Debbie Dunn, Southern Kennebec County CDS Site Director