



**child  
development  
services**

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March 6, 2009

Brenda Gagnon  
York County Child Development Services  
Board of Directors Chairperson  
DHHS  
161 Marginal Way  
Portland, ME 04101

Dear Ms. Gagnon:

On February 5<sup>th</sup> and 6<sup>th</sup>, 2009, the York 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 in December of 2007 and December of 2008.

During the visit, a file review was completed on both Part B files and 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 child find data was conducted.

## **Section I.**

### **File review:**

During the on-site monitoring visit, 10% of the Part C and part B files were reviewed for compliance. The files were chosen based upon a random sampling provided by the system wide data base.

Enclosed you will find a Summary of the Child Record Audit form for Part C and Part B indicating areas that met compliance and areas needing corrective action.

After the file review and desk audit, the following findings of non-compliance were determined:

### **Part C:**

- Non-compliance in the 45 day timeline required to complete evaluations and hold an IFSP meeting to determine eligibility
- Transition from Part C to Part B
  - IFSPs with transition steps and services

- Transition Conference held no later than 90 days before the child's third birthday.
  - Significant non-compliance was found in the files regarding transition services for children turning 3. Transition conferences were found to either be non-existing or well over the child's third birthday resulting in a gap in services.
- Documentation of required dates and information within the state required Written Notice and Consent to Evaluate Forms.
- Documentation of signatures of the evaluation team members on the IFSP
- The use of the Child Outcome Summary Form on a consistent basis.

**Part B:**

- Non-Compliance in meeting the 60 day timeline for determining eligibility for part B services
- Use of state required speech and language eligibility forms on a consistent basis.
- Consistent use of an observation in the child-find evaluation process.
- Documentation of required dates and information within the state required Written Notice and Consent to Evaluate Forms.

**Child – Find for Part C and Part B**

After a review of the YCCDS data in the state data system, a list of children who were referred during 2008 for both Part C and Part B but no information was entered into the system was given to the site director. The monitoring team requested that information be provided on the status of child-find for the children on the list. The site director provided the data within the required timeline indicating that there were two reasons as to the lack of data within the system.

- The child was found eligible for services but the information has not been entered into the data system. Some of these files indicate child-find activities took over 6 months.
- The children are still in child-find significantly beyond the 45 day timeline for Part C and 45 school day timeline for Part B.

**Natural Environment**

After a review of the files, the YCCDS site has a high level of compliance in providing Part C services within the Natural Environment and through the recommended Primary Service Provider Model. The site has been a model in this area and should be commended for performance in this area.

**Least Restrictive Environment**

After a review of the files, the YCCDS has increased performance compliance in placing children within programs and settings with typically developing children. According to the site's data from the 2007-2008 profile, YCCDS meets requirements with this

performance indicator. The states' target for the 2007-2008 year was 83% performance rate. The site is at a 93.8% performance rate. The site is performing above the state target and should be commended for their performance. As the state increases the target for this indicator, it will be important for the YCCDS site to continue to place children within the Least Restrictive Environment with typically developing peers to ensure it continues to meet requirements.

## **Section II.**

### **General Supervision**

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

#### **Fiscal:**

There are concerns with the site's responses to the fiscal department request for information. The site has a high rate of invoices being sent back to the site for research, resulting in the delay in payments to providers. The lack of accurate data entry is a direct cause of this delay. There has been some improvement in this area since the fall but it still remains a concern.

The site is not expending the allocated funds allowed for case-management. The site has the funds for and additional 2.3 full time case-managers. There are currently eleven case-managers and 13.3 have been approved for hire.

Due to reported technology issues reported by the site director, the business manager is providing the site hard copies of the financial statements so there is clear communication with the site's board of directors regarding the budget for the site.

#### **Data Management:**

The YCCDS historically has been delayed in entering the required data into the system. The administrative office staff are entering most of the data into the system. The case-managers are not entering data directly into the system.

The lack of data entered into the system has a direct impact on accurate information for billing purposes as well as accurate child – count data.

It appeared to the monitoring team during the visit that there is a lack of direct supervision from the site director over the case-managers and their performance in meeting compliance. There was not a clear tracking system within the site to monitor compliance requirements in both timelines and transition requirements.

#### **Human Resources:**

There are significant concerns with the YCCDS site to manage the payroll information sent to the CDS State office. The timecard information is often sent in incomplete and or past the required timeframe. This results in delays in payroll to staff and or additional checks needing to be cut in addition to the regular payroll process. This has an impact on the efficiency of the payroll staff at the state level.

On January 9<sup>th</sup> training was conducted for the CDS site directors regarding the new collective bargaining contract. Despite this, there appears to a limited understanding of the new employee contract by the site director resulting in confusion and misinterpretation by the staff and the Human Resources personnel. A significant amount of time is spent clarifying the contract requirements with the site. The site director would benefit from an increased study of the contract. The site director needs to familiarize herself with the contract to gain independence in its interpretation and immediate implementation at the site level. She should follow the process suggested b the State IEU during the Dec 4' 2009 teleconference and handle the majority of the contract issues at the site level and only request input from the state level on a minimal basis.

The site does not have an established staff evaluation process and does not track the professional development activities of the staff within a central location within the site.

### **SECTION III.**

#### **Summary:**

As determined in the December 4, 2007 letter of findings, the York County CDS site had one year to correct the findings of non-compliance. The site has failed to correct non-compliance identified in Section I of this letter.

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)

The YCCDS site has received their public profiles reporting their performance in meeting compliance with federal indicators. The YCCDS Site's performance was at a Level 2, Needs Assistance during the 2006 - 2007 timeframe. The YCCDS Site's performance is now a Level 3, Needs Intervention for the 2007 – 2008 timeframe. The site has regressed in their compliance performance. In response to the Site being at a Level 3 Year 1, the following actions may be required per the CDS GSST:

#### **First Year Level 3 Needs Intervention:**

- 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

The site is required to take part in a mandatory teleconference call with the State CDS IEU personnel on April 9, 2009 at 12:00 noon. At that time, technical assistance will be provided and directives given as to the site's requirements to address the areas of non-compliance.

**Corrective Action:**

- 1. The site must participate in the GSST technical training via teleconference on April 9, 2009 at 12:00 noon.**
- 2. The site must complete and submit the required self-assessment and corrective action plan outlined in the GSST no later than June 1, 2009 to the State CDS office.**
- 3. The site director must contact the State CDS office to establish a mandatory on-site training for the case-managers to be conducted no later than 30 days from the date of this letter. The training will include child-find requirements, utilization of the state required special education forms and Transition requirements for children transitioning from Part C to Part B.**
- 4. The site must immediately start the hiring process to fill the 2.3 vacant case-management positions. Evidence of the hiring process must be provided to the State CDS Human Resources office no later than May 1, 2009.**
- 5. The YCCDS Board of directors is encouraged to meet with the site-director to establish site policies to track compliance and data; conduct staff evaluations; track professional development and the site's compliance with the General Supervision System.**

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: Child Record Audit Summary Forms Part C and Part B  
2006-2007 YCCDS Profile  
2007-2008 YCCDS Profile

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