



**child
development
services**

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* Ammended 3/11/08

November 15, 2007

Ed Ferreira
CDS Franklin County
Board of Directors Chairperson
MSAD #9
Special Services
11 School Lane
New Sharon, Maine 04955

Dear Mr. Ferreira:

The Franklin County Child Development Services has recently undergone an on-site monitoring process including record audits and interviews of staff, and board of directors.

First I would like to express my sincere appreciation to the site director, the staff and providers for the effort that was extended to accommodate this process. The involvement of staff in this process is beneficial to all. Please express my gratitude to all of the staff for helping with the review, taking part in the interview process and answering our paperwork questions.

As I shared with the site director and staff during the on-site visit, this process is designed to promote continuous improvement in compliance and in service provision to children in your service area.

1. The Process:

On September 18, 2007, program monitoring was conducted through an on-site visit to assess the Franklin County CDS site's current status in meeting regulatory requirements. This letter will outline the base line data gathered during this review.

The collection of base line data and information regarding the provision of special education services at the Franklin County CDS site was based on the following activities:

- Interviews with staff and board of directors
- Review of State Entitlement plan
- Review of last corrective action plan on file at the DOE

- Review of parent questionnaires
- Review of:
 - 6 Part C files
 - 8 Part B files

- Review of Franklin self-review plan and Internal Audit of:
 - 4 Part C files
 - 9 Part B files

2. Themes from Interviews:

A. Staff:

Concerns

Overall, the staff interviewed expressed concerns with the availability of qualified providers in the Franklin County area to provide therapies to children identified by Child Development Services as in need of services. Over the last year, there has been three speech and language providers leave the FCCDS system for either public school positions or private organizations. This has led to a large number of children with identified speech and language needs going without services. The staff expressed frustration and concern that even with attempts to find providers in the area, families and children are not receiving speech and language services for long periods of time. There is a smaller amount of unmet needs within the physical therapy and occupational therapy service area, as well, that result in a lag in services to children.

Leadership

The staff reported feeling very supported by the site director. They feel he has an open door policy and is readily available when needed to answer questions and brainstorm issues. They report that he will attend meetings on children when asked and can be a great support during those meetings. He has been supportive to the staff over the last year in helping support the staff through all of the changes at the state level and as a result of legislative activity.

Professional Development

The staff has appreciated the professional development received in the area of the new state forms and transition planning. They feel as though the new paperwork is manageable and doable now that the training occurred.

B. Board of Directors:

The board of directors interviewed, indicate a high level of regard for the leadership of the FCCDS site director. They reported the board meets monthly with a structured informative agenda provided by the director with discussion about operations of the site and programs, concerns, updates from the state, budget information and needs of the children served by the site. They expressed that the site director has done an excellent job in leading the FCCDS.

Training was requested on the function and role of the site board of directors and the direction the state CDS office would like the board to take. One Director complimented the state wide leaders for all of their efforts. They shared that they feel this has been a challenging year for all Birth to 20 special education programs and staff. They feel we are making progress.

4. Record Audit:

An integral part of this process involved the participation of the Franklin site staff in the auditing of children's records. Thank you for the effort and time extended to allow for this participation.

During our on site visit, the program monitoring team examined the following areas of both Part C and Part B:

- Referral, screening procedures and timelines;
- Parent notices and consents;
- Procedures involving evaluations and Early Childhood Team (ECT) Meetings;
- Individual Family Service Plans (IFSP) and Individual Education Plans (IEP);
- Extended School Year Services
- Communication with Parents

These areas were reviewed in a comprehensive audit of the children's records.

Attached are the compiled results of the record audit. Any section receiving a "Needs Corrective Action" rate of compliance is identified as an area of concern. Identified areas of concern on the record audit form are followed by comments as to why the item did not meet the regulation standard.

In reviewing 6 files on-site and 4 files internally, the following areas in Part C met compliance:

- Initial referral forms completed and on-file in each child's record
- Documentation of providing Parents with Procedural Rights and Safeguards

- Evidence of completing initial screening
- Receipt of Consent for Initial Evaluation
- Evidence of input for the IFSP / IEP team to determine the evaluation needs of the child suspected of having a disability
- Documentation of the receipt of parental consent for initial evaluation
- Documentation of appropriate referrals for evaluations
- **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.**
- Development of the initial IFSP/IEP at the Early Childhood meeting and attaining parental voluntary consent for initial placement and provision of services.
- Prior Written Notice upon eligibility determination at the meeting
- The ECT meeting notices and membership by required staff and sent out to parents at least seven days prior to the meeting.
- Documentation that copies of the evaluation reports were provided to the parent within reasonable time prior to the IFSP/ IEP meeting at which the evaluation was discussed.
- Documentation of appropriate consent forms for evaluations and input from the team to determine evaluation needs.
- The use of a variety of assessment tools and strategies during the evaluation and eligibility process
- Utilization of the Bailey / Battelle assessment tool as part of the initial referral process
- Consideration of the concerns of the, most recent evaluations, academic developmental and functional needs, communication needs, during the development of the IFSP/IEP.
- The following areas of the IFSP met compliance:
 - Statement of present levels of development, communication, social emotional, adaptive, based on objective criteria and how the disability affects the child's participation in appropriate activities.
 - Statement of family's resources, priorities, and concerns.
 - Statement of major outcomes to be achieved for the child and family(including criteria, procedures and timelines to determine progress)
 - Statement of the early intervention services necessary to meet the unique needs of the child/family including:
 - Frequency, intensity and method of delivery
 - Natural Environment and justification of extent not in
 - Location
 - Payment arrangements
 - Medical and other services not required under Part C and funding sources of steps to secure services from public or private sources
 - Projected dates for initiation of services(s) and anticipated duration

The following areas did not meet compliance:

- Prior written notice of the initial referral and if the IEP team proposes or refuses to initiate or change identification, evaluation, educational program and or placements was not documented
- Transition planning
 - For children entering Part B at least 90 days before the child's third birthday
- Documenting steps to be taken to support transition to Part B or Kindergarten on the IFSP.
- Documentation of copies of the minutes and IFSP / IEP provided to the parent within 21 days of the meeting
- Consideration of the strengths and the parental concerns of the child when developing the IFSP

In reviewing 8 files on-site and 9 files internally, the following areas in Part B met compliance:

- Initial referral form documentation
- Documentation of providing Parents with Procedural Rights and Safeguards
- Evidence of completing initial screening
- Evidence of input for the IFSP / IEP team to determine the evaluation needs of the child suspected of having a disability
- Receipt of Consent for Initial Evaluation
- Documentation of Appropriate Referrals for evaluations
- **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 at the Early Childhood meeting attaining parental voluntary consent for initial placement and provision of services.
- Prior Written Notice sent to the parents documenting the determinations of eligibility meeting.
- All areas of evaluation met compliance for Part B
- All areas of the IEP team meetings and procedures met compliance
- The following team considerations in developing an IEP met compliance:
 - Results of the child's performance on assessments
 - Results of the initial or most recent evaluation of the child
 - The academic, developmental and functional needs of the child
- The following areas of the IEP met compliance:
 - Statement of the child's present level of functioning and performance, including how the disability affect the child's participation in appropriate activities
 - Measurable short-term instructional objectives or benchmarks
 - 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
- Documentation of eligibility for Extended School Year Services

The following areas did not meet compliance:

- Prior Written notice of Initial referral for evaluations and Prior Written Notice sent to parents when a change in the child’s program was proposed
- The ECT meeting notices and membership by required staff and sent out to parents at least seven days prior to the meeting.
- Documentation of copies of the minutes and IEP provided to the parent within 21 days of the meeting
- Transition services for children entering Part B including a transition meeting held at least 90 days prior to the child’s third birthday with the explanation of Part B and the parents informed decision of using an IFSP instead of an IEP
- The following team considerations in developing the IEP did not include:
 - The individual strengths of the child
 - The concerns of the parents for enhancing the education of their child
 - The communication needs of the child
 - consideration of special factors (behavior, blind / visual impairment needs, and limited English proficiency)
 - statement of assistive technology needs
- The following areas of the IEP did not meet compliance:
 - The date of initiation / duration of services listed exceeded one year by one additional day
 - Statement of how the child’s progress toward the annual goals will be measured and how parent’s will be regularly informed of progress
 - There was no section on the IEP for supplemental aids and services and modifications or supports to the educational environment as well as no section for accommodations

5. Corrective Action Plan Development:

The Franklin County Child Development Services Self-review plan has been reviewed and it is apparent that the director and staff have recognized through the internal audit the same concerns found by the on-site monitoring team.

The staff and site Director should be commended for establishing a highly effective and efficient initial referral process that meets the established federal and state timelines. Their process and procedures will be analyzed by the monitoring staff to see if the process can be modeled at other CDS sites across the state in an effort to increase state compliance in meeting timelines. Additionally, based on the credentials of the Part C and Part B case managers and the site director, the success of the site in meeting compliance in the referral and identification timelines may be correlated to the level and knowledge in the field of special education.

In summary:

- 1.) **The Site will have one year from the date of this report to correct all areas of non-compliance that indicated a “Needs Corrective Action” during the record audit which were noted in Section 4. A corrective action plan must be submitted to the Department of Education, Child Development Services Department within 45 days of the receipt of this report.**
- 2.) **It is recommended that the Franklin CDS site implement the new required state special education forms as soon as possible to remedy some, if not all of the compliance issues noted in this report.**
- 3.) **A training session was conducted for the site staff on September 19, 2007 to provide training on the use of the new forms and correct implementation to meet compliance standards.**

The Site Director has submitted goals on the Site’s self review plan that can be incorporated into the corrective action plan with additional goals for the concerns and deficiencies noted within this report. The information you included is extremely helpful in increasing our awareness of concerns and issues within your site so we can provide necessary technical assistance to you and your staff.

The Department of Education conducted a survey of parents of children with disabilities within your region. The results of this survey are attached. As CDS sites continue to improve services for all children, parent input is critical. These results can serve as additional information to be used in the planning and evaluation of services and programs for children and are used during the annual State Performance Plan to the federal government.

In accordance with the Freedom of Access Act, all letters related to the Special Education Program Monitoring are public record and shall be made available to parents and other members of the public upon request.

On behalf of the CDS monitoring team, I would like to thank you, the site Director, the staff and all other persons that took part in this review, for the thoughtful courtesy extended to my team and the flexibility and cooperation afforded us during the visit.

Sincerely,

Erica Thompson, Distinguished Educator
Child Development Services Program Monitoring and Technical Assistance

Copies sent to:

Debra Hannigan, State Director, Child Development Services
Susan A Gendron, Commissioner
David Noble Stockford, Policy and Team Leader
Greg Armandi, Franklin County Child Development Services Director

Enclosures:

Part C Child Record Audit Form Summary
Part B Child Record Audit Form Summary
CDS Franklin Parent Survey Results

Ammended 3/11/08* The Franklin County Child Development Services letter of findings was amended to reflect OSEP reporting requirements removing a threshold percentage in measuring compliance under the record audit section. The previous report dated November 15, 2007 used 80% accuracy as a measure of meeting compliance standards. We must now use 100%.