



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Yvonne Gilchrist
Director
Department of Human Services
P.O. Box 54047
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Washington, DC 20032-0247

FEB 27 2004

Dear Director Gilchrist:

The purpose of this letter is to respond to the District of Columbia's July 1, 2003 submission of its Federal Fiscal Year (FFY) 2001 Annual Performance Report (APR) for the Individuals with Disabilities Education Act (IDEA) Part C funds used during the grant period July 1, 2001 through September 30, 2002. This report is intended to reflect actual accomplishments during the reporting period (as compared to established objectives). The APR for Part C of IDEA is designed to provide uniform reporting from States and result in high-quality information across States.

The APR is a significant data source utilized in the Continuous Improvement and Focused Monitoring System (CIFMS) implemented by the Office of Special Education Programs (OSEP), within the U.S. Department of Education. The APR falls within the third component of OSEP's four-part accountability strategy, i.e., supporting States in assessing their performance and compliance, and in planning, implementing, and evaluating improvement strategies, and consolidates the self-assessing and improvement planning functions of the CIFMS into one document.

The District of Columbia has elected to submit the Improvement Plan approved by OSEP on June 26, 2003 in meeting the requirements for the Annual Performance Report. The Improvement Plan addresses the areas of noncompliance identified in OSEP's June 18, 2002 monitoring report. On August 27, 2003, OSEP received a Progress Report from the District of Columbia Early Intervention Program (DCEIP) describing its progress in implementing the activities in the Improvement Plan. Analysis of information provided in the August 27, 2003 Progress Report is included in this letter. (OSEP also received a Progress Report on January 8, 2004. OSEP is currently reviewing the January 8, 2004 Progress Report and analysis of that report is not included in this letter.) As stated in the June 26, 2003 OSEP letter to DCEIP, all areas of noncompliance identified in OSEP's June 18, 2002 monitoring report must be corrected within a reasonable period of time that cannot exceed June 26, 2004.

We recognize the time and effort that went into the development of the APR and Progress Report and appreciate the description of the District of Columbia's performance related

to serving infants and toddlers with disabilities and their families under IDEA. While DCEIP is making significant progress in implementing the activities identified in its Improvement Plan, OSEP found no baseline data, evidence of change data, monitoring or other data that demonstrate the impact of these improvement strategies. In the FFY 2002 APR (expected submission date March 31, 2004), DCEIP must provide OSEP with data it has collected and its analysis, based on that data, of the progress it is making in ensuring correction of each of the identified areas of noncompliance.

OSEP Memorandum 03-6 directed States to address five cluster areas in their Part C Annual Performance Report: General Supervision; Comprehensive Public Awareness and Child Find System; Family Centered Services; Early Intervention Services in Natural Environments; and Early Childhood Transition. Our comments regarding the content of the District of Columbia APR and the August 27, 2003 Progress Report in each of those cluster areas are set forth below.

General Supervision

The OSEP Monitoring Report of June 2002 identified one area of non-compliance in this cluster area: DCEIP's supervision and monitoring procedures do not ensure the identification and correction of noncompliance among participating programs and agencies in the Statewide Part C early intervention program. This area was addressed in DCEIP's Improvement Plan.

The DCEIP August 27, 2003 Progress Report indicated that DCEIP has taken or planned to take the following action to correct the noncompliance: (1) the Management Information System (MIS) is still under development. Consultants were to be hired by the end of September 2003 to provide data management support; (2) four components of the revised monitoring process have been implemented and field-testing will continue throughout Fall 2003. Three remaining components are in the process of development; they will include staff interviews, program self-assessment, and compliance forms that will serve as tools and a format for corrective action plans; (3) DCEIP continues to hold quarterly meetings to provide technical assistance to service providers, child find sub-grantees, training sub-grantees, and transition coordinators; and (4) new policies and procedures regarding program monitoring will be disseminated following provider orientation in September 2003.

As part of its documentation that it has corrected the noncompliance in this cluster area, DCEIP will need to provide the following type of data: (1) the number of service providers that have been monitored and are scheduled to be monitored; (2) the number of child find and evaluation contractors that have been monitored and are scheduled to be monitored; (3) evidence that the record review instrument includes all the requirements regarding individualized family service plans (IFSPs) in 34 CFR §§303.340-303.346; (4) a copy of the monitoring reports that have been issued; (5) the type of noncompliance identified, if any; (6) the corrective action plans developed to address identified noncompliance, including the time for implementation of the plan; and (7) evidence that the identified noncompliance has been corrected.

OSEP noted in its review of the District of Columbia's Performance Report that there were no data used in making performance and compliance determinations for Indicator GS.1(f) regarding families having access to their rights. DCEIP reported that the lack of data made it difficult to make evidence-based decisions about performance in this area.

It is OSEP's expectation that the District of Columbia will include the data discussed above to determine the status of DCEIP's compliance in this area, and address collection of appropriate data in the area of family rights in its next APR and the final Progress Report.

Comprehensive Public Awareness and Child Find System

The OSEP Monitoring Report of June 2002 identified three areas of non-compliance in this cluster area that DCEIP addressed in the Improvement Plan. Those areas are: (1) child find and public awareness activities are not sufficient to ensure that all infants and toddlers who are eligible for services through Part C are identified, located and evaluated; (2) initial evaluations to determine eligibility are inadequate or incomplete; and (3) evaluations are not completed within 45 days of referral.

The APR and August 27, 2003 Progress Report indicate that DCEIP has taken the following actions to correct the identified noncompliance. In order to ensure that public awareness materials are linguistically representative of all ethnic populations in the District, DCEIP has identified additional language materials needed and expects to complete translations of all new materials within three months. DCEIP is also collecting estimates for the cost of audio translations and the expected completion date is March 2004.

DCEIP conducted several community activities in an effort to increase public awareness and improve linkages with other interagency programs that serve the infant/toddler population. DCEIP collaborated with the D.C. Child Care Subsidy Program; participated in the citywide meeting for childcare providers; and distributed public awareness materials to community groups and in various meetings. DCEIP staff are represented on the following boards: Universal New Born Hearing Screening; D.C. Birth Defects Registry; Lead Screen and Prevention; Maternal and Family Health Administration; D.C. State Developmental Disabilities Planning Council; State Planning Council on Family Supports; and Teen Parents Take Charge. DCEIP provided technical assistance to birthing hospitals that focused on an understanding of the Part C eligibility criteria and referral process. Technical assistance was provided to the following hospitals: (1) Howard University Hospital; (2) Georgetown University Hospital/Child Development Center; and (3) Washington Hospital Center. DCEIP provided technical assistance to child find sub-grantees regarding data reporting requirements. A checklist has been developed for use at evaluation sites. The checklist includes identification of evaluation results in all five developmental areas including hearing/vision, and will be used to determine if evaluators have the necessary information on the child's level of functioning to proceed with an IFSP meeting.

A strategy has been implemented to improve timeliness for completion of evaluations. The current Evaluation Referral form has been revised to include a space for the appointment date. Failure of the evaluator to include the appointment date will trigger a follow-up call from a DCEIP staff person.

The District of Columbia's Part C early intervention system was identified on the Westat Part C Data Profiles 2003 as one of the State Part C systems with a low ranking in the percentage of the birth to three population that it serves in comparison to other States, with 1.45 percent of the birth through two population served based upon the December 1, 2001 child count compared to the national average of 2.13 percent.

As part of its documentation that it has corrected the noncompliance in this cluster area, DCEIP will need to provide the following type of data: (1) data on the availability of the translated public awareness materials discussed above; (2) the results of community activities conducted to increase public awareness; (3) the results of activities conducted to improve linkages with other interagency programs that serve the infant and toddler population in order to increase the number of infants and toddler identified, located and evaluated; (4) the change in the percentage, if any, of the number of children referred to the early intervention program; (5) a review of the checklists discussed above to determine the percentage of evaluations that include the child's level of functioning in all five developmental areas; and (6) monitoring or other data that the evaluation is completed within 45 days of referral and if not, the extent of and reasons for the delay.

It is OSEP's expectation that the District of Columbia will include the data discussed above to determine the status of DCEIP's compliance in this area in its next APR and the final Progress Report.

Family Centered Services

The OSEP Monitoring Report of June 2002 identified one area of non-compliance in this cluster area: Family supports and services are not identified or included on the IFSP. This area was addressed in its Improvement Plan.

The DCEIP Progress Report indicated that the DCEIP Parent Liaison and Early Intervention Specialists began meeting with a consultant in July 2003 to develop training for service coordinators on how to conduct family assessments and translate the results for the IFSP. The Family Orientation Manual, completed in May 2003, has one chapter devoted to family assessments and IFSP development. Internal reviews of IFSPs by DCEIP staff began in July 2003. Random samples of IFSPs from all early intervention programs are reviewed by DCEIP staff. Thus far, 27 initial IFSPs have been reviewed. The results will be analyzed and utilized to provide future training to service providers. DCEIP is currently working on developing and disseminating policies and strategies to better ensure that service providers include the family in the IFSP development process.

As part of its documentation that it has corrected the noncompliance in this cluster area, DCEIP will need to provide the following type of data: (1) review of evaluation reports to ensure that family assessments are offered and conducted if agreed to by the families; (2) results of DCEIP's review of IFSPs to ensure family supports and services, when necessary, are included on the IFSP; and (3) service coordinator, family interview, monitoring or other data that demonstrate family supports and services are identified and included on the child's IFSP.

It is OSEP's expectation that the District of Columbia will include the data discussed above to determine the status of DCEIP's compliance in this area in its next APR and the final Progress Report.

Early Intervention Services in Natural Environments

The OSEP Monitoring Report of June 2002 identified three areas of non-compliance in this cluster area that DCEIP addressed in the Improvement Plan. Those areas are: (1) a lack of individualized decision-making by the IFSP team about needed early intervention services; (2) a lack of all required content in IFSPs; and (3) failure of service coordinator to coordinate all services.

The DCEIP Progress Report indicated that DCEIP staff is calling families every two months to ensure that they are receiving the services on their child's IFSP. DCEIP is developing service coordination standards; one meeting has been held to discuss revisions to the draft. The service coordination standards will be included in the Provider Orientation Manual. The service provider's monthly report has been modified to include the name of each child's service coordinator; service providers were notified via a policy issuance on August 15, 2003. DCEIP has contracted with the University of the District of Columbia (UDC) to develop a survey that will inform them of parents' understanding of service coordination requirements and to determine if each family has a service coordinator, in order to ensure that families are provided with service coordination. The UDC contract will also develop a service provider survey to determine their understanding of service coordination as well as actual practices. Data regarding service settings for children show that the percentage of children served in the home increased from 7.91% in 1997 to 16.50% in 2000; likewise, the percentage of children served in programs for typically developing children increased from 0.32% in 1997 to 17.48% in 2000; conversely, the number of children served in developmental delay programs decreased from 105 in 2000 to 88 in 2001.

As part of its documentation that it has corrected the noncompliance in this cluster area, DCEIP will need to provide the following type of data: (1) service coordinator interviews, service provider interviews and/or family interviews, comparison of evaluation reports and IFSPs or monitoring or other data that shows that the IFSP team is making individualized decisions about early intervention services; (2) results of IFSP reviews, monitoring or other data to demonstrate that IFSPs include the required content; (3) results of the surveys develop by UDC; and (4) service coordinator interviews, family interviews, IFSP review, monitoring or other data to demonstrate that every child and

family has a service coordinator and the service coordinator has coordinated all services for the child and family.

OSEP noted in its review of the District of Columbia's Performance Report that, in several areas, there were no or limited data used in making performance and compliance determinations. Specifically, we noted this problem in cluster area CE.2 regarding the evaluation and assessment of child and family needs; cluster area CE.3 regarding appropriate early intervention services in natural environments and informal supports; and CE.3(c) regarding children and families receiving all the services identified on the IFSP.

It is OSEP's expectation that the District of Columbia will include the data discussed above to determine the status of DCEIP's compliance in this area in its the next APR and the final Progress Report.

Early Childhood Transition

The OSEP Monitoring Report of June 2002 identified one area of non-compliance in this cluster area that DCEIP addressed in the Improvement Plan, that area is: (1) A lack of smooth and timely transition from Part C services to Part B services.

The DCEIP Progress Report indicated that DCEIP has identified the appropriate person at the District of Columbia Public Schools (DCPS) responsible for Part C to Part B transition responsibilities. DCEIP meets regularly with DCPS to discuss specific cases and systemic issues. All early intervention providers working with families are required to complete transition training. The transition training includes topics such as identification of two-year-old children; timelines and steps for transition from Part C to Part B including parent's rights, and follow-up required of all early intervention providers with families. Early intervention providers are monitored for compliance with transition requirements and a Part B staff person assists with monitoring for transition. DCEIP incorporates a discussion on transition options into the monthly transition orientation for families. Options are also discussed at the transition conference; families receive a copy of the options reference along with a listing of currently available programs. DCEIP collaborates with community-based programs to identify available sites for three year olds. DCEIP has identified three new charter schools that will accept three year olds. One charter school representative participated in the transition coordinators meeting for July 2003 and discussed options for children transitioning from Part C.

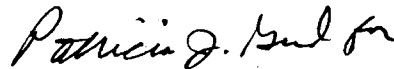
As part of its documentation that it has corrected the noncompliance in this cluster area, DCEIP will need to provide the following type of data: (1) data on the number of children exiting Part C for whom transition conferences are convened at least 90 days prior to the child's third birthday; (2) data on the number of children for whom DCPS has been notified of the child's potential eligibility for Part B; and (3) IFSP review, monitoring or other data to demonstrate that IFSPs include the required transition content.

It is OSEP's expectation that the District of Columbia will include the data discussed above to determine the status of DCEIP's compliance in this area in its next APR and the final Progress Report.

As noted above, OSEP found in its review of DCEIP's FFY 2001 APR and the August 27, 2003 Progress Report that there were no or limited data used in making performance and compliance determinations. In the FFY 2002 APR (expected submission date March 31, 2004), DCEIP must submit the data requested throughout this letter to determine the status of the State's compliance and performance in each of the cluster areas. The final progress report due on June 1, 2004 must include data that demonstrates that all of the areas of noncompliance identified in OSEP's June 18, 2002 monitoring report have been corrected. The OSEP State contact will work with DCEIP staff to review data for inclusion in the March 31, 2004 APR and the final progress report due on June 1, 2004.

We appreciate your efforts in preparing the Annual Performance Report and look forward to collaborating with the District of Columbia as it continues to improve results for infants and toddlers with disabilities and their families.

Sincerely,



Stephanie Smith Lee
Director
Office of Special Education Programs

cc: Joan Christopher
Part C Coordinator