



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

SEP 17 2004

Honorable Dennis Braddock
Secretary
Office of Program Planning, Evaluation, and Professional Development
Department of Social and Health Services
MS OB-44
Olympia, Washington 98504-5000

Dear Secretary Braddock:

The purpose of this letter is to respond to the Department of Social and Health Services' (DSHS's) May 4, 2004 submission of its Federal Fiscal Year (FFY) 2002 Annual Performance Report (APR) for the Individuals with Disabilities Education Act (IDEA) Part C funds used during the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments made by the State during the reporting period, 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. OSEP's Memorandum regarding the submission of Part C APRs directed States to address five cluster areas: General Supervision; Comprehensive Public Awareness and Child Find System; Family Centered Services; Early Intervention Services in Natural Environments; and Early Childhood Transition.

Background

In its February 23, 2004 response to DSHS's FFY 2001 APR (submitted in 2003), OSEP stated that DSHS addressed the four areas of noncompliance identified in OSEP's December 22, 1999 Monitoring Report and the State's Improvement Plan. OSEP requested, in the February 2004 letter, that DSHS continue to provide documentation and evidence of change data, in its FFY 2003 APR, including monitoring data, reflecting successful completion of all pending corrective action plans, and that State-identified noncompliance has been corrected.

The State's APR should reflect the collection, analysis, and reporting of relevant data, and document data-based determinations regarding performance and compliance in each of the cluster areas (as well as any other areas identified by the State to ensure improvement). OSEP's comments are listed by cluster area.

General Supervision

DSHS provided data and analysis of noncompliance issues identified and corrected during the FFY 2002 reporting period (pages two through eight). DSHS reported data and information collected during State monitoring activities that included: (1) eight additional program audits resulting in 80 percent of the program audit review cycle completed; (2) data management system reports on timelines and compliance monitoring used as part of the follow-up to local plans of correction; (3) risk assessments on all contractors in order to prioritize contractor program audits; (4) monthly monitoring of data spreadsheets to assist in the provision of technical assistance in areas that needed improvement; (5) participation by the State Interagency Coordinating Council Data Committee in the review and analysis of data management reports; and (6) four of eight corrective action plans approved; three continued to need additional correction and were not approved in this reporting period; and one new contractor was implementing corrections (all identified corrective action plans to be approved and completed by September 2004). The State included a list of identified and corrected service issues and noncompliance (pages 2 and 5) and a description of progress in meeting initial, six-month and annual reviews of Individualized Family Service Plan (IFSP) timelines (page 7).

DSHS reported that of three mediation requests received, one resulted in an agreement, one did not reach agreement and the family requested an administrative hearing, and one family requested but then declined mediation. The State also reported that one administrative hearing was requested and conducted and two complaints were received with one complaint withdrawn and the other complaint, after investigation, resulted in a corrective action plan developed and implemented at the local level.

The information and data provided by DSHS indicated that the State had mechanisms or systems in place to meet its general supervision responsibilities through monitoring processes and procedures, provision of technical assistance, policies and procedures to ensure timely complaint resolution, and reporting of accurate and timely data. OSEP will conduct a visit to the State to further verify the implementation of DSHS's general supervision and Section 618 data collection systems.

Comprehensive Public Awareness and Child Find System

DSHS provided the following data: (1) 1.51 percent of Washington's birth-to-three population received early intervention services on December 1, 2003 (page 21); (2) 92 percent of children referred were determined eligible for Part C services and the percentage of infants and toddlers receiving services increased annually for the last four years (page 21); (3) the racial/ethnic representation in the eligible population was proportional to the general state population (page 27); (4) referral sources were tracked by DSHS's data management system and data was provided across three years (page 17); (5) the State-wide average rate of referral was one year

and seven months; and (6) 9.6 percent of the children receiving services were under the age of one (page 24). In addition, the State reported that the total number of children receiving early intervention services continued to increase, but not proportionally in the birth-to-one age range. DSHS reported that collaborative activities with other agencies were maximizing the State's identification efforts. For example, DSHS worked with the DSHS Children's Administration on the Child Abuse Prevention and Treatment Act (CAPTA) requirements. The State continued to track referrals from child protective services to determine the impact of the CAPTA legislation. DSHS concluded that their data management system has collected accurate unduplicated child count information (page 23).

DSHS concluded that the implementation of their comprehensive public awareness and child find system needed improvement in order to ensure the identification of all infants under the age of one. The State also reported that they requested technical assistance from the Western Regional Resources Center to focus on comparisons of Washington data to national data in order to better understand the differences in regional and national data.

Family Centered Services

OSEP's response to DSHS's FFY 2001 APR requested that the State include, in its FFY 2002 APR, documentation of how the State was identifying and evaluating the impact of family centered services specific to the evaluation and assessment process and the development of IFSPs, including addressing family capacity to enhance the development of their infant or toddler. DSHS provided data and information for this cluster on pages 30 through 34 of the FFY 2002 APR and in Attachment 5 (Parent/Family Survey 2003, All Counties Combined, and Attachment 6, Parent/Family Survey Result Charts). The State reported that it received 851 surveys out of the 5,828 surveys distributed to families enrolled in early intervention services. DSHS's Parent/Family survey data documented the following: (1) 83.69 percent of families knew how to find out about early intervention services; (2) 92.27 percent of families agreed that service coordination was helpful; (3) 95.84 percent of families indicated positive responses to survey questions regarding their concerns, priorities and resources; (4) 95.96 percent of families reported that their child was evaluated within 45 days from consent to participate in early intervention services; and (5) 93.56 percent of families agreed that the services helped their family meet their child's developmental needs. The information provided in the FFY 2002 APR indicated that DSHS continued to ensure the provision of family-centered services.

Early Intervention Services in Natural Environments

On pages 37 through 46, DSHS provided data and analysis indicating that: (1) all children and families had access to a service coordinator; (2) families reported high satisfaction with service coordination; (3) the majority of families reported that the initial evaluation and assessment process was timely, family centered, and covered the five required developmental domains; (4) families (99.44 percent) agreed that the IFSP outcomes, services and activities addressed their concerns, priorities and resources; and (5) families reported they were satisfied with the quality of the early intervention services their child received. Data (2002 child count) presented by DSHS on page 45 and 46, indicated that the provision of services in natural environments was increasing, particularly for services provided in the home setting (71.6 percent) which has

increased 43 percent since 1998. The State identified issues of noncompliance with the natural environments requirements specific to the justification statement on an IFSP for services not provided in the natural environment during this reporting period that resulted in corrective plans for three contractors that have been approved by DSHS. The State provided examples of activities to address the noncompliance that included: (1) DSHS will continue to monitor data management system reports on primary service settings; and (2) DSHS will continue to provide technical assistance and training related to natural environments. OSEP requests that the State provide information and data in the FFY 2003 APR that verifies correction of the noncompliance.

On pages 46 and 47, DSHS provided data and information about improved and sustained functional abilities of infants and toddlers receiving early intervention services. DSHS reported program exit data as follows: 50 percent of children who exited the system prior to age three were typically developing, 9.1 percent of children who exited the system at age three were not eligible for Part B services and 19.7 percent of all children who exited the system on or before their third birthday did not require special programs. The State indicated that it would continue to participate in child outcome planning activities including: the Early Intervention Outcome and Data Communities of Practice, the National Data Steering Committee and the Early Childhood Outcomes Center Steering Committee.

DSHS concluded that families had access to a service coordinator; evaluations and assessments of child and family concerns, priorities and resources appeared to lead to the identification of child and family needs; the provision of appropriate services identified on the IFSP in natural environments; and had transition outcome data and planned to continue participation in national early childhood outcome activities.

Early Childhood Transition

OSEP's response to the DSHS's FFY 2001 APR requested that the State include, in its FFY 2002 APR, monitoring data, including data on the numbers of children for whom transition conferences were convened at least 90 days prior to the child's third birthday, the number of children for whom the school district was notified of children about to turn three, as required, and the numbers of children for whom transition plans were in place to establish the effectiveness of activities related to both performance and compliance.

DSHS provided transition exit data and analysis on pages 51 through 53 of the APR, and reported that the percentage of children who exited Part C services and did not require additional services had increased. DSHS also reported that the 2003 Parent/Family Survey (Attachment 4) indicated that the section on transition services received the lowest ratings from families.

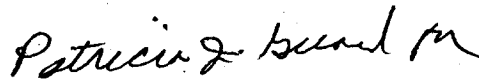
As the State did not provide data and analysis that demonstrated the implementation of the early childhood transition requirements under 34 CFR §§300.132, 303.148 and 303.144, OSEP requests that DSHS report data, including monitoring data, on the status of the implementation of transition requirements in the FFY 2003 APR.

Conclusion

As noted above, DSHS must submit, in the FFY 2003 APR data and its analysis, demonstrating compliance with the requirements to hold transition conferences within 90 days prior to the child's third birthday, notification of the school district of children about to turn three and documentation of transition plans in place.

OSEP recognizes that the APR and its related activities represent only a portion of the work in your State and we look forward to collaborating with you as you continue to improve results for infants and toddlers with disabilities and their families. If you have questions, please contact Jacquelyn Twining-Martin (202) 245-7558.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephanie Smith Lee".

Stephanie Smith Lee
Director
Office of Special Education Programs

cc: Sandy Loerch-Morris
Part C Coordinator