

# State of Maine Independent Review of Early Childhood Special Education

## Phase II Implementation Report Summary

Maine Joint Education and Cultural Affairs  
Committee

Presentation January 25, 2021

# Agenda

1. Introductions – PCG team
2. Overview of Methodology
3. Overview of Phase II Implementation Plan
4. Early Intervention (Part C):
  - Overview
  - Timelines
  - Recommended Implementation
5. Preschool IDEA Part B-619 Services:
  - Overview
  - Timelines
  - Recommended Implementation





# Methodology

## Phase I Independent Review:

- Analysis of previous reports
- Interviews and focus groups
- Data collection and analysis
- Cost study
- Review of national literature and data
- Interviews with other states
- Presentations and revisions based on input from: Advisory Committee; Joint Education Committee; and stakeholders

## Phase II – Implementation Plan:

- Respond to Joint Education Committee input
- Development of Implementation plan steps and timeline



# Phase II Implementation Plan - Overview

- Recommendations from Phase I independent review have been grouped together
- Indicated whether the recommendation requires a change is in 'statute', 'regulation', administrative changes or other e.g. training
- A table with action steps, responsible persons, timeline and deliverables
- Also included are 'Resources needed' and any 'dependencies'
- Some sections also include 'supporting information / analysis' and 'costs' associated with implementation'



# Phase II Implementation Plan

**Recommendation #**

*Recommendation from Phase I report – some grouped together*

**Change:**

Statute  Regulation  Administrative  Other: \_\_\_\_\_

*Some recommendations include several types of changes*

Action Steps	Responsibility	Timeline	Deliverable
1. <i>Specific actions</i>	<i>Agency / role</i>	<i>Year / month (start – end)</i>	<i>Document / evidence</i>
2.			
3.			

**Resources needed / Dependencies:**

- Timing considerations with other recommendations*
- Funding and / or staff time needed to carry out the transition*

**Supporting Information, Analysis, Costs:**

- Any costs associated with implementing the recommendation*
- Additional information regarding implementation, including responses to the Joint Education Committee and Advisory Committee*



# Individuals with Disabilities Education Act (IDEA) Part C Early Intervention Implementation Plan



# Early Intervention (Part C) Overview / background

- Infants and toddlers birth to age 3 with developmental delays and disabilities and their families
- States designate the lead agency
- Array of 16 EI services provided based on an Individualized Family Service Plan (IFSP)
- EI Services in natural environments – home, child care, etc.
- EI Services support parents to promote their child's development in everyday, routines, activities and places
- States must ensure: child find & public awareness; accountability & data collection (incl. Annual Performance Report); dispute resolution; comprehensive system of personnel development; Interagency Coordinating Council; funding and delivery of all services.



# Early Intervention (Part C) Key Findings

- CDS was able to move budget from \$3.7 deficit in 2017 to operating within budget in FY19
- CDS has consolidated business operations, rate setting, contract development and payment in the central office
- Implementation of a statewide database
- CDs has standardization of administrative processes
- Strong implementation of evidence-based practices - Routines-Based Early Intervention (RBEI)
- 98% of early intervention services in natural environments





# Early Intervention (Part C)

## Key Findings

- Low number of children served 0.6% birth to 1 (50<sup>th</sup> nationally) and 2.5% birth – 3 (44<sup>th</sup> nationally)
- ICC not effective – membership, public meetings, etc.
- Low private insurance billing - despite EI and Autism insurance statutes passed in 2011
- Low MaineCare billing – no billing for service coordination and special instruction (developmental therapy).
- Rates for services not based on rate study
- No separation of accountability - with CDS monitoring compliance and performance reporting by own regions
- National rating of 'needs assistance' for two years







# Early Intervention (Part C) Key Milestones

Milestone	When
Institute child find plan and branded campaign	Beginning Year 2
Part C Administration Transferred from CDS - DOE	Beginning Year 3
Initiate Billing Changes	Beginning Year 3
Begin providing revised training	Beginning Year 3
EI Service transferred to contracted community agencies	End of year 3



# Early Intervention (Part C) Recommendations

## Governance & Administration:

- **1.1** Designate **DOE as state lead agency** - within Early Education Office (with Pre-K and Head Start collab.)
- **1.2 Consolidate regional office structure** (each with 1-3 counties)
- **1.4 Contract with provider agencies** for provision of all EI services for one or more counties
- **1.5** Continue to have **state provide service coordination**
- **1.6** Develop new statewide EI brand name
- **1.7** Develop **EI specific state regulations**
- **1.8 Reconstitute ICC** – membership, chair, meetings



# Early Intervention (Part C) Recommendations

## Funding:

- **2.1 Expand MaineCare billing** – to include special instruction and service coordination
- **2.2 Issue new MaineCare EI section** - definitions, codes, modifiers and rates
- **2.3 Conduct EI rate study** – address home-based service delivery costs and ensure state and MaineCare equity
- **2.4 Revise EI private insurance statute** – remove cap and add services
- **2.5 Develop central billing system** – to maximize MaineCare and private insurance billing



# Early Intervention (Part C) Recommendations

## Service Delivery:

- **3.1** Develop and implement a **branded campaign**
- **3.2** Establish **child find committee and develop plan**
- **3.3** **Expand eligibility criteria**
- **3.4** Develop **competences, training and practice-based coaching** on evidence-based practices



# Individuals with Disabilities Education Act (IDEA) Part B-619 Preschool Special Education Implementation Plan



# Preschool Special Education (Part B-619) Overview

- Preschoolers aged 3 through 5 with disabilities and developmental delays
- State Education Agency responsible to ensure FAPE (Free & Appropriate Public Education)
- Special education and related services are provided in accordance Individualized Education Program (IEP)
- Services must be provided in the Least Restrictive Environment (LRE)
- Inclusive settings with at least 50% typically developing peers incl. placement in regular early childhood settings – Pre-K, Head Start and child care, etc. are expected to be considered for every child.
- State must ensure child find, individualized evaluations, eligibility determinations, IEP development, data and accountability, dispute resolution, service delivery





# Preschool Special Education (Part B-619) Key Findings

- Percent of children served is above the national average
- CDS was able to move budget from \$3.7 deficit in 2017 to operating with budget in FY19
- Consolidation of business operations, rate setting, contract and payment to the CDS central office
- Efforts made to serve children in inclusive settings – 754 in Pre-K and 235 with Early Childhood Education Tuition Agreements (child care and Head Start)



# Preschool Special Education (Part B-619) Key Findings

- High number of children in segregated, high intensity, costly, year-round special purpose schools (SPPs)
  - 785 kids w/ annual costs over \$20,000 (108 >\$75,000)
  - 1,309 children served in SPPs
  - Only AR serves more children in separate schools
- Opportunities to braid funding and promote equity of funding eligible children
- 632 children on waiting list (capacity not funding)
- Low use of developmental delay 9% (38% nationally)
- Low use of MaineCare by SAUs (K-12) – administrative burden and concern regarding audit liability cited.



# Preschool Special Education (Part B-619) Timeline

Task	Year 1/ Months												Year 2/ Months												Year 3/ Months											
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
<b>Part B- 619</b>																																				
1.1. Designated State Agency																																				
1.2. Administrative Office																																				
1.3. 619 State Staff																																				
1.5. Revise State Regulations																																				
1.10. 619 Representation																																				
State-level administration from CDS - DOE complete																																				
1.6. Transition Period																																				
1.7. State-level Transition Leadership planning																																				
State-level transition planning																																				
1.4. Designate SAUs to provide 619 services																																				
1.8. SAU Transition Planning																																				
2.6. Fiscal Toolkit																																				
SAU transition planning complete																																				
2.1. Central Billing System																																				
2.2. MaineCare Special Education Services Section																																				
2.3. Rate Study																																				
2.4. Funding of 619 Services																																				
2.5. Review of Current Children with High Costs																																				
Initiate Billing Changes																																				
1.9. Inclusion Guidance Document and training																																				
3.1. Training and Professional Development																																				
3.2. Pyramid Model																																				
3.3. Chapter 676 Training																																				
3.4. Use of Developmental Delay Eligibility Category																																				
Complete guidance and training																																				
<b>Key Tasks / Milestones</b>																																				



# Preschool Special Education (Part B-619) Key Milestones

Milestone	When
State-level administration from CDS – DOE complete	Year 2 Month 9
Initiate billing changes	Beginning Year 3
State-level transition planning complete	End of year 3
SAU transition *planning complete	End of year 3
Complete guidance and training	End of year 3



# Phase II Implementation Plan – 619

## Overview

### State-level Planning

#### State-level Transition Leadership Team

- Hire project manager
- Complete ECTA systems framework self-assessment
- Establish workgroups
- Revise and implement transition plan
- Review SAU transition plans and quarterly reports

### Local-SAU Level Planning

#### SAU Transition Team

- Assign preschool special education lead
- Complete Self-assessment
- Complete Fiscal toolkit - plan
- Submit transition plan and quarterly reports



# Phase II Implementation Plan

- SAU self-assessment and plan development

<b>A. Personnel / Staffing</b>			
	<b>Analysis / data</b>	<b>Resources / Cost</b>	<b>Person Responsible / Timeline</b>
<p><i>A. 1. Anticipated staff needed?</i></p> <p>i.) EC Special Education teachers                      ii.) Therapists (OT, PT SLPs)                      iii.) Other related service personnel</p>			
<p><i>A. 2. Anticipated contracted staff?</i></p> <p>i.) expanding existing contracts                      ii.) new contracts                      iii.) provider agency</p>			
<b>B. Training / Professional Development</b>			
	<b>Analysis / data</b>	<b>Resources / Cost</b>	<b>Timeline</b>
<p><i>B.1. Preschool LRE / inclusion – including working with community</i></p>			



# Phase II Implementation Plan

- Support SAU complete 'Fiscal toolkit' into plan

Cost of Children Served Calculation							
Child Setting	Pre-k	Head Start	Special Purpose Preschool	Child Care	Other Preschool (i.e. Montessori, Educare, CDS preschool etc...)	SAU Preschool	TOTALS
Current number of children served							-
Planned number of children served							-
Average annual cost per child in setting	\$ 8,414.00	\$ 14,350.50	\$ 24,893.60	\$ 6,373.00	\$ 13,644.00	\$ 8,414.00	
Estimated cost to serve planned number of children	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Educational placement funded by other funding source	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Educational placement funded by SAU special education funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Estimated average annual itinerant cost to SAU per child	\$ 5,133.00	\$ 5,133.00	\$ 5,133.00	\$ 5,133.00	\$ 5,133.00		
Total itinerant cost to SAU	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Estimated Transportation Cost per child							
Estimated Transportation Cost to SAU			\$ -	\$ -	\$ -	\$ -	\$ -
Total Cost to SAU	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



# Preschool Special Education (Part B-619) Recommendations

## Governance / Administration:

- **1.1** Designate **DOE as official state agency** for IDEA Part B-619 within the Office of Special Services - with staffing
- **1.4** Designate **SAUs as the Local Education Agencies** to coordinate and implement 619 services
- **1.5** Revise **state regulations**
- **1.6. Transition period 3 years** – support early adopter SAUs
- **1.7 State-level transition team** – with defined roles / activities
- **1.8 SAU transition team and plans** - with state level support
- **1.9** Develop **Inclusive early childhood guidance document**
- **1.10** Ensure **619 representation** on state EC efforts





# Preschool Special Education (Part B-619) Recommendations

## Funding:

- **2.1** Implement a **Central billing system** for MaineCare and private insurance [consider expanding for K-12]
- **2.2** Develop new **special education MaineCare** section – definitions codes, modifiers, rates.
- **2.3** Conduct **rate study** to establish rates
- **2.4 Funding** through either:
  - EPS special education funding formula, with use of current state allocation to offset local costs
  - Per Child allocation with use of current state allocation
- **2.5 Review of high cost children** >\$20,000 per year
- **2.6** Develop **fiscal toolkit** for SAUs – braiding funding



# Preschool Special Education (Part B-619) Recommendations

## Service Delivery:

- **3.1** Provide training & professional development on **inclusive early childhood education**
- **3.2** Convene a cross program leadership team to implement the evidence-based **'pyramid model'** to promote social and emotional development and address challenging behaviors
- **3.3** Provide training on **Chapter 676** for IEP teams to support decision making process
- **3.4** Promote understanding and use of **'developmental delay'** category in eligibility determination process



# Individuals with Disabilities Education Act (IDEA) Part B-619 Preschool Special Education Communications Plan



# Phase II Communication Plan

- Assign Communication Lead e.g. DOE Director of Communications and the DOE Newsroom
- Develop a detailed communication plan
- External audiences

Audience	Website	Social media	Email updates	Newsletter	Press Releases	Forums / townhalls	Trainings / workshops	Newspaper articles	Interview (radio / TV)
Stakeholders (associations/ organizations)	✓	✓	✓	✓	✓	✓		✓	✓
Town Councils	✓		✓	✓	✓			✓	✓
General Public	✓	✓	✓	✓	✓			✓	✓

# Phase II Communication Plan

- Internal audiences

Audience	Website	Social media	Email updates	Newsletter	Press Releases	Forums / townhalls	Trainings / workshops	Newspaper articles	Interviews (radio / TV)
CDS staff	✓		✓			✓	✓		
State Staff	✓		✓						
SAUs (including school boards)	✓		✓			✓	✓		
Contracted Providers	✓	✓	✓	✓		✓	✓		✓
Early Childhood providers	✓	✓	✓	✓		✓	✓		✓
Families	✓	✓	✓	✓	✓	✓		✓	✓





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