The Commonwealth of Massachusetts

Executive Office of Health and Human Services

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Amanda Kasica

Bay Cove Early Intervention

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June 23, 2025

Dear Amanda:

The purpose of this monitoring report is to provide a summary of the results of the Cyclical Monitoring activities conducted by the Department of Public Health’s (the Department’s) Early Intervention (EI) Division. As part of its general supervision process, early intervention service programs and specialty service programs are monitored on their policies and procedures and implementation of those policies and procedures to meet the requirements of the Individuals with Disabilities Education Act (IDEA or the Act).

Those requirements include:

1) Improving educational results and functional outcomes for all infants, toddlers, children, and youth with disabilities; and

2) Ensuring that public agencies meet the program requirements under Part C of IDEA, with a particular emphasis on those requirements that are most closely related to improving educational results for infants and toddlers with disabilities.

During the cyclical monitoring process the EI Division examined the program’s policies and procedures regarding the following monitoring priorities and components of IDEA part C:

* Compliance Indicators (45 Day IFSP timeline, timely services, service delivery, and transition)
* Results Indicators (services provided in the natural environment, child find and referral, evaluations, assessments, and outcomes)
* Dispute Resolution and family rights
* Data Quality (timely and accurate data entry)
* Fiscal (claims and responsibility)

This cyclical monitoring report summarizes the Early Intervention Division’s review of IDEA Part C requirements and Massachusetts Early Intervention Operational Standards regarding these monitoring priorities and components. The EI Division conducted Cyclical Monitoring activities through interviews with representatives from Bay Cove Early Intervention and families that participated in Part C services at Bay Cove Early Intervention. In addition to interviews, the EI Division reviewed records (e.g., individualized family service plans, service progress notes, claims) of a sample of children with data submitted into the Early Intervention Client System, policies and procedures, and other related documents submitted to the Early Intervention Division.

Based on its review of available documents, information, and interviews conducted, the EI Division has identified 3 findings of noncompliance with IDEA and state requirements described in further detail in the monitoring report, including any required actions.

The EI Division has not identified any noncompliance in the following components: Compliance, Dispute Resolution and Fiscal. Therefore, these items are not included in the narrative below.

Summary of Monitoring Priorities and Outcomes

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| MONITORING COMPONENT   | FINDINGS SUMMARY  |
| Compliance   |  |
| Results  | 1.1 The EI Division finds that the program has not established reasonably designed policies to ensure Determining Eligibility/Evaluation and Assessment are culturally and linguistically appropriate for the infant/toddler and family as required under, Federal Regulation 34 CFR §303.321 and in accordance with Early Intervention Operational Standards VI.ENTRY INTO PROGRAM, B, Pg. 23.1.2 The EI Division finds that the program’s implementation of its policies and procedures does not ensure compliance with referral timeline requirements including staff training and parent involvement in accordance with Early Intervention Operational Standards VI(a)(1) pg. 22.  |
| Dispute Resolution  |  |
| Data  | 2.1 The EI Division finds that the program does not complete adherence to timely data requirements, as required under 34 C.F.R. §303.124 and in accordance with Early Intervention Operational StandardsProgram Administration §XII E pg. 60. |
| Fiscal  |  |

The EI Division appreciates Bay Cove Early Intervention’s continued efforts to improve the implementation of IDEA Part C and the development and implementation of a reasonably designed EIS program which ensures compliance and improving results for infants and toddlers with disabilities and their families. The EI Division notes that having a consistent and transparent system for identifying and correcting noncompliance, particularly noncompliance that impacts the delivery of early intervention services, in accordance with individualized family service plans (IFSPs), and dispute resolution systems that protect the rights of parents, are essential elements to ensuring improved results for infants and toddlers with disabilities and their families. If you have any questions, please contact your Clinical Oversight and Support Specialist.

Sincerely,

Kasey Jaynes

Clinical Oversight and Support Specialist, Early Intervention Division

cc: Molly Gilbride, Clinical Quality Manager, Early Intervention Division

 Michelle Conlon, Clinical Quality Assurance Coordinator, Early Intervention Division

**RESULTS**

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| **Legal Requirement/State Standard**  | Noncompliant Policy, Procedure or Practice and EI Division analysis  | Conclusion/Finding  | Next Steps and Required Actions  |
| **1.1 Determining Eligibility/ Evaluation and Assessment**Under Federal Regulation 34 CFR §303.321 Evaluation of the child and assessment of the child and family.(4) All evaluations and assessments of the child and family must be conducted by qualified personnel, in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory.(5) Unless clearly not feasible to do so, all evaluations and assessments of a child must be conducted in the native language of the child, in accordance with the definition of native language in §303.25.(6) Unless clearly not feasible to do so, family assessments must be conducted in the native language of the family members being assessed, in accordance with the definition of native language in §303.25.In accordance with Early Intervention Operational Standards VI.ENTRY INTO PROGRAM, B, Pg. 236.The eligibility evaluation process is culturally and linguistically appropriate for the infant/toddler and family. Unless clearly not feasible to do so, child evaluations and assessments must be conducted in the native language of the infant/toddler. The disciplines represented on the multidisciplinary evaluation team are determined, to the extent possible, by the developmental areas of concern for the infant/ toddler. | 1.1During policy review, the EI Division specifically identified that the program’s policy did not include language to ensure that when determining eligibility/ evaluation and assessments, all evaluations are culturally and linguistically appropriate.   | The EI Divisions’ analysis is based on documents and information provided by the program, records located within the EICS, as well as interviews with program staff and families/caregivers. Based on this analysis, the EI Division finds that: 1.1 The program has not established reasonably designed policies to ensure Determining Eligibility/Evaluation and Assessment are culturally and linguistically appropriate for the infant/toddler and family as required under, Federal Regulation 34 CFR § 303.321 and in accordance with Early Intervention Operational Standards VI.ENTRY INTO PROGRAM, B, Pg. 23. |   Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division:1. Policies and procedures documenting the program’s process for Determining Eligibility/ Evaluation and Assessments. The policies and procedures must ensure that the program’s process is reasonably designed as required under Federal Regulation 34 CFR §303.321 and in accordance with Early Intervention Operational Standards VI.ENTRY INTO PROGRAM, B, Pg. 23.
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| **1.2 Child Find and Referral**Under 34 CFR 303.302 Scope of child find. The lead agency, as part of the child find system, must ensure that—(1) All infants and toddlers with disabilities in the State who are eligible for early intervention services under this part are identified, located, and evaluated, including—(i) Indian infants and toddlers with disabilities residing on a reservation geographically located in the State (including coordination, as necessary, with tribes, tribal organizations, and consortia to identify infants and toddlers with disabilities in the State based, in part, on the information provided by them to the lead agency under §303.731(e)(1)); and(ii) Infants and toddlers with disabilities who are homeless, in foster care, and wards of the State; and(iii) Infants and toddlers with disabilities that are referenced in §303.303(b); and(2) An effective method is developed and implemented to identify children who are in need of early intervention services.In accordance with Early Intervention Operational Standards VI(a)(1) pg. 22Under EI Operational Standard § VI(a)(1), the program is required to provide a face-to-face or telephone response to the parent made within 14 calendar days following the initial referral. Attempts to contact the parent of a child referred are documented in the record. An infant or toddler may be re-referred at any time prior to his/her third birthday.  | 1.2During interviews, it was identified that the program’s implementation of its policies and procedures does not ensure compliance with referral timelines. During interviews, families reported being told there were waitlists for the program and reported not hearing from the program for several months after first referral.  | 1.2 The program’s implementation of its policies and procedures does not ensure compliance with referral timeline requirements including staff training and parent involvement in accordance with Early Intervention Operational Standards VI(a)(1) pg. 22. | Evidence of implementation— as soon as possible, but no later than one year from the date of this monitoring report, the program must demonstrate to the EI Division:1. Procedures that demonstrate that the EI program has conducted training activities and has a monitoring process to ensure its early intervention staff are trained to be knowledgeable on the provisions of IDEA Part C; specifically, child find and referral.
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**DATA**

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| **Legal Requirement/State Standard**  | Noncompliant Policy, Procedure or Practice and EI Division analysis  | Conclusion/Finding  | Next Steps and Required Actions  |
| **2.1 Timely Data Submitted in EICS**Under Federal Regulation (34 CFR §303.124)(a) Each statewide system must include a system for compiling and reporting timely and accurate data that meets the requirements in §303.124(b) of this section and §§303.700 through 303.702 and 303.720 through 303.724.(b) The data system required in §303.124(a) of this section must include a description of the process that the State uses, or will use, to compile data on infants or toddlers with disabilities receiving early intervention services under this partIn accordance with Early Intervention Operational StandardsProgram Administration § XII E pg. 60Early Intervention programs are expected to submit the data requested by the Department of Public Health within the timelines established. |  2.1During record reviews, the EI Division found that the program did not consistently meet the timely data submitted in EICS requirement. The EI division reviewed a total of 10 child records for satisfactory demonstration (100% compliance) of timely data submitted in EICS requirements. A total of 1 of these records demonstrated that the program did not complete the timely data submitted in EICS requirement.  | The EI Divisions’ analysis is based on documents and information provided by the program, records located within the EICS, as well as interviews with program staff and families/caregivers. Based on this analysis, the EI Division finds that: 2.1 The program does not complete the adherence to timely data requirements, as required under 34 C.F.R. §303.124 and in accordance with Early Intervention Operational StandardsProgram Administration § XII E pg. 60. | Evidence of implementation— as soon as possible, but no later than one year from the date of this monitoring report, the program must demonstrate to the EI Division:Demonstration of 100% timely data submitted in EICS as evidenced by the EI Division’s review of subsequent records.  |