The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

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Edith Benisty

KDC Attleboro

25 Forest Street

Attleboro, MA 02703

Email: [ebenisty@KDC.org](mailto:ebenisty@KDC.org)

January 9, 2025

Dear Edith Benisty,

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, transition)
* Results Indicators (services provided in the natural environment, child find, evaluations, and outcomes)
* Dispute Resolution and family rights
* Data Quality (timely and accurate data entry)
* Fiscal

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 the KDC Attleboro Early Intervention program and families that participated in Part C services at KDC Attleboro Early Intervention program. In addition to interviews, the EI Division reviewed records (individualized family service plans, service progress notes, prior written notice, 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 2 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 4 components of Results Indicators, Data & Fiscal therefore no findings are listed in these areas in the narrative below.

Summary of Monitoring Priorities and Outcomes

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| MONITORING COMPONENT | FINDINGS SUMMARY |
| Compliance | 1.1 The EI Division finds that the EIS program does not have a procedure that is reasonably designed to provide services as determined through the IFSP process and consented to by the parent, as required under (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and the Early Intervention Operational Standards, Early Intervention Services (EIOS) VII. C.3 pg. 32. |
| Results |  |
| Dispute Resolution | 2.1 The EI Division finds that the EIS program does not have effective procedures to ensure that parents receive prior written notice for the transition conference as required under 34 CFR 303.421. |
| Data |  |
| Fiscal |  |

The EI Division appreciates the KDC Attleboro Early Intervention programs’ 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,

Susan Grossman, M.S., CEIS, CEID

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

**COMPLIANCE**

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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 IFSP Service Delivery  (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2))  As used in paragraph (d)(1)(i) of this section—  *Service Provision:* As a condition of receiving assistance under Part C of the IDEA, each State must ensure that appropriate early intervention services are available to all infants and toddlers with disabilities and their families as required by 34 C.F.R. § 303.112. Under 34 C.F.R. § 303.342(e), each State must ensure that Part C services are provided to all eligible infants and toddlers with disabilities and their families in a timely manner and that each eligible infant and toddler with a disability has available early intervention services that are designed to meet his or her unique individual needs as identified by the IFSP team as required by 34 C.F.R. §§ 303.13(c), 303.342, and 303.344(d). | 1.1  During the record review, the EI Division identified 4 out of 10 children who did not receive the service provided that matches the services as written on the IFSP and there is not clear documentation of a family exceptional circumstance. | 1.1  The EI Division finds that the EIS program does not have a procedure that is reasonably designed to provide services as determined through the IFSP process and consented to by the parent, as required under (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and the Early Intervention Operational Standards, Early Intervention Services (EIOS) VII. C.3 pg. 32. | 1.1  Policies and Procedures:  Within 90 days of the date of this monitoring report the program must submit to the EI Division:  - An updated policy on service delivery to include how this is monitored at their program.  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 compliance, as evidenced by the EI Division’s review of 10 subsequent records to identify that this has been corrected (first check by April 30, 2025). |

**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 |
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**DISPUTE RESOLUTION**

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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 Procedural Safeguards  **303.421 Prior written notice and procedural safeguards notice.** a) ***General.*** Prior written notice must be provided to parents a reasonable time before the lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family. | 2.1  When completing the record review, the EI division identified six out of 10 children did not receive Prior Written Notice for their Transition Conference | 2.1  The EI Division finds that the EIS program does not have effective procedures to ensure that parents receive prior written notice for the transition conferences as required under 303.421 | 2.1  The EI Division finds that the EIS program does not have an effective procedure designed to provide consistent ongoing service delivery frequency that matches services as stated on the IFSP, as required under EIOS Page 32 and 34 C.F.R. § 303.112. | 2.1  Policies and Procedures:  Within 90 days of the date of this monitoring report the program must submit to the EI Division:  -An updated policy ensuring families receive prior written notice before the transition conference and include how this is monitored at their program.  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 compliance, as evidenced by the EI Division’s review of 10 subsequent records to identify that this has been corrected (first check by April 30, 2025). |
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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 |
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**FISCAL**

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| **Legal Requirement/State Standard** | Noncompliant Policy, Procedure or Practice and EI Division analysis | Conclusion/Finding | Next Steps and Required Actions |
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