Birth to 3 Program Compliance and Results Performance Expectations and Action Items: Compliance Indicators (Timely Activities) and Natural Environments

The purpose of this document is to communicate state (Wisconsin Department of Health Services, DHS) and federal (Office of Special Education Programs, OSEP) performance expectations and provide action items, practices and strategies from which county programs can choose, to address the factors and improve practices impacting compliance and results measures calculated in the annual county determination process.

Important: According to Individuals with Disabilities Education Act (IDEA) Part C Federal Regulations 34 CFR 303.700(a)(3), DHS must implement enforcement actions based on each EIS programs' status category. Consistent with the State annual determination enforcement actions, county Birth to 3 Programs in determination status categories "Needs Assistance" for two or more years, "Needs Intervention," and "Needs Substantial Intervention" **MUST choose a minimum of one action item** for continued improvement of results and compliance **and submit an improvement plan** via the Determinations Analysis Summary (survey).

Note: For county programs in Meets Requirements and Needs Assistance for the first year, completion of the Improvement Plan section of the Determinations Analysis Summary (survey) is **optional**.

For County Programs Submitting an Improvement Plan

Strategies and action items selected are **expected to begin in the next three to six months and be implemented within six to 12 months.** A process to periodically measure progress and effectiveness of practice changes must be included. Failure to implement action items in the required timeframe will result in targeted outreach from the Part C Coordinator to county administration/leadership and additional remedial actions.

Technical assistance is available through the Wisconsin Department Health Services Bureau of Children's Services (BCS) Technical Assistance Center: DHSBCSTAC@dhs.wisconsin.gov or 608-267-6767.

Compliance Indicators Targets and Practices Expectations

Determinations Results and Compliance Matrix: Table 4

Compliance: Timely Activities and Natural Environments

Performance Expectation: **State Target (see chart below), OSEP Benchmark 95% or higher**

Federal Indicators: https://www.dhs.wisconsin.gov/birthto3/indicators.htm	State Target	Practice Expectations (Birth to 3 Program Operations Guide 1.3.1.b) (Connect with a Children and Family Program Specialist for details on practice expectations.)
1. Receive the early intervention services on their individualized family service plans (IFSPs) in a timely manner.	100%	Services identified on IFSP start within 30 days of development of IFSP (as of date of signature on IFSP) unless team decision was made to start services late or delayed due a family reason.
2. Receive early intervention services in the home or community-based settings.	96.35%	Services are expected to occur in the home, childcare, or other natural or community-based settings in which the child and family spend time and other settings in which children of the same age without disabilities would spend time.
7. Initial evaluation, initial assessment, and initial IFSP meeting were conducted within the IDEA Part C 45-day timeline	100%	See indicator description
8A. IFSP updated with transition steps and services at least	100%	See indicator description

90 days and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday.		
8B. Notify the local education agency (LEA) where the toddler resides (consistent with any opt-out policy adopted by the state) at least 90 days prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.	100%	Potential eligibility for LEA services is determined by the early intervention team via an IFSP meeting held with the family prior to LEA referral. Referral is electronically sent through the state's data system to the local school district in which the family lives. Operations Guide 11.2.2, DHS 90.04
8C. Conducted the transition planning conference (TPC) held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months prior to the toddler's third birthday for toddlers potentially eligible for Part B preschool services.	100%	County Birth to 3 Program has interagency agreement with LEA DHS 90.06(2)(k) including processes for scheduling of TPC, contingencies to address staff emergencies and illnesses, and coverage over summer months that allow sufficient time to reschedule prior to 90 day timeline, if needed. TPC is held with Birth to 3 Program, the family and LEA at a time and location convenient for the family. Operations Guide 11.4

Compliance Data and Information Analysis

- Pull indicator report(s) for indicators that were not the state target (100%) or at the 95% or higher OSEP benchmark.
- Use reports to determine which activities were late for family reasons and which were late for system reasons.
- Review child files for information and reason for late activities.
- Determine if there are trends or patterns.
- Review and analyze current tracking procedures and practices for indicators not at 100% compliance.

Compliance Action Items: (based on identified factors) - Choose minimum of 1 for each factor identified.

Note: The tip sheets, bundles and PD resources referenced below can be found on the EI in WI Professional Development (PD) website at: https://www.eiinwi.org/. These resources are not all inclusive. For information about other EI in WI PD resources available or to request PD support, use the EI in WI PD Request form.

A. Indicator 1 – Timely Service Delivery
   Policies and Operations
   1. Develop a written policy and implement practices that are understood and consistent across all contracted providers and staff to ensure timely services.
   2. Develop and implement policies and practices to review reports to monitor for timely provision of services.
   3. Assess scheduling of services process wherein services meet the outcomes on the IFSP and relate to the routines of the family and implement changes accordingly.
   4. Team meeting will include discussions of service delivery including timely provision of services.

   Training, Professional Development and Supervision
   5. Develop onboarding process including staff orientation and regularly team members review of expectations and required timelines for services in the Birth to 3 Program Operations Guide.

6. Team members will complete [Birth to 3 Program Orientation bundle](#) to better understand requirements implement practice changes to align with program requirements and practice expectations.
7. Identify and implement tasks for program leadership that support the team in providing timely services.
8. Contact and schedule technical assistance from BCS children and family program specialist (CFPS) and implement practice changes accordingly.
9. Used the [EI in WI professional development (PD) system](#) for support on reviewing current practices and providing timely services and implement practice changes accordingly.

Data Entry, Tracking and Monitoring
10. Develop and implement procedures for timely and accurate data entry in participant data system.
11. Develop and implement a tracking system to know when 30 days is approaching.
12. Program leadership will implement a process for monitoring timely provision of services and data accuracy.

B. Indicator 2 – Natural Environments
   Policies and Operations
   1. Service providers will identify and document settings in which the child and family participate as part of their everyday routines and activities and provide services (offer to provide services) in the family's natural settings.
   2. Develop and implement policies and procedures that support accurate data entry in participant data system for location of services.

   Training, Professional Development and Supervision
   3. Team members will review the [Birth to 3 Program Operations Guide](#) and understand expectations for the location of services to occur in natural environments.
   4. Team members will review [Birth to 3 Program Orientation bundle](#) to better understand this requirement and implement practice changes to align with program requirements and practice expectations..
   5. Team members will review the key principles and practices related to providing early intervention services in natural environments and implement practice changes accordingly.
   6. Team will receive technical assistance from Bureau of Children's Services (BCS) children and family program specialist and implement practice changes accordingly.
   7. Used the [EI in WI PD system](#) for support on what constitutes and proving of services in various natural environment settings.
   8. Program leadership will become familiar with expectations for services in the natural environment and provide periodic opportunities for teams discuss and review trends in locations of where services are being provided.

   Data Entry, Tracking and Monitoring
   9. Periodically run and review reports to identify and monitor location of services or development and implement use of tracking system.

C. Indicator 7 – Timely IFSP Development
   Policies and Operations
   1. Develop and implement policies, and procedures that support timely development of IFSPs.
   2. Team meeting will include discussions of IFSP process including timely IFSP development.

   Training, Professional Development and Supervision
   3. Team members will review IFSP development timeline and requirements in the [Birth to 3 Program Operations Guide.](#)

4. Team members will review [Birth to 3 Program Orientation bundle](#) to better understanding IFSP timeline and requirements and implement practice changes to align with program requirements and practice expectations.
5. Program leadership will implement a process for monitoring timely development of IFSPs.
6. Team will receive technical assistance from BCS children and family program specialist regarding timely IFSP development and implement practice changes accordingly.
7. Used the [EI in WI PD system](#) for support on with practices for coordination of required activities prior to the initial IFSP to support timely IFSP development and implement changes accordingly.

Data Entry, Tracking and Monitoring
8. Periodically run and review reports or develop and implement a process to monitor and track timely development of IFSPs.

D. Indicator 8A – Timely Transition Plan on IFSP
   Policies and Practices
   1. Develop and implement policies, practices, and procedures for timely transition planning via an IFSP meeting held with the family.
   2. Team meeting will include discussions of transition including transition plan.

   Training, Professional Development and Supervision
   3. Team members will review transition planning requirements and timelines in the [Birth to 3 Program Operations Guide](#) including the opt-out policies and guidelines.
   4. Team members will review [Birth to 3 Program Orientation bundle](#) to better understand transition planning and implement practice changes to align with program requirements and practice expectations..
   5. Team members will review the [Part C to Part B Interactive Transition Timeline toolkit](#) and use as a resource.
   6. Team will receive technical assistance from BCS children and family program specialist regarding transition planning requirements and implement changes accordingly.
   7. Utilize the [EI in WI PD System](#) for support on transition plans and implement changes accordingly.
   8. Program leadership will implement a process for tracking of transition planning and monitoring deadlines.

   Data Entry, Tracking and Monitoring
   9. Periodically run and review reports or develop and implement a process to monitor, track and transition planning timelines.

E. Indicator 8B – Timely LEA Referrals
   Policies and Operations
   1. County Birth to 3 Program will develop interagency agreements with LEAs according to DHS 90.06(2)(k) including:
      - Timelines for sending timely LEA referrals
   2. Develop and implement practices and policies for determining potential eligibility for LEA by the early intervention team via an IFSP meeting held with the family prior to LEA referral.
   3. Develop policies and procedures to ensure referral are sent timely electronically through the state's data system to the local school district in which the family lives.
   4. Team meeting will include discussions of transition including referrals to the LEA.

   Training, Professional Development, and Supervision

5. Team members will review LEA referral requirements and timelines in the [Birth to 3 Program Operations Guide](#) including the opt-out policies and guidelines and implement practice changes to align with program requirements and practice expectations..
6. Team members will review [Birth to 3 Program Orientation bundle](#) to better understand LEA referral requirements and implement practice changes to align with program requirements and practice expectations.
7. Team members will review the Part C/Part B transition tool kit and use as a resource.
8. Team will receive technical assistance from BCS children and family program specialist regarding LEA referral requirements and implement changes accordingly.
9. Utilize the [EI in WI PD System](#) for support on interagency transition agreement changes and implement practice changes to align with program requirements and practice expectations.
10. Program leadership will implement a process for tracking of LEA referrals and monitoring deadlines.

Data Entry, Tracking and Monitoring
11. Periodically run and review reports or develop and implement a process to monitor, track and review data for timely submission of LEA referrals.

F. Indicator 8C – Timely Transition Planning Conferences (TPCs)
   Policies and Operations
   1. County Birth to 3 Program will develop interagency agreements with LEAs according to DHS 90.06(2)(k) including:
      - Processes for scheduling of TPC,
      - Contingencies to address staff emergencies and illnesses, and
      - LEA personnel coverage over summer months
      - Sufficient time to reschedule prior to 90-day timeline, if needed
      and implement practice changes accordingly.
   2. Develop and implement practices and policies for sending meeting invites and scheduling of TPCs in advance that allow for rescheduling and implement practice changes accordingly.
   3. Team meeting will include discussions of transition including TPCs.

   Training, Professional Development and Supervision
   1. Team members will review and align practices with transition requirements and timelines in [the Birth to 3 Program Operations Guide](#).
   2. Team members will review [Birth to 3 Program Orientation bundle](#) to better understand requirements and implement practice changes to align with program requirements and practice expectations..
   3. Team members will review the Part C/Part B transition tool kit and use as a resource.
   4. Team will receive technical assistance from BCS children and family program specialist regarding TPC requirements and implement changes accordingly.
   5. Utilize the [EI in WI PD System](#) for support on transition interagency agreements and coordination, facilitation, and collaboration of the TPC and implement practice changes to align with program requirements and practice expectations.
   6. Program leadership will implement a process for tracking of TPC and monitoring deadlines.

   Data Entry, Tracking and Monitoring
   7. Periodically run and review reports to monitor, track and review data for timely scheduling and conducting of TPCs.