

**South Carolina Department of Health and Environmental Control
Compliance Agreement
AREA 1: GENERAL SUPERVISION COMPLIANCE WORK PLAN**

AREA OF NON-COMPLIANCE: The State Lead Agency has failed to employ proper methods of administering the Part C Program, including monitoring state level agencies, institutions and organizations used by the state to provide Part C services, enforcing obligations and providing training and technical assistance.

BASELINE DATA:

1. CIMP Self-Assessment Report – December 2000:

- a. DHEC did not have a monitoring system to ensure general administration and supervision of programs and activities for IDEA requirements under Part C; and
- b. DHEC did not have monitoring policies, procedures and staff necessary to ensure compliance with federal and state laws, regulations, and policies and procedures.

2. OSEP Monitoring Report – Onsite Visit February 2002:

- a. DHEC had not identified any local noncompliance issues as a result of quarterly meetings; the quarterly meetings and reports did not afford DHEC an effective method for identifying and correcting noncompliance;
- b. Current activities were not sufficient to monitor for most of the requirements of Part C;
- c. Providers were not following Part C regulations including natural environments, etc;
- d. Services were not always provided in environments listed on IFSP;
- e. DHEC did not exercise its general supervisory authority to ensure compliance with Part C; including a lack of an effective method of supervision for private providers enabling the state to correct deficiencies; and
- f. DHEC had not implemented a monitoring system that was effective in identifying noncompliance of agencies, institutions, and organizations used by the state to carry out Part C; had not enforced all the obligations imposed under Part C of IDEA; and had not adopted and used proper methods of administering each program, including providing technical assistance and training.

OUTCOME: The Department of Health and Environmental Control will ensure that all eligible infants and toddlers and their families have available appropriate early intervention services in accordance with Part C requirements through the development and implementation of an interagency comprehensive monitoring and general supervision system that includes a continuous improvement and focused monitoring process.

Goal 1: Monitoring policies, procedures, and instruments will identify compliance deficiencies and ensure these are corrected in a timely manner.

Goal 2: Ongoing technical assistance and training to public and private providers, administrators, paraprofessionals, and special instructors will be provided to ensure compliant provision of services to infants and toddlers with disabilities and their families.

Goal 3: Appropriate sanctions will be used when necessary to enforce correction of deficiencies.

With prior written approval from OSEP, adjustments to the Activities to Reach Results column listed in this table may be made when necessary to support achievement of compliance outcomes within the required timelines. The Activities to Reach Results will be evaluated every six months to determine their effectiveness and any need for change. Any requests for changes or amendments will be submitted to OSEP in writing.

Activities to Reach Results	Verification	Target Completion Date	Date Completed
Objective GS-1: Revise formal policy structure upon which the Part C system in South Carolina functions.			
GS-1A. Identify and correct any barriers, legislative or other, to ensure compliance with federal Part C statute and regulations. (Findings: 2e, 2f)			
GS-1A.1 Draft analysis of barriers, legislative or other, to ensure compliance with federal Part C statute and regulations.	Submit analysis to OSEP for comment/review along with proposals for removing the barriers to compliance with Part C.	June 30, 2004	
GS-1A.2 Prepare final language of any proposal, including as appropriate, legislative, regulatory or policy changes needed to comply with Part C.	Submit to OSEP finalized language of proposal.	January 31, 2005 and June 30, 2005 for any legislative changes needed.	
GS-1B. Interagency Memorandum of Agreement implemented that reflects Part C requirements, and focuses on monitoring and appropriate sanctions for noncompliance. (Findings: 2b, 2c, 2e, 2f)			

Activities to Reach Results	Verification	Target Completion Date	Date Completed
GS-1B.1 Interagency workgroup composed of agency representatives to meet monthly to draft revised Memorandum of Agreement.	Submit to OSEP status of MOA in progress report.	September 30, 2003 and quarterly until MOA complete.	
GS-1B.2 Submit draft of revised MOA to OSEP for review/comments.	Draft of proposed MOA submitted to OSEP for review. Signed final Interagency Memorandum of Agreement is submitted to OSEP.	January 31, 2004 March 31, 2004	
Objective GS-2: Ensure DHEC's ability to enforce Part C compliance when required through the use of appropriate sanctions.			
GS-2A. Incorporation of interagency enforcement/accountability process into the Interagency Memorandum of Agreement. A list of appropriate sanctions and the process under which they will be used will be developed. (Findings: 2e, 2f)	Documentation of interagency sanctions being incorporated into Interagency Memorandum of Agreement through the process listed in GS1B. MOA draft submitted to OSEP for review will contain list of sanctions and procedures. MOA implemented that includes sanctions for noncompliance.	January 31, 2004 March 31, 2004	
GS-2B. Lead Agency develops a process for the use of appropriate sanctions that will ensure BN Contracted Provider compliance with Part C regulations. (Findings: 2c, 2e, 2f)	List of, and guidelines or process governing, draft appropriate sanctions submitted to OSEP with quarterly report. Revised contracts for private contractors and sanctions policy also submitted to OSEP. Sanctions implemented as part of BN contracts with private providers. Documentation to OSEP of approved sanction process being distributed to all BabyNet Contracted providers.	November 30, 2003 December 31, 2003	

Activities to Reach Results	Verification	Target Completion Date	Date Completed
GS-2C. Process for use of appropriate sanctions for BN Service Coordinators, Special Instructors, and their supervisors will be incorporated into the Infant-Toddler Credentialing process to ensure compliance with Part C regulations. (Findings: 2c, 2e, 2f)	Draft sanctions in BN provider credential process (including identifying criteria for when, how and what BN providers are notified about that they may not receive a renewal of their BN provider credential) submitted to State Interagency Coordinating Council for review and comment. Adoption of Infant-Toddler Credential sanctions process by SC-ICC and submit to OSEP final approved process.	November 30, 2003 December 31, 2003	
Objective GS-3: Ensure availability of accurate and reliable data used for decision-making and accountability.			
GS-3A. Identify data elements necessary to ensure Part C accountability, the sources of the data, and how the data can be best be obtained and used to inform data gathering practices. (Finding: 2f)	Documentation of planned revisions to the BabyTrac-II system is available for review.	September 30, 2003	
GS-3B. Design and implement revisions to BabyTrac-II, including the addition of elements and reports necessary for compliance and the method(s) DHEC will use to conduct data verification, which shall be approved by OSEP. (Finding: 2f)	Documentation of revisions to BabyTrac-II available for review. Provide OSEP description of DHEC's data verification process as implemented (including any manuals)	November 30, 2003	
GS-3C. Ensure availability of accurate and timely data for the annual December 1 federal data report. (Finding: 2f)	December 1 data available for submission to OSEP on due dates.	January 1, 2004	
Objective GS-4: Design and implement a comprehensive interagency monitoring system to ensure system wide accountability for Part C requirements.			
GS-4A. Review and determine applicable characteristics and elements of effective monitoring as provided by OSEP. (Findings: 2a, 2b, 2f)	Submit summary in progress report to OSEP.	November 30, 2003	

*The finding numbers referenced here correspond to the summary of OSEP's findings on page 1 of this chart.
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Activities to Reach Results	Verification	Target Completion Date	Date Completed
GS-4B. With technical assistance from NCSEAM and MSRRRC, convene stakeholders including state agency representatives to develop detailed monitoring infrastructure and TA plan that includes the following elements- focused monitoring, onsite visits, desk audit, data analysis and verification, tools, timelines, and a basic structure that yields changed behaviors and quality practices that are compliant. (Finding: 2f)	Meeting agendas, minutes, and attendance is available for review.	November 30, 2003	
GS-4B.1 Produce written policies and procedures for implementation of monitoring system.	Written monitoring manual, policies, procedures, instruments, including who will conduct the monitoring, is submitted to OSEP.	March 31, 2004	
GS-4B.2 Establish and train interagency onsite monitoring teams.	Documentation of team membership and completed training is available for review.	May 31, 2004	
GS-4B.3 Establish schedule and conduct first focused onsite monitoring visits.	Selection of monitoring sites and schedule of visits is submitted to OSEP.	July 31, 2004	
GS-4B.4 Complete onsite monitoring reports and incorporate findings into BabyNet Coordination Team Compliance Plans. (Findings: 2a, 2b, 2f)	Monitoring reports are available for review on an ongoing basis. BabyNet Coordination Team Compliance Plans submitted by DHEC to OSEP in quarterly reports. Compliance plans shall reflect and address findings from DHEC's monitoring reports.	First report by September 30, 2004 and quarterly thereafter.	

Objective GS-5: Establish statewide system to ensure accountability and compliance with Part C requirements including but not limited to child find, transition, child evaluation, IFSP development, provision of timely services, and ongoing system monitoring.

Note: BabyNet Coordination Teams serve as the basis of accountability to address areas of noncompliance (as included in the Compliance Agreement) through the ongoing analysis of data, improvement planning, monitoring, and verification of change. These teams are comprised of local BabyNet participating agency representatives, providers, parents, school districts, etc.

Activities to Reach Results	Verification	Target Completion Date	Date Completed
GS-5A. BabyNet Coordination Teams will be established statewide and begin monthly meetings to address the initiation of immediate improvement strategies. (Findings: 2e, 2f)	Written minutes from monthly BNCT meetings available for review.	First minutes available September 30, 2003 and monthly thereafter.	
GS-5A.1 Prepare baseline data tables for each of the BN Coordination Teams in areas of noncompliance. BNCTs will be ranked according to areas of noncompliance. (Findings: 2a, 2b, 2e, 2f) Continue to prepare data tables for the state and for each of the BN Coordination Teams on issues on noncompliance and targeted areas needing improvement.	Provide OSEP baseline data for each of BNCTs related to child find, transition, child evaluation, IFSP development and the provision of timely services. Data analysis submitted and documented in quarterly reports to OSEP.	October 31, 2003 November 30, 2003 and quarterly thereafter.	
GS-5A.2 Design the Compliance Plan format BN Coordination Teams will use to develop and implement their Compliance Plans related to areas of noncompliance. Each Compliance Plan will include a Technical Assistance component that will identify specific supports needed to accomplish plan objectives in each area of noncompliance.	BNCT Compliance Plan format submitted to OSEP and disseminated to all BNCTs.	November 30, 2003	
GS-5A.3 Select 6 initial BN Coordination Teams for Target Group 1 that are most in need of improvement	Notification letters to the BN Coordination Teams selected. Copies of letters submitted to OSEP with quarterly report.	November 30, 2003	

Activities to Reach Results	Verification	Target Completion Date	Date Completed
based upon ranking in 4A.1.			
GS-5A.4 Target Group 1, comprised of 6 BN Coordination Teams, develop Compliance Plans to address identified areas of noncompliance.	<p>BN Coordination Team Compliance Plans identifying areas of noncompliance and corrective actions with timelines are submitted to OSEP.</p> <p>Status of Compliance Plan progress will be reported to OSEP quarterly through the BNCT meeting minutes and ongoing data analysis reports.</p> <p>Review data in Target Group 1 (6 teams) to determine if noncompliance areas are corrected and if full compliance has been achieved in these areas. Provide OSEP analysis of data for each BNCT.</p> <p>Full compliance throughout state verified through data in these 6 BNCT areas.</p>	<p>January 31, 2004</p> <p>February 29, 2004 and quarterly thereafter.</p> <p>June 30, 2005</p> <p>May 31, 2006</p>	
GS-5A.5 Select 6 additional BN Coordination Teams for targeting that are most in need of improvement based upon ranking in 4A.1.	Notification letters to the BN Coordination Teams selected. Copies of letters submitted to OSEP with quarterly report.	January 31, 2004	
GS-5A.6 Target Group 2, comprised of 6 BN Coordination Teams, develop Compliance Plans to address identified areas of noncompliance.	<p>Targeted BN Coordination Teams Compliance Plans are submitted to OSEP.</p> <p>Summary analysis of Compliance Plan progress is reported to OSEP quarterly and ongoing for each BNCT's cycle through the monitoring process.</p> <p>Review data in Target Group 2 (6 teams) to determine if noncompliance areas are corrected</p>	<p>June 30, 2004</p> <p>July 31, 2004 and quarterly thereafter for remainder of Compliance Agreement.</p> <p>July 31, 2005</p>	

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Activities to Reach Results	Verification	Target Completion Date	Date Completed
	<p>and if full compliance has been achieved in these areas. Provide OSEP analysis of data for each BNCT.</p> <p>Full compliance throughout state verified through data in these 6 BNCT areas.</p>	June 30, 2006	
<p>GS-5A.7 Continue to provide ongoing technical assistance and supervision to ensure BabyNet Coordination Team Compliance Plans are meeting their established benchmarks for compliance. If not meeting benchmarks for improvement, a formal review will be conducted by BabyNet Central Office to determine reasons for lack of progress and immediate remedies will be undertaken. (Finding: 2f)</p>	<p>As documented in quarterly reports to OSEP.</p>	<p>September 30, 2003 and quarterly thereafter.</p>	
<p>GS-5B. Select BabyNet Compliance Agreement Managers through the local DHEC Health Districts that will oversee BNCT Compliance Agreements. Staff in these positions will be responsible for monitoring, facilitating local BN Coordination Teams, evaluating IFSP meetings, supervision for programmatic compliance, feedback regarding district functioning, and working with local providers on program improvements. (Finding: 2f)</p>	<p>BN Compliance Agreement Managers roles and responsibilities submitted to OSEP.</p>	<p>September 30, 2003</p>	

Activities to Reach Results	Verification	Target Completion Date	Date Completed
Objective GS6: Ongoing technical assistance and training to public and private providers, administrators, paraprofessionals, and special instructors will be provided to assure compliant provision of services to infants and toddlers with disabilities and their families.			
GS-6A. Continue development of training materials and technical assistance mechanisms (on in-service coordination; child find and referral; family-centered services; procedural safeguards; screening, evaluation and assessment; family-directed assessment; IFSP development; delivery of services in natural environments; special instruction strategies; parent training strategies; transition, and monitoring) to provide Training/Technical Assistance target groups with sufficient knowledge and guidance to engage in compliance and quality service delivery. (Finding: 2f)	Training curricula are available for review. Submit to OSEP in quarterly report narrative describing what and by when training and technical activities have occurred.	September 30, 2003 and quarterly thereafter.	
GS-6B. Provide curricula in a variety of media such as on-site training outlines, online courses, written and CD-ROM self-paced instructional modules. (Finding: 2f)	Submit to OSEP in quarterly report narrative describing what and by when training and technical activities have occurred.	August 31, 2004	
GS-6C. Develop and publish schedule of training institutes; publish availability of materials in other media. (Finding: 2f)	Schedules and training materials available for review. Submit to OSEP in quarterly report narrative describing what and by when training and technical activities have occurred.	September 30, 2003 and quarterly thereafter.	
GS-6D. Conduct training institutes on a regular and ongoing basis for current and new personnel across collaborating agencies, institutions, organizations, and providers. (Finding: 2f)	Schedules and documentation of completed trainings available for review. Submit to OSEP in quarterly report narrative describing what and by when training and technical activities have occurred.	September 30, 2003 and quarterly thereafter.	

Activities to Reach Results	Verification	Target Completion Date	Date Completed
GS-6E. Develop and implement evaluation of efficacy and quality of technical assistance and training. (Finding: 2f)	Evaluation methods and instruments available for review. Submit to OSEP narrative describing the evaluation methods that have been developed and the dates.	October 31, 2003 and annually thereafter.	