

 <p><b>UTAH DEPARTMENT OF HEALTH</b> Baby Watch Early Intervention Program</p>	<b>Policy #</b>	<b>1.A.5</b>
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**Contents**

PURPOSE.....2

DEFINITIONS .....2

PRINCIPLES AND PROCEDURES .....4

1. Selection of Topics for Topical Monitoring .....4

2. Selection of Programs for Topical Monitoring .....4

3. Pre-Visit Topical Monitoring Activities .....4

4. On-site Topical Monitoring Visit.....4

5. Post-Visit Topical Monitoring Activities .....4

AUTHORITY.....5

RELATED DIRECTIVE.....5

REVISION LOG.....5

### PURPOSE

To describe the procedures of topical monitoring by Baby Watch Early Intervention Program (BWEIP), which is applied annually to select early intervention (EI) programs.

### DEFINITIONS

**Annual Performance Report (APR):** The Annual Performance Report is the formal document completed by the BWEIP, required by and submitted to OSEP on an annual basis identifying the outcomes of the SPP targets.

**Baby and Toddler Online Tracking System (BTOTS):** Baby and Toddler Online Tracking System (BTOTS) is a Utah database application designed to track EI activities and information, assist EI providers in day-to-day activities, encourage compliance with state and federal regulations and simplify compliance monitoring by allowing the BWEIP access to statewide child information.

**Baby Watch Early Intervention Program (BWEIP):** The Baby Watch Early Intervention Program (BWEIP) has been designated by the governor as the lead agency with the single line of responsibility to carry out all the provisions of the Part C program under IDEA.

**Corrective Action (CA):** The corrective action is the EI programs' correction of any findings of noncompliance identified by the BWEIP.

**Corrective Action Plan (CAP):** A corrective action plan (CAP) is a formal written document required by the BWEIP and developed by the EI program outlining activities and timelines to correct specific levels of noncompliance identified by the BWEIP.

**Correction of Noncompliance:** Correction of noncompliance is a formal verification by the BWEIP that the EI program has corrected all instances of noncompliance by: a) A review of data that demonstrate correction of each individual instance of noncompliance; b) A review of data that demonstrate that any required actions took place, although late, for timeline-specific requirements, unless the child is no longer under the jurisdiction of EI; and c) A review of subsequent data that demonstrate full compliance at 100%.

**Early Intervention (EI):** Early Intervention (EI) refers to programs or services which are selected in collaboration with parents, and are designed to meet the developmental needs of a child and the needs of the family to assist in the child's development.

**Finding of Noncompliance:** A finding of noncompliance is any finding of noncompliance determined by the BWEIP through off-site or on-site monitoring that includes: a) A written notification of the requirement with which noncompliance is identified; b) A summary of the data that details noncompliance; and c) The requirement that the noncompliance be corrected as soon as possible but no later than one year from the date of the written notification of the finding of noncompliance.

**Individuals with Disabilities Education Act (IDEA):** The Individuals with Disabilities Education Act is the federal law set forth by the United States that governs how states and public agencies provide early intervention special education and related services to children with disabilities.

**Noncompliance:** Noncompliance is any instance in which SPP/APR compliance indicators are performed less than 100%.

**Off-site Monitoring:** Off-site monitoring is the oversight of activities of EI programs by BWEIP to promote compliance, technical assistance, improvement strategies, corrective actions, sanctions or incentives to ensure timely correction of all noncompliance and performance in the following areas: a) Review of data accountability plans; b) Review of compliance/monitoring reports collected through BTOTS; and c) Review of materials requested by the BWEIP.

**On-site Monitoring:** On-site monitoring refers to any BWEIP oversight activities of EI programs provided at their locations to promote compliance and performance that may identify noncompliance, the need for corrective action, technical assistance, improvement strategies and incentives or sanctions to ensure timely correction of all instances of noncompliance.

## 1.A.5 Topical Monitoring

**State Performance Plan (SPP):** A State Performance Plan is a formal document developed by the BWEIP outlining a six-year plan to evaluate the state's implementation of Part C regulations and how the state will improve such implementation. The SPP shall include compliance indicators (of which targets are 100%) and results indicators (of which targets have been established by the BWEIP).

**Topical Monitoring (Focused Monitoring):** Topical monitoring is an in-depth review of a selected topic in a local EI program(s). The focus of topical monitoring is to investigate the root cause(s) of low performance, identify areas of need or to analyze high performance in order to ensure that programs meet Individuals with Disabilities Education Act (IDEA) requirements as part of a General Supervision System.

## PRINCIPLES AND PROCEDURES

### 1. Selection of Topics for Topical Monitoring

- a. The BWEIP in collaboration with EI programs shall select a topic each year for topical monitoring based on its review of program data on federal and state indicators.
  - i. The BWEIP may select topics based on systemic noncompliance or low performance across the state, concerns raised by stakeholders or EI program staff, programs with compliance or high performance and/or requests received from EI programs for further assistance in a targeted area.
  - ii. The BWEIP's topic selection may be presented to the stakeholders.
  - iii. A topic may be used for consecutive years, as determined appropriate by the BWEIP.

### 2. Selection of Programs for Topical Monitoring

- a. The BWEIP shall select EI programs to participate in topical monitoring based on the following:
  - i. EI programs who are in noncompliance or have low performance within a selected topic
  - ii. EI programs with compliance or high performance in the topical area to determine best practices
  - iii. EI programs where questions remain regarding data quality or reliability
  - iv. EI programs with unique circumstances
- b. EI programs shall be notified of their selection.

### 3. Pre-Visit Topical Monitoring Activities

- a. Prior to an on-site topical monitoring visit, BWEIP staff may conduct several activities:
  - i. A review of BTOTS data
  - ii. A review of submitted materials including documentation from child files
  - iii. Surveys or telephone interviews with local EI program staff
  - iv. Surveys or interviews with parents from the EI program
  - v. Review of purposes of topical monitoring and plans for the on-site visit with program staff
  - vi. Review of any additional resources relevant to the topic in the selected program

### 4. On-site Topical Monitoring Visit

- a. Topical monitoring includes an on-site focused monitoring visit to each selected EI program in which BWEIP staff:
  - i. Verify data and/or materials reviewed prior to the on-site visit
  - ii. Review additional data, including child files
  - iii. Conduct interviews or focus groups with EI program staff
  - iv. Conduct one-on-one interviews and/or focus groups with parents
  - v. Observe EI program staff
  - vi. Investigate any potential causes of noncompliance or low performance identified through pre-visit activities
  - vii. Investigate any potential best practices
  - viii. Debrief EI program staff regarding any potential corrective actions and technical assistance related to the topical monitoring

### 5. Post-Visit Topical Monitoring Activities

- a. Following the on-site visit, BWEIP staff will:
  - i. Develop and submit to the EI program a report detailing:
    1. Activities conducted
    2. Findings of noncompliance identified along with the requirements for correcting the noncompliance as soon as possible, but in no case later than one year from identification and required corrective action
    3. Areas of low performance and a plan for improved performance including needed technical assistance
    4. Root causes identified of the noncompliance or low performance

## 1.A.5 Topical Monitoring

5. Areas of potential best practice
  6. Required actions
  - ii. Follow up with the program to ensure:
    1. Correction of any identified noncompliance
    2. Improved performance
    3. Implementation of any required actions
  - iii. As needed, conduct additional off-site and on-site activities may occur.
- b. Following the completion of topical monitoring activities in all selected EI programs, BWEIP staff will review the data from all EI programs to determine the need for:
- i. Statewide technical assistance related to the area
  - ii. Additional EI program participation in topical monitoring with the same focus in the following year
  - iii. Any revisions to the topical monitoring approach and materials

### AUTHORITY

34 CFR § 303.400: General responsibility of lead agency for procedural safeguards  
34 CFR § 303.700: State monitoring and enforcement  
34 CFR § 303.702: State use of targets and reporting  
20 U.S.C. 1435(a)(10)(A)  
Section 616 and 642 of the 2004 Amendments of the IDEA

### RELATED DIRECTIVE

BWEIP Policy 1.A.4: General Supervision System for Monitoring Implementation of Part C

### REVISION LOG

**May 2011:** New policy

**April 2013:** Updated definition and added BWEIP definition; Revised formatting of Sections V, VI, VII; Added specific Part C regulations to section V; Revised formatting of Attachment 1 hyperlinks.

**June 2013:** Revised to include a collaborative process

		<i>7-01-13</i>
Susan Ord, BWEIP Program Manager		Date