

FSSAC Quarterly Meeting

June 9, 2005

2nd Floor Conference Room

Colonial Building, 2401 Colonial Drive

Helena, MT

Members Present: Diana Colgrove, Dr. Guggeheim, Mary Huston, Lucy Hart-Paulson, Sandi McGennis, Sylvia Danforth, John Clymer, Ron Hermann, Dan McCarthy, Phyllis Astheimer, Patti Russ, Micah Mitchell, Barb Stefanic, Cris Volinkaty, Ted Maloney, Susie Morrison

Others Present: Erica Swanson (DDP Child & Family Liaison), Cindy Sinclair (Early Head Start), Addy Haugen and Mary Jane Standaert (Head Start), Jackie Emerson (recorder- DDP Program Assistant)

Developmental Disabilities Program (DDP) Update: (Jeff Sturm)

Legislature: Data was collected and presented to the Legislature that showed how providers have had to draw on Family Education and Support (FES) funds to serve children entering Part C because it is an entitled service. The Legislature allocated \$90,000 over each of the next 2 years to the FES program to restore funding.

(Handout – spreadsheet) DDP has reviewed criteria to decide the best way to distribute the 15 openings created by the new funds. The criteria for each of the providers included how many individuals were being served, number on the waiting list, growth, and number over served. After studying several scenarios, the most logical was to allot 8 openings to Region 5 and 7 openings to Region 4. Regions 4 and 5 showed the largest growth, the most over served, and the most on the waiting list. The additional funds will be added to those contracts as of July 1. Jeff asked the Council members for their opinion on whether the decision was fair. Members agreed that it seemed the most fair and logical. A request was made to look at the differences between providers and the entire distribution across the State. Jeff said that will be done and also that the \$90,000 for next fiscal year may be used differently.

Sylvia made a motion that the Council support the distribution suggested by DDP for the Part C/FES funds. Lucy seconded the motion and the motion passed unanimously. Ted made the motion that the Council recommend endorsing the DDP plan to look at the distribution of openings in the future. Dr. Guggenheim seconded the motion and the motion passed by unanimous vote.

Rates Project update: A goal of the project is to establish a standard published rate for DD services. The MONA (Montana's Resource Allocation Protocol) is not a needs assessment but a resource allocation tool that will be used to determine the amount of funds that will be distributed to each individual in services. The second pilot of the Project will cover only Region 2 (Great Falls area) to include all services and providers and about 400 adult individuals whose cost plans are over \$7800. This pilot will offer more portability and choice of providers although other states have not seen a large

immediate shift from current choices. The change has been slow with people incorporating different services into their lives.

Provider training sessions are offering information and technical assistance to help provider organizations adapt to the market changes and different service delivery in the new system.

Choice of services will be regulated by the cost, Medicaid health and safety requirements, and the list of Waiver services.

Geographic factors have been added to the rates based on where an individual lives.

The pilot will test the rates and add-ons and then the rates will be reviewed.

For children's services, only Intensive Family Education and Support (IFES) services will be affected when the time comes to incorporate children into the pilot. Part C and FES contracts will remain the same. The Family Support Specialist (FSS) service reimbursement will be changed to a rate.

Legislative Report: Cris reported that the session was very pleasant. The Subcommittee members were mostly new and had to deal with a large amount of funding and very complicated issues. Senator Cobb is a very good advocate. She felt that they did a very good job and everybody got something.

Dr. Guggenheim made a motion that the Council write a thank you note to the Subcommittee and list all the people on the Council. Sylvia seconded the motion and it passed unanimously.

The Council expressed gratitude to Cris for her tireless work during the session to advocate for children and her dedication and use of her knowledge and skills.

Membership vacancies:

- Brian has resigned as Council Chair. Priscilla Halcro from Quality Life Concepts (QLC) in Great Falls will find a family member to represent Region 2.
- Addictive and Mental Health - Children's Mental Health program is not currently at full staff but will appoint someone to participate when possible
- Quality Improvement Specialist (QIS) – Novelene has resigned and Paula Sherwood has been asked to fill the position on the Council – she has expressed interest but was not able to be at this meeting
- Public Awareness – Mike Cooney has resigned from Healthy Mothers Healthy Babies – the Governor's office reported that they may have a recommendation to replace him – if Council members have ideas let Erica know – the individual does not have to represent Healthy Mothers Healthy Babies
- Medical Professional – Dr. Guggenheim is retired and would like to be replaced with a practicing physician – members are asked to send possible names

- Head Start – a suggestion was made to include both a Head Start and Early Head Start representative
- Children’s Special Health – the Bureau Chief position is vacant and the Acting Director has committed to finding someone to fill the Council opening
- Homeless – IDEA 2004 specifies that a representative from the Education Department that works with the homeless population should be appointed to the Council or could approve someone else for appointment
- New Chair for the Council: Since Brian has resigned the Council also needs to appoint a new Chair person.

Bylaws: Erica talked to Cary Lund in the Legal Department about the bylaws. There are 26 members currently on the Council so 14 members need to be present at meetings to have a quorum to conduct business since voting requires a quorum or simple majority of the membership. Cary said that the Council set up the bylaws so they can change them. The IDEA Federal regulations do not require a quorum. Since it has been very difficult to get a quorum of members present at the meetings, the suggestion was made to change the bylaws to require a vote to pass by a majority of the current membership or a majority of the people present at the meeting.

Sylvia made a motion that the Bylaws Section 4.4 be changed to permit a motion to pass by an affirmative vote of the simple majority of the members present at a meeting. Patti seconded the motion and the members voted unanimously in favor.

The Council also discussed the possibility of adding language to allow two people to fill one position, such as parents. The members discussed allowing two positions for Head Start – one for regular Head Start and one for Early Head Start.

After review of the regulations to make sure that the percentage of parents and balance of the Council could be maintained, Ted made a motion to add a position to allow 2 members for Head Start. Lucy seconded the motion and all members voted in favor.

Ted suggested that Erica and Diana go through all of the bylaws to make sure they were in compliance with the new IDEA.

Chair and Vice Chair positions: Typically, when the Chair position is vacated, the Vice Chairperson moves to the Chair position without the nomination or voting process. Brian Lenhardt has resigned as Council Chair so Diana Colgrove, the current Vice Chairperson will become the new Chairperson of the Council.

A nomination for the Vice Chair position was requested. Mary Huston was nominated for the position. She stated that she would be willing to serve but Council members needed to understand that she was now a single parent and student so she might not be able to make all of the meetings. That being understood, Lucy seconded the nomination and all members voted in favor of the nomination.

Minutes: The minutes from the last meeting were reviewed and Lucy made the motion to accept them as written. Ted seconded the motion and all voted in favor. Patti suggested

that the acronyms be spelled out for the new members and those not familiar with the terms.

State Application: The latest State Application was submitted in May and Erica has not heard back from OSEP other than a request to break out the list of services provided. Copies are available from Erica if anyone would like to have one.

'02-'03 Annual Performance Report (APR): Copies were sent to members. At the National Meeting in Washington DC in April, States were told that OSEP recommended doing a “conditional” report since there were so many changes to the new IDEA and there was not enough time to have the system in compliance and to have the report out for the required 60-day comment period.

Notices were put in the paper and copies of the report are available from the Regional Offices or from Central Office.

The Council expressed appreciation for the great job that Erica has done in preparing the reports!

Technical Assistance Contract: The Developmental Disabilities Program has contracted with Ted to work with Erica to provide technical assistance for the upcoming reports and system changes that will be required. Because of his experience and history with the program he will be especially helpful in supplying background information on early intervention services.

(handout) **IDEA Part C changes:** The full documentation for the changes to the IDEA regulations is available on the OSEP or NECTAC (National Early Childhood Technical Assistance Center) websites. Some of the changes include:

- a focus on homelessness
- eligibility criteria for early intervention services
- statewide data systems
- scientifically-based practices (backed by quantitative data from research)
- intervention environments
- some states are looking at continuing Part C services past the age of 3 but Montana will not because of the lack of funding and because Part C is not part of the Education department
- CAPTA (Child Abuse Protection and Treatment Act) referrals to Part C

Ted stated that the changes are the biggest since the beginning of the program in the late 80's and early 90's. The changes need to be implemented in the next 2 years along with timelines for their development. Montana's last Part C review by OSEP found everything to be in compliance but other states had areas that needed to be improved. They were able to use those reviews as the basis for their CIMP (Continuous Improvement Monitoring Process) to make improvements in their service systems. Montana needs a planning process and the ability to tie pieces together for data collection for reports.

State Performance Plan (SPP): A new report for OSEP will require a 6 year plan for improvement which will be updated each year with the progress with information from collection and verification of standardized data, the Child Count 618 data, and annual reports to DDP from staff. All need to be drawn together and incorporated into the report.

A plan similar to the strategic plan from the NECTAC technical assistance sessions will need to be drawn up. Some of the same areas can be used along with other areas of improvement. Some meetings will need to be called and workgroups put together to do some of the work. The group can also bring in others who are not members for help.

The task areas include (some are on hold until the changes to IDEA are published):

- Compliance of State statutes to the Federal rules and regulations
- State uniformity – in instituting the original Part H (now Part C) each agency was trained for a common start but it has been skewed over time
- State Application 2005 – needs to be done by the end of February though the final IDEA rules and regulations will not be out until December
- Annual Performance Report – will not be required annually until 2007 because of changes – it will eventually be submitted with the 618 Child Count Data Report – the State Performance Report will be due in December in place of the APR
- Data Count – the State needs to ensure each agency is reporting in a uniform way
- OSEP visit – probably a year away due to the extra work they have to do because of the changes – they will look at the supervision from Central Office along with the practices and agency data reporting
- Part C GSEG (General Supervision Enhancement Grant) – the grant will provide resources to help Montana and 11 other states look at their data collection which will be required for the APR – more information on the specific data to be collected will be provided at the Summer Institute in DC in August – there are also funds for training to help with dissemination of research-based practices
- FSS Certification – the process for certification of Family Support Specialists needs to be reviewed and updated – it needs to address how to meet needs of, and identify those who want to serve, different age groups
- 1st Steps Booklet – the revision and updating of the booklet was started by PLUK (Parents Let's Unite for Kids) but put on hold until after the changes to IDEA were published so that any changes to services can be included
- New documents – DDP policies on Part C – training information for Providers, QISs (Quality Improvement Specialists), and PLUK – interagency agreements and Provider interagency agreements
- State Performance Plan – the template is due December 2 for setting goals and review every year

Membership Nominations: Erica offered the following nominations for vacant positions on the Council:

- Paula Sherwood – QIS
- Cindy Sinclair – Early Head Start
- Addy Haugen – Head Start

Sylvia made the motion that the nominations be sent to the Governor for approval. Mary seconded the motion. And the motion was changed to empower Erica to make the prescribed Department nominations to the Governor. Sylvia seconded this motion and all members voted in favor.

Agency reports:

- MSDB (Mt. School for the Deaf and Blind)/Sandi McGennis: Just had a very successful fun learning weekend with the highest attendance ever. There were 85 children ages 4 months to 16 years and people had to be turned away from attending.
SEE (Signing in Exact English) workshops will be held in Billings October 28-30. People can register online. The workshop will include a nationally known speaker.
- John – Have been working with Erica and the attorney to get a decision on information regarding CAPTA for the State Application
- Child Care/Patti – RFPs (Requests for Proposals) were issued on Monday for applications for \$15,000 grants to be awarded to provide specialized training opportunities to early care and education practitioners and community agencies concerning identified early childhood needs. There will also be RFPs out on June 20 for Infant Toddler Mentor Grants to establish mentoring programs in infant toddler care giving.
- Special Education Co-ops/Barb: There will be many changes in August. The preschool teacher can be hired as a speech pathologist but will need to hire a preschool teacher and there will be another speech pathologist leaving. The school will start with forty 3-5 year olds whereas the numbers are usually in the 20's. There may be a need to hire more staff.
- Ted – The data from the Child Find Project in smaller rural towns shows more kids were found and at an earlier age. The data is being studied to decide how to present it to the Legislature to make a case for the need for more resources. Education Legislatures are ongoing.
- Diana/Special Education Advisory Panel Representative– In Montana, there are either none or 1 to 2 applicants for the openings posted for speech/language pathologists.

NEXT MEETING: The date for the Annual Summit meeting has been changed to Wednesday, August 17th (all day) and 18th (morning).