

# MAINE STATE LEGISLATURE

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CHILD  
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REPORT BACK ON  
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FEBRUARY 1, 2016

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February 1, 2016

# Report from Child Development Services (CDS)

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*Required by Legislative Document No. 1843*

*H.P. 1364*

*An act to Implement the Recommendations of the Office of the Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities*

## §12023. Reports to the Legislature

1. Adoption and implementation status of written policies and procedures required by section 12022 and describing the measures the governing body intends to use to monitor compliance with those policies and procedures.

CDS STATUS REPORT for section 12022. Financial Policies and Procedures

### **Item 3 – Selection of Vendors**

- A. Child Development Services will use the State of Maine, Division of Purchases Procurement Process including the Request for Proposal Process as the standard method to competitively pre-qualify vendors for delivery of Early Intervention and Special Education and Related Services for Children ages Birth through school age five as well as for various administrative and professional services such as the annual system wide audit.

Key improvements now in place are:

- All provider contracts are generated from the State CDS office, which has dramatically streamlined the process and increased consistency statewide.
- The provider contract and requirements have been significantly revised, with increased clarity of language and expectations that are in line with the Maine Unified Special Education Regulations.
- A navigation bar on the CDS state website provides information and required documents to the CDS providers.

**FEBRUARY 1, 2014:** Early last fall CDS drafted a rule to address the standard method to competitively pre-qualify vendors of Early Intervention/Early Childhood Special education. Commissioner Bowen stepped down September 12, 2013 and there was not an acting Commissioner appointed for several months. The DOE was without a Commissioner to give

input on the draft rule and to shepherd the process. Given that circumstance and that CDS has made steady progress, the DOE decided not to pursue rulemaking this legislative session. This will be revisited for the next legislative session given the establishment of consistent leadership within the Department of Education.

**FEBRUARY 1, 2015:** Again this fall, CDS was planning to propose the drafted regulation for its vendors. As you are aware, Commissioner Jim Rier was out of the office prior to the end of October 2014 as the DOE was finalizing its legislative planning and it was some time before an acting commissioner was announced. Briefly, Rochelle Tome Chief Academic Officer served as Acting Commissioner and in 2015 Tom Desjardins has been newly appointed as Acting DOE Commissioner. CDS has not been able to review or revise the rule with leadership and therefore is not planning to put this legislation forth this session.

**FEBRUARY 1, 2016:** CDS proposed a rule in the fall of 2015, identified as **Chapter 176, Rule Governing the Child Development Services State Intermediate Educational Unit's Contracting for Evaluations, Early Intervention Services and Special Education and Related Services**. The public hearing was conducted on November 9, 2015. Public comments were presented at that hearing and written submissions were accepted until 5 pm on December 4, 2015. Based on the depth of the questions asked and the thoughtful suggestions brought forth by the commenters, CDS and the MDOE Acting Commissioner Beardsley have decided to not move forward with this proposed rule in the second session. CDS will take into consideration the comments and will revise the proposed Chapter 176 accordingly. The rule will be proposed for the commencement of the new legislative session for 2016.

- B. Competitive Procurement may need to be waived during the course of a given fiscal year, after awards and contract establishment have been put in place in the event that identified children cannot be timely served by the current cadre of qualified vendors
- C. Procurements exceeding \$10,000 not competitively procured will be justified in writing and maintained at the CDS central office within the Fiscal Department for a five year period.

**FEBRUARY 1, 2014:** CDS successfully developed an RFP for completion of the annual fiscal audit and an award was made with a successful contract negotiated for last year with a renewal option over 3 years. In addition, CDS currently has an RFP for a new Early Childhood Intervention Management System (a new data system) that is in the bidder review process right now. An award is anticipated in the next few weeks. This new data system is critical to further improvements to the CDS system on a statewide basis.

**FEBRUARY 1, 2015:** CDS made a vendor award in early March 2015 to YahaSoft, Inc. to develop a new Child Data Management System. As of this report, we are continuing to negotiate with the vendor to develop a final contract. We anticipate that in the next 7-10 business days.

**FEBRUARY 1, 2016:** CDS established a contract with YahaSoft, Inc. on March 25, 2015 for the development of a new child data system. The new system is set to go live on July 1, 2016 and will be identified as CINC (Child Information Network Connection). A week long project kick-

off took place starting on June 1, 2015 by inviting stakeholders to 3 different demonstration sessions throughout the day and by giving them an opportunity to ask questions. We have met twice weekly with the vendor since that time and have completed the discovery phase of the project, code table development and are at the point of prototype development. We anticipate testing of the prototype system to begin in late March/early April. Switching over to the new data system in June will be a major undertaking for the CDS system and will require a major commitment of time on all users parts to become fully trained and proficient in entering child data for the commencement of the new fiscal year, July 1, 2016. Data from the current data system known as CASE-e will not be migrated over into CINC. CDS staff around the state, including state leadership will be manually entering child records into the new CINC with completion target date of July 1, 2016. CASE-e will continue to run parallel, (with no new data entry) to the CINC system until late December, at which time it will be de-activated. CDS will have access to archived data previously entered into the CASE-e system in perpetuity.

#### **Item 4 – Contributions**

- A. Payment of membership dues to the Maine Administrators of Services for Children with Disabilities (MADSEC) for the nine regional CDS Directors, the State Director of Early Childhood Special Education and the Deputy Director has been a long established past precedent in the management employment agreement with these staff.
- B. MADSEC memberships are budgeted and accounted for in the administrative expenses of the regional budgets and in the aggregate total.
- C. Documentation is required in the form of a registration form, a membership certificate and is kept both locally and with fiscal backup at the state office.
- D. The budget is reviewed and approved at the state CDS office and in conjunction with the MDOE staff.

\*CDS makes no other contributions as described in the definitions in section 12021-3.

**FEBRUARY 1, 2014:** NO CHANGES/UPDATES

**FEBRUARY 1, 2015:** CDS has consolidated the system-wide membership to MADSEC to one Local Educational Agency (LEA) membership, with local administrative memberships for the leadership at the regional sites through the state office. This has been a cost savings of over \$1500.00. Therefore, after not being members for several years CDS has rejoined 2 national organizations that are well-respected and well known in the field: The Division for Early Childhood of the Council for Exceptional Children (DEC/CEC) and The Infants and Coordinators Association (ITCA). The funds recovered from the 9 individual MADSEC memberships have been used to fund the membership in these 2 important sources of technical assistance, professional support and leadership initiatives in the field of Early Intervention and Pre-school special education.

**FEBRUARY 1, 2016:** CDS is maintaining the consolidated MADSEC membership along with continued membership in The ITCA (as above). We anticipate becoming an affiliate member of the National Association of the Directors of Special Education (NADSE) next fiscal year (July

2016). This will be a new Affinity Group for NADSE for State 619 Coordinators and for Part B IDEA Data Managers.

**Item 5** – Travel, meals and entertainment

● ***CDS does not support payment for any form of entertainment.***

- A. Travel and meal costs are required to be directly related to staff job descriptions.
- B. The CDS policy addresses the person's for whom CDS will pay travel, lodging and meals and under what conditions.
- C. Prior approval of lodging expenses is required and documented, travel and meals are documented, verified, approved and either paid directly, depending on the circumstance or reimbursed to the employee via the payroll department.
- D. All travel, lodging and meals are expensed as distinct line items in the CDS budgets and recorded in the accounting documentation.
- E. The annual budget is approved by the CDS State Director and MDOE staff and periodic reports on actual costs are provided to the MDOE.

**Item 6** – Lobbying

● ***CDS does not and may not retain a paid professional lobbyist.***

**FEBRUARY 1, 2014:** NO CHANGES/UPDATES

FEBRUARY 1, 2015: No new updates

FEBRUARY 1, 2016: NO UPDATES