

State Fiscal Year (SFY) 2008
COMMONWEALTH OF VIRGINIA



**Infant & Toddler
Connection of Virginia**

**LOCAL CONTRACT FOR CONTINUING
PARTICIPATION IN PART C**

**EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH
DISABILITIES AND THEIR FAMILIES**

James S. Reinhard, M.D., Commissioner
Department of Mental Health, Mental Retardation and Substance Abuse Services

CONTRACT #

**State Fiscal Year (SFY) 2008 COMMONWEALTH OF VIRGINIA
LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C
EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES
AND THEIR FAMILIES**

THIS DOCUMENT CONSTITUTES AN AGREEMENT BETWEEN:

The **{Agency Name}**, **{address}**, hereinafter referred to as the **Local Lead Agency**

AND

The Department of Mental Health, Mental Retardation and Substance Abuse Services; P. O. Box 1797, 1220 Bank Street, Richmond, Virginia 23219, hereinafter referred to as the **DMHMRSAS**;

AND IS DATED: June 30, 2007

I.0 DEFINITIONS

Administrative Costs – operational costs incurred by the Local Lead Agency as a result of administering the local Part C contract (e.g. fiscal management, development and monitoring of contracts with providers).

Associated Costs – costs associated with the provision of entitled Part C early intervention services (e.g. travel time and mileage; participation in IFSP or other team meetings; Part C billing-related documentation over and above that required for other consumers of the agency/practice; professional consultation when the child/family is not present).

Corrective Action Plan /Services Enhancement Plan– the written plan developed by a local Part C system to address any noncompliance identified through Virginia’s General Supervision and Monitoring System.

Data Verification - Process by which the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) reviews and verifies the accuracy of data received from the Local Lead Agency to meet Federal and State reporting requirements

Days – as used within this contract, refers to calendar days unless clearly specified otherwise.

Determination - A part of Virginia’s General Supervision and Monitoring System identified through Part C of IDEA (20 U.S. C. 1416(d), as amended, requiring the DMHMRSAS to review and analyze Local Lead Agency data results on Virginia’s Monitoring Indicators, (including the history, nature and length of time of any reported noncompliance, and any evidence of correction), monitoring visits and any other public

information, to determine if the Local Lead Agency (i) meets the requirements and purposes of Part C of the Individuals with Disabilities Education Act, as amended; (ii) needs assistance in implementing the requirements; (iii) needs intervention in implementing the requirements; or (iv) needs substantial intervention in implementing requirements of Part C of the Individuals with Disabilities Education Act, as amended. With each determination, there are associated enforcement actions as described in 34 CFR 300.604.

Early Intervention Services – services provided through Part C of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1232 et seq.), as amended, that are designed to meet the developmental needs of each child eligible and the needs of the family related to enhancing the child’s development and provided to children from birth to age three.

Eligibility – Children ages birth to three are eligible for early intervention services in the Commonwealth of Virginia if they have (i) a twenty-five percent developmental delay in one or more areas of development, (ii) atypical development, or (iii) a diagnosed physical or mental condition that has a high probability of resulting in developmental delay.

Entitled Services – A budget category based on the services designated by federal requirements under IDEA, as amended. The services included as budget line items are Assistive Technology; Audiology; Evaluation/Assessment; Family Training, Counseling and Home Visits; Health; Nursing; Nutrition; Occupational Therapy; Physical Therapy; Psychology; Service Coordination/Case Management; Social Work; Special Instruction; Speech Language Pathology; Transportation; Vision; and other entitled Part C services (i.e., services including Sign Language and Cued Language Services, that may be entitled through the Individualized Family Service Plan process but are not listed above). IDEA, as amended, requires the following to be provided at no cost to families: Child Find, Service Coordination, Evaluation and Assessment, IFSP development and procedural safeguards.

Family-Centered Practices – a way of planning and providing early intervention services in which families are involved in all aspects of decision-making, families’ cultures and values are respected, and families are provided with accurate and sufficient information to be able to make informed decisions. Family-centered practices include establishing an active parent-provider partnership; considering family routines, activities and natural settings throughout the early intervention process (from child find, evaluation and assessment, and delivery of entitled services through transition); keeping the focus of early intervention supports and services on increasing the child’s participation in family and community activities identified by the family; and supporting the family in identifying learning opportunities and enhancing their child’s development.

Family Survey – a professional survey that is nationally validated and administered to families for the purpose of collecting Family Outcomes Data as required by the Office of Special Education Programs (OSEP) for the State Performance Plan.

Focused Monitoring - A process that purposefully selects priority areas to examine for compliance/results while not specifically examining other areas for compliance to maximize resources, emphasize important variables and increase the probability of

improved results. (Definition adopted by the National Center for Special Education Accountability Monitoring (NCSEAM) National Advisory Board).

General Supervision and Monitoring System – The procedures and mechanisms used by DMHMRSAS to ensure compliance with all requirements of Part C of IDEA, as amended, adherence to State requirements related to Part C, and continuous quality improvement by each Local Lead Agency, its employees and/or contracted providers.

Individualized Family Service Plan (IFSP) – a written plan, as required by Part C of IDEA, as amended, to ensure the provision of needed Part C early intervention services to eligible infants and toddlers and their families that:

1. Is developed jointly by the family and appropriate qualified personnel providing early intervention services;
2. Is based on the multidisciplinary evaluation to determine eligibility and the assessment of the child in all developmental domains, including vision and hearing, which identifies their unique needs, and the assessment of the resources, priorities and concerns of the child's family as determined by the family;
3. Includes outcomes, strategies, and supports and services necessary to enhance the development of the child and the capacity of the family and other caregivers to meet the special needs of the child; and
4. Contains all of the required elements as specified in Component VII of Virginia's Part C Policies and Procedures.

Infant and Toddler Online Tracking System (ITOTS) – secure, web-based data entry system for collecting, tracking and reporting child-specific data and aggregated data on all children served under Virginia's Part C early intervention system.

Local Interagency Coordinating Council (LICC) – entities established on a statewide basis by the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), in consultation with the Virginia Interagency Coordinating Council (VICC), to enable early intervention service providers to establish working relationships that will increase the efficiency and effectiveness of early intervention services.

The membership of the LICCs, as established by *Virginia Code* § 2.2 – 5305, shall include designees from the following agencies: community services boards, departments of health, departments of social services, and local school divisions. These designees shall designate additional council members as follows: at least one parent representative who is not an employee of any public or private program that serves infants and toddlers with disabilities; representatives from community providers of early intervention services; and representatives from other service providers as deemed appropriate. Every county and city may appoint a representative to the respective local interagency coordinating council.

The duties of LICCs, as specified in *Virginia Code* § 2.2-5305, shall include advising and assisting the Local Lead Agency in the following:

1. Identifying existing early intervention services and resources;

2. Identifying gaps in the service delivery system and developing strategies to address these gaps;
3. Identifying alternative funding sources;
4. Facilitating the development of interagency agreements and supporting the development of service coalitions;
5. Implementing policies and procedures that will promote interagency collaboration; and
6. Developing local procedures and determining mechanisms for implementing policies and procedures in accordance with state and federal statutes and regulations.

Local Lead Agency – the public agency selected by the LICC that, under contract with DMHMRSAS, administers local Part C funds and fulfills the requirements of the Local Contract for Continuing Participation in Part C.

Local Part C System Manager - Individual employed by the Local Lead Agency to coordinate and provide oversight for the local Part C system.

Local Participating Agency or Provider – any public agency, or its contracting agency or provider, that provides early intervention supports and services or other activities according to Virginia Part C Policies and Procedures to Part C eligible children and their families; or another public or private agency or provider that agrees to do so by interagency agreement, memorandum of understanding, or letter of agreement.

Natural Environments – settings that are natural, or normal, for a child’s age peers who have no disabilities and include a variety of activities and routines which are typical for the child and family within the context of their daily lives and community.

Public Agency – any department, authority, board, post, commission, division, institution, committee, office, entity or political subdivision, including local governing bodies, created by law to exercise some sovereign power or to perform some governmental duty, and empowered by law to undertake the prescribed activities.

Public Reporting - A part of Virginia’s General Supervision and Monitoring System through Part C of IDEA (20 U.S. C. 1416(b)(2)(C), as amended, requiring the summation of monitoring data about the performance of each Local Lead Agency related to Virginia’s targets established for each compliance indicator in the State Performance/Annual Performance Plan. This information must be reported and made available annually and through public means including, but not limited to, posting on the Infant & Toddler Connection of Virginia web page (www.infantva.org).

System Operations – a budget category that includes the line items of Administration, System Management, Data Collection, and Training.

Timely Initiation of Services– the maximum number of days from the date the parent signs the IFSP until the implementation of services, which is defined by the Infant & Toddler Connection of Virginia as 21 calendar days unless otherwise determined and documented by the IFSP team in order to meet the individual needs of the child and family.

Training and Technical Assistance – training, interpretation, advice and guidance provided to local systems and Part C personnel to enable the local system to attain and maintain compliance with federal and State Part C requirements and strengthen the local system of supports and services for eligible infants, toddlers and their families.

Virginia’s Monitoring Indicators - Indicators established by the Office of Special Education Programs (OSEP) outlined in the State Performance Plan and reported on in the Annual Performance Report and indicators identified by OSEP in which Virginia has a reoccurrence of non-compliance.

2.0 SCOPE OF WORK

2.1 Local Lead Agency

2.1.1. FISCAL

The Local Lead Agency, with the advice and assistance of the LICC, shall:

- a. Purchase, contract for, and/or provide services and disburse funds in accordance with the local interagency Part C budget developed in collaboration with the LICC and approved by the DMHMRSAS. The Local Lead Agency shall:
 - (1) Ensure adherence to its own requirements, as well as those of the DMHMRSAS, including Part C of the IDEA, as amended, for managing funds – including audits, hiring of personnel, and complying with the Virginia Public Procurement Act when contracting for services, other Part C functions, and/or purchasing supplies/equipment.
 - (2) Provide accurate and detailed information to the LICC regarding its requirements, as well as those of DMHMRSAS, for procuring services and disbursing funds in order to facilitate interagency decisions and recommendations for use of funds within given parameters.
 - (3) Include a requirement for compliance with all state and local Part C Policies and Procedures including provision of services in accordance with the *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places* in all of its contracts with Part C service providers. On the web at: <http://www.infantva.org/documents/pr-SupportandServices.pdf>.
 - (4) Monitor all of its contracts with Part C service providers for compliance with all state and local Part C Policies and Procedures, including provision of supports and services in accordance with *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places*. On the web at: <http://www.infantva.org/documents/pr-SupportandServices.pdf>.

- b. Prepare and submit all reports required by the DMHMRSAS. The Local Lead Agency, with the advice and assistance of the LICC, shall:
- (1) Prepare and submit Part C expenditure reports (Attachment B – Expenditure Report Forms) that reflect expenditures incurred during each six months of the fiscal year (7/1/07 – 6/30/08). Any Federal Part C funds unexpended at June 30, 2008 must be obligated and expended during the period of July 1, 2008 through September 30, 2008. Any unspent federal funds after September 30, 2008 will be returned to the DMHMRSAS. The expenditure reports shall be due on the dates listed below. If an expenditure report is submitted later than 15 days following the due date, the DMHMRSAS shall suspend payments to the Local Lead Agency until the report is received in accordance with this contract. Funding shall be brought up to date on the next payment once the report is received and approved/verified for accuracy and completeness.

Report and submission deadlines are as follows:

First report (07/01/07 thru 12/31/07) Due February 16, 2008

Second report (07/01/07 thru 06/30/08) Due October 1, 2008

- (2) Within the local Part C allocation award amount, and in accordance with DMHMRSAS requirements and procedures, prepare and submit the budget and budget revisions in collaboration with the LICC.
 - (a) Administrative costs may not exceed 5% of the total local Part C allocation.
 - (b) The Local Lead Agency, in collaboration with the LICC, may make budget revisions of any amount **within** a budget category without prior approval of the DMHMRSAS. The budget categories are Systems Operations and Entitled Services. (See definitions on pages 2-7). The Local Lead Agency, in collaboration with the LICC, also may revise up to 10% of its budget between categories without the prior approval of the DMHMRSAS. When seeking to move funds between budget categories, revisions, either singular or cumulative, exceeding 10% of the amount of this Contract shall be submitted in writing to the DMHMRSAS and approved prior to the use of funds for newly proposed expenditures. These revisions shall be indicated on all subsequent expenditure reports in accordance with DMHMRSAS requirements.

- c. Prepare and submit data mandated by the Virginia General Assembly under the 2006 Appropriation Act, Item 312 (K) including the following:
- (1) Total revenues by funding source used to support Part C services provided by the local lead agency;
 - (2) Total expenses for all Part C services provided by the local Part C system, including all local Part C providers; and

(3) The services provided to those infants, toddlers and families.

This data is to be reported on the Budget/Expenditure Report Form with the 10/01/08 submission of the report.

- d. Prepare and submit data and all other information in a complete and timely manner according to the requirements established by the Office of Special Educations Programs, U.S. Department of Education for the Part C Financial Verification and all System and Program Monitoring requirements as requested by DMHMRSAS.
- e. Make available Part C funds to ensure access to and maintenance for all necessary resources, including equipment and personnel, in accordance with DMHMRSAS requirements to ensure: a) communication with the state office (e.g., email and Internet access); b) the completion of all necessary written activities for compliance with this contract; and c) the management of data required under Virginia's Part C General Supervision and Monitoring System. Part C funds budgeted for this purpose shall be reflected in the Data Collection line item of the local Part C budget.
- f. Return unspent Federal Part C funds to the Office of Grants Management of the DMHMRSAS as directed by the DMHMRSAS Fiscal Office. State dollars that are unspent may be carried over and spent through June 30, 2008.
- g. Notify DMHMRSAS of budget shortfalls, including supporting documentation of need, specific reasons for need and efforts to secure other available funding, upon the identification of the financial need.

2.1.2. ADMINISTRATION:

The Local Lead Agency shall, with the advice and assistance of the LICC:

- a. Adhere to the requirements as specified in *Virginia Code* § 2.2-5304.1 to include:
 - 1. Establishment and administration of a local system of early intervention services that meets all federal Part C requirements and Virginia policies and procedures governing the provision of early intervention services;
- b. Be a public agency selected by the local interagency coordinating council and shall contract with DMHMRSAS, administer local Part C funds and fulfill the requirements of the Local Contract for Continuing Participation in Part C.
- c. Employ a Local Part C System Manager whose roles and responsibilities shall include, but are not limited to the following:
 - 1. Serving as a liaison between the local Part C system and the State Lead Agency, DMHMRSAS;
 - 2. Serving as a liaison between the local interagency coordinating council and the Local Lead Agency;

3. Clearly describing and explaining the service delivery considerations and philosophy associated with individualizing Part C early intervention supports and services in everyday routines, activities and places to a wide variety of people in order to move the local system forward in adopting these practices;
 4. Working in partnership with families, agencies and professionals to maintain a local service delivery system that provides individualized, family-centered supports and services for all eligible children and their families;
 5. Providing oversight of local service delivery trends to monitor individualization of supports and services;
 6. Assisting the Local Lead Agency in continuously monitoring projected Part C expenditures based upon active IFSPs and available reimbursement sources;
 7. Working in partnership with the State Lead Agency to ensure compliance with Federal and State regulatory requirements.
 8. Facilitating continuous local system improvement through collection, use and interpretation of data (e.g. chart reviews, ITOTS, etc.); and
 9. Assisting the Local Lead Agency in completing local contract requirements.
- d. Re-evaluate and revise, as needed, local procedures and practices.
- e. Ensure that local procedures and practices address the following Part C requirements and are in compliance with State Part C System Policies and Procedures:
- (1) Family-centered supports and services in accordance with *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places*. On the web at: <http://www.infantva.org/documents/pr-SupportandServices.pdf>.
 - (2) The 45-day timeline requirements under Virginia Part C Policies and Procedures related to completing the initial multidisciplinary evaluation for eligibility and to assist in the development of an Individualized Family Service Plan for all eligible children and families.
 - (3) The provision of Part C early intervention supports and services in the child's natural environment.
 - (4) The timely initiation of all Part C supports and services, as designated on the IFSP. Timely initiation of services, for this purpose, is defined by the State Lead Agency as being within 21 calendar days of the date the family signs the IFSP, unless the IFSP team decides on and documents a later start date in order to meet the individual needs of the child and family).

- (5) The completion of an individualized transition plan for all children exiting from the Part C system that adheres to the transition requirements, including timelines, under Part C of IDEA, as amended.
 - (6) The statewide uniform ability to pay policies and procedures in accordance with Component XIII of the Commonwealth of Virginia 2000 Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA).
 - (7) Procedural safeguards and dispute resolution procedures under Commonwealth of Virginia 2000 Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA).
 - (8) Accessing all appropriate sources of funding and services prior to the use of Federal Part C funds for early intervention services or activities. Those funding sources may include, but are not limited to, based upon local availability and accessibility and individual eligibility requirements, the following:
 - (a) Medicaid — Medicaid-eligible children must receive early intervention services from Medicaid enrolled providers. Early intervention services may be covered based on eligibility and other factors through Medicaid programs including, but not limited to, Medallion I, Medallion II, the MR Community-based Waiver, Technology Assisted Waiver, EPSDT, FAMIS, FAMIS II, Elderly and Disabled Waiver, State Plan Services (including, but not limited to, Targeted Case Management (TCM), occupational therapy, physical therapy, and speech-language pathology;
 - (b) Other Federal funds, including, but not limited to, Maternal Child Health;
 - (c) TriCare;
 - (d) State General Funds;
 - (e) Local government funds;
 - (f) Private funds, including private third party insurance with parental permission;
 - (g) Donations;
 - (h) Family fees; and
 - (i) All other locally identified sources of funding that apply to Part C services.
- f. Develop, review and revise local interagency agreements, contracts and memoranda of understanding, at least annually, to ensure inclusion

of terms and conditions that require all local public and private participating agencies/providers to comply with Part C requirements when providing Part C services.

- g. Facilitate development and implementation of local interagency agreement(s), contract(s), and memoranda of understanding with additional local public and private agencies/provides, as necessary, in order to fill gaps in services and ensure access to all potential payors in accordance with the payor of last resort provision of Part C of IDEA, as amended.
- h. Develop and implement local mechanisms to meet the Part C assurances listed in Section 4.0 of this contract, including review and revision as needed.
- i. Review and revise (as needed) the list of locally-identified potential formal and informal resources and supports within the community (as identified in previous years through the process of community mapping) and add, as necessary, formal resources and supports (e.g. third party payors, local participating agencies/providers) to local early intervention systems in order to ensure that the payor of last resort provisions of Part C of IDEA, as amended, are met and to increase service capacity.
- j. Adhere to the requirements of Virginia's Part C General Supervision and Monitoring System as follows:
 - 1) Respond to data requests from the DMHMRSAS in a timely and accurate manner including, but not limited to, Federal- and State-required data, including child data as captured on ITOTS, annual local record review data, data requested by the DMHMRSAS to determine correction of local non-compliance, and other requested data captured via other methods as developed and implemented in Virginia to meet federal and state reporting requirements and in accordance with timelines established by DMHMRSAS (see list in Attachment F). The Local Lead Agency shall, with the advice and assistance of the LICC, meet the established timelines for responding to required data elements/reports.
 - 2) Notify DMHMRSAS immediately by phone, fax or email when a local ITOTS user leaves the local Part C system or is no longer in a role that requires access to ITOTS.
 - 3) Specifically, the Local Lead Agency shall collaborate with the LICC, as needed, in determining a local process for:
 - (a) Entering child specific data including all the required Individual Child Data Form data elements into the secure web-based system in accordance with instructions and guidance provided by the DMHMRSAS (see the ITOTS web page or www.infantva.org);

- (b) Entering updated primary service setting data into ITOTS by January 15, 2008 on the IFSP in effect on December 1, 2007 for each eligible child;
 - (c) Completing the annual local record review following the State protocol for record selection to collect Federally-required data that is not available through ITOTS in accordance with the State-provided protocol and timelines; and
 - (d) Providing data requested by DMHMRSAS to demonstrate the correction of local noncompliance.
- (4) Generate, on at least a quarterly basis, the *Children Active*, *Children Discharged* and *Children Evaluated Eligible* reports through ITOTS. The Local Lead Agency shall review these reports and confirm the accuracy of the data by signature of the local system manager. This quarterly confirmation of accuracy shall be kept on file by the Local Lead Agency and shall be made available to the DMHMRSAS upon request.
- (a) Providing written verification annually on the Data Accuracy Confirmation form (signed by the local system manager) to the State Lead Agency of the data accuracy based on the quarterly review of ITOTS reports no later than January 10, 2008;
- (5) Submit and implement Corrective Action Plans/Service Enhancement Plans as required by the DMHMRSAS to address areas in which local non-compliance is identified to ensure that compliance is met as soon as possible but not to exceed one year from the notification to the local system of the identification of the non-compliance.
- (6) Facilitate, when requested by DMHMRSAS, an on-site data verification visit by DMHMRSAS staff to confirm, through a sample of records, the accuracy of selected data submitted by the local system through ITOTS and the annual local record review. The Local Lead Agency, through the local system manager, shall facilitate identification of:
- (a) A confidential working space for the DMHMRSAS staff to conduct required record reviews for data accuracy; and
 - (b) An individual in the local system to assist in pulling records identified by the DMHMRSAS.
- (7) Participate in on-site focused monitoring visits when required by DMHMRSAS based on the status of the local Part C system (which is administered by the Local Lead Agency) on Virginia's Monitoring Indicators.
- (8) Implement the System for Determination of Child Progress by completing child assessments at entry and exit from the Part C

system and entering required data into ITOTS. Local Lead Agencies have the option to also conduct assessments and enter progress determination data at the time of the annuals IFSP.

- (9) Participate in the continued development and implementation of the Family Survey process.
- (10) Review interagency agreements, contracts, and memoranda of understanding or letters of agreement at least annually and revise as necessary. Copies of all interagency agreements shall be available for review by the DMHMRSAS staff when conducting on-site monitoring activities. Interagency agreements shall be current and signed by appropriate representatives from the Local Lead Agency and the agency/entity with which the agreement is developed

k. Notify the Part C Technical Assistance Consultant at DMHMRSAS of, and work collaboratively to address, local barriers to meeting the following requirements:

- (1) Payor of last resort and local maintenance of effort provisions of Part C of IDEA, as amended;
- (2) Provision of early intervention supports and services in accordance with Federal Part C regulations and the Commonwealth of Virginia 2000 Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA) (including inability to provide required supports and services as a result of provider shortages);
- (3) Development and implementation of local interagency agreements, memoranda of understanding, and/or contracts (including purchase of service arrangements);
- (4) Personnel requirements; and
- (5) General Supervision and Monitoring requirements including completion of annual local record reviews and timely reporting of required data or requested or required information.

2.1.3. PERSONNEL

The Local Lead Agency, with the advice and assistance of the LICC, shall include terms in all local interagency agreements, contracts and/or memoranda of understanding requiring that all local participating agencies utilize hiring practices for employing early intervention personnel that meet Component IX, Personnel Standards in *Virginia Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act*. Such terms shall include requiring that:

- (1) The required documentation of the Personnel Verification Form (Attachment D) is on file at the local lead agency so that the form can be submitted on January 10, 2008. The form verifies that, except for those persons listed in the table of the form, all local early intervention personnel meet a highest standard and that there is a plan in place to ensure those persons listed in the table make satisfactory progress toward completing necessary course work to meet a highest standard.
- (2) All providers complete the on-line *Orientation to Part C* training module, passing the competency test with 80% accuracy.
 - (a) For persons providing early intervention supports and services in Virginia's Part C system as of January 1, 2008, the *Orientation to Part C* training module shall be completed by June 30, 2008.
 - (b) For persons hired after January 1, 2008, the *Orientation to Part C* module shall be completed within two (2) months of hire.
- (3) Service coordinators complete Kaleidoscope: New Perspectives in Service Coordination training as follows:
 - (a) Service coordinators employed as of July 01, 2007, who were hired before July 1, 2007 and after July 1, 2003, shall complete Kaleidoscope, Levels I and II by January 01, 2009.
 - (b) Service coordinators employed on or after July 01, 2007 shall:
 1. Complete Kaleidoscope, Level 1 within 6 months of hire or as soon as possible, given scheduled location and date; and
 2. Complete Kaleidoscope, Level II as soon as possible after completion of Level I given scheduled location and date.

2.1.4. SERVICE DELIVERY:

The Local Lead Agency, with the advice and assistance of the LICC, shall:

- a. Include terms in all local interagency agreements, contracts and/or memoranda of understanding requiring that all local participating agencies utilize consistent statewide forms (see www.infantva.org for forms). Agencies may utilize electronic capabilities to produce forms that are substantially equivalent to the statewide forms in content, sequence, format and appearance with the exception of the Procedural Safeguards forms listed below in 1-11. Original or photocopied statewide Procedural Safeguard forms must be used. Statewide service delivery forms include, but are not limited to, the following:
 - (1) "Individualized Family Service Plan (IFSP)" Form;
 - (2) "Notice and Consent for Initial Evaluation/Assessment" Form;
 - (3) "Confirmation of Initial Evaluation and Assessment Schedule" Form (optional);

- (4) "Confirmation of Individualized Family Service Plan (IFSP) Schedule" Form;
- (5) "Confirmation of Evaluation/Assessment and Individualized Family Service Plan (IFSP) Meeting" Form;
- (6) "Declining Early Intervention Services" Form;
- (7) "Parental Prior Notice" Form;
- (8) "Notice and Consent for Screening" Form;
- (9) "Notice of Child and Family Rights in the Infant and Toddler Connection of Virginia System (December 2002)"; and
- (10) "Strengthening Partnerships: A Guide to Family Safeguards in the Infant & Toddler Connection of Virginia Part C Early Intervention System (December 2002)"; and
- (11) Ability to Pay documents.

- b. Review and revise, as needed, the local mechanism that provides oversight of local service delivery trends and that moves the local system forward in adopting the practices outlined in the *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places*. On the web at: <http://www.infantva.org/documents/pr-SupportandServices.pdf>.

The mechanism shall not supersede the IFSP team's authority to determine appropriate supports and services. Rather, the intention of the mechanism shall be to prompt the local Part C system to stop, review and discuss whether supports and services are being provided in accordance with the *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places*.

- c. Utilize and promote public awareness materials disseminated by DMHMRSAS to ensure a consistent statewide public awareness campaign.

2.2 DMHMRSAS

DMHMRSAS shall:

- 2.2.1 Disperse State and Federal Part C funds, subject to the Local Lead Agency's compliance with the provisions of this contract.
- 2.2.2 Report annually to the public on the performance of the State and each Local Lead Agency on Virginia's targets for each monitoring indicator identified in the State Performance Plan. This information shall be available through public means including, but not limited to, posting on the Infant & Toddler Connection of Virginia web page (www.infantva.org).
- 2.2.3 Track receipt of all contract deliverables from the Local Lead Agency in order to determine and report data on the Local Lead Agency's

compliance with Virginia's Monitoring Indicator #10, submission of timely and accurate data.

- 2.2.4 Make a determination of the Local Lead Agency's performance based on information provided through monitoring data, annual record reviews, monitoring visits and any other public information made available.
- 2.2.5 Provide advance notice in writing, when requesting additional information or data, or in changing established timelines. The amount of advance notice may vary depending upon the circumstances of the request. Any requests for additional data or notification of changes in established timelines shall be provided in writing to the Local Lead Agency representative who signed the local contract, with a copy to the local system manager.
- 2.2.6 Disseminate consistent statewide public awareness campaign materials and strategies to the Local Lead Agency and provide guidance for implementation.
- 2.2.7 Make available, upon request, multiple copies of Procedural Safeguards forms listed on pages 15-16, including translated forms as feasible to do so.
- 2.2.8 Make available on its website (www.infantva.org) copies of all forms that are required for use by local participating agencies in providing Part C services, in addition to policy and technical assistance documents and minutes from various meetings.
- 2.2.9 Provide written and verbal communication to the Local Lead Agency on a regular basis, identifying updated information on the DMHMRSAS website (www.infantva.org) and other pertinent resources and information.
- 2.2.10 Provide technical assistance to the Local Lead Agency, the LICC and local participating agencies or providers.
- 2.2.11 Conduct random or planned fiscal audits, as DMHMRSAS deems appropriate.
- 2.2.12 Conduct on-site data confirmation visits, as appropriate, to confirm, through a sample of records, the accuracy of selected data submitted by the local system through ITOTS and the annual local record review.
- 2.2.13 Conduct site visits with the Local Lead Agency, the LICC and local participating agencies or providers for the purposes of monitoring and for assistance in resolving issues through technical assistance.
- 2.2.14 Provide training or guidance to the Local Lead Agency, the LICC and local participating agencies or providers based on changes or modifications to the state level interagency agreement and the Commonwealth of Virginia 2000 Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education

Act (IDEA) which are reviewed at least annually and revised as necessary, and on other information as appropriate.

- 2.2.15 Acknowledge to the Local Lead Agency receipt of the notification of projected insufficient financial resources within 15 business days and identify steps and proposed timeframes for resolution.
- 2.2.16 Acknowledge in writing to the Local Lead Agency the receipt of the local system's corrective action plan/services enhancement plan within 5 calendar days of receipt of the plan.
- 2.2.17 Acknowledge in writing to the Local Lead Agency the status of approval of the local system's corrective action plan/services enhancement plan within 15 calendar days of the due date of the plan.
- 2.2.18 Maintain interagency agreements with the participating state agencies which minimally includes: the Departments of Health; of Education; of Medical Assistance Services; of Social Services; for the Deaf and Hard-of-Hearing, for the Blind and Vision Impaired, and the Virginia Office for Protection and Advocacy; and the Bureau of Insurance with the State Corporation Commission. 2.2.19 Delineate between those data requests to which a response is required (e.g., federally-required, State-required, requested by Virginia legislature) and those to which a response is not required, per se, but necessary for the purpose of making informed policy decisions.

3.0 DELIVERABLES

3.1 Local Lead Agency

The Local Lead Agency shall provide to the DMHMRSAS the following:

- 3.1.1 Executed contract documents as specified on the Contract form included herein.
- 3.1.2 Child-specific data, in collaboration with the LICC and in accordance with the Infant and Toddler Online Tracking System (ITOTS) data elements, as children enter or leave the system or at least by the last day of each month. Data shall be reviewed and updated by the local Part C system (to ensure that the local count reflects the actual children in the system at that time – new children are entered and discharged children are closed) quarterly, by July 10, 2007; October 10, 2007; January 10, 2008; and April 10, 2008. A grace period of 10 days following the due date is allowed for all except the January 10, 2008 deadline.
- 3.1.3 Verification in writing to the DMHMRSAS confirming the accuracy of data submitted to include, but not limited to, the annual verification of ITOTS reports related to Annual ITOTS/December 1 Child Count (based on quarterly review of Children Active, Children Discharged and Children Evaluated Eligible); primary service setting data; and annual record

review data. The confirmation of data accuracy shall be signed by the local system manager and shall verify that the data is accurate to the best of the local system manager's ability. *Confirmation of Data Accuracy* forms shall be due as follows:

- (a) Annual Record Review data verification - August 31, 2007
- (b) Annual ITOTS/December 1 Child Count verification – January 10, 2008
- (c) Primary Service Setting data verification – January 15, 2008

3.1.4 The Personnel Verification Form by January 10, 2008 (Attachment D).

3.1.5 Completed Part C expenditure reports and due dates as follows:

First report (07/01/07 thru 12/31/07) Due February 16, 2008

Second report (07/01/07 thru 06/30/08) Due October 01, 2008

If an expenditure report is submitted later than 15 days following the due date, the DMHMRSAS shall suspend payments to the Local Lead Agency until the report is received in accordance with this contract. Funding shall be brought up to date on the next payment once the report is received and approved/verified for accuracy and completeness.

3.1.6 Revised local Part C budgets, as necessary, in collaboration with the LICC and in accordance with DMHMRSAS requirements and procedures.

3.1.7 Unspent Part C funds at the end of the fiscal year according to timelines established by the Fiscal Office of the DMHMRSAS.

3.1.8 Data mandated by the Virginia General Assembly under the 2006 Appropriation Act, Item 312 (K) (see 2.1.1(c)) including the following:

- (a) Total revenues by funding source used to support Part C services provided by the local Part C system, including all local Part C providers;
- (b) Total expenses for all Part C services provided by the local Part C system, including all local Part C providers; and
- (c) The services provided to those infants, toddlers, and families.

This data shall be reported on the Budget/Expenditure Form with the 10/01/08 submission of the report

3.1.9 Data necessary to meet the Office of Special Education Programs (OSEP) reporting requirements including, but not limited to, the following data:

- (a) Annual local record review data related to information that cannot be collected through ITOTS

Data shall be collected through a sampling methodology and shall be due on August 31, 2007. The total number of children upon which the

sampling rate is based shall be defined on the record review protocol and shall depend on the part C requirement the review is addressing.

- (b) Updated primary service setting data by January 15, 2008 that reflects the IFSP in effect for each eligible child on December 1, 2007; and
- (c) Data requested by DMHMRSAS to demonstrate the correction of local noncompliance.

Data shall be collected through a sampling methodology, when appropriate. The total number of children upon which the sampling rate is based shall be defined on the record review protocol and shall depend on the Part C requirement the review is addressing.

- 3.1.10 Any revisions to the mechanism that provides oversight of local service delivery trends and moves the local system forward in adopting the practices outlined in the *Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places*. On the web at: <http://www.infantva.org/documents/pr-SupportandServices.pdf>.
- 3.1.11 Any revisions to local procedures and practices.
- 3.1.12 Corrective Action Plans/Services Enhancement Plans, as required by DMHMRSAS to address areas in which local non-compliance is identified.
- 3.1.13 Written notification of budget shortfalls to the Part C Coordinator as soon as identified.

3.2 DMHMRSAS

DMHMRSAS shall provide to the Local Lead Agency and local participating agencies and providers, the following:

- 3.2.1 Statewide public awareness materials for use by the Local Lead Agency and local participating agencies and providers.
- 3.2.2 State website (www.infantva.org) for local access to required forms, policy and technical assistance documents, public reports on State and local monitoring data and minutes from meetings.
- 3.2.3 Training and technical assistance to the Local Lead Agency, the LICC and local participating agencies based upon state and local needs and issues.
- 3.2.4 State and Federal Part C funds in accordance with this Contract.
- 3.2.5 The annual local record review form and guidance materials by August 1, 2007.
- 3.2.6 An on-site data verification visit, as necessary, to confirm, through a sample of records, the accuracy of selected data submitted by the local system through ITOTS and the annual local record review.

- 3.2.7 Written notification of any identified areas of noncompliance and the required timelines for correction as soon as possible but not to exceed one year from the date of notification to the local system of the identification of the noncompliance.
- 3.2.8 Written acknowledgement to the Local Lead Agency, within 15 business days, of the receipt of notification from the local system of insufficient financial resources. The acknowledgement shall include identified steps and proposed timeframes for resolution.
- 3.2.9 Written notification to the local system manager within 5 calendar days of the receipt of the local system's corrective action plan/services enhancement plan.
- 3.2.10 Written notification to the local system manager within 15 calendar days of receipt of the local system's corrective action plan, services enhancement plan, of the approval or denial of the local system's corrective action plan/services enhancement plan.

4.0 FISCAL ASSURANCES

- 4.1 The Local Lead Agency shall:
 - a. Provide financial reports containing information that the State may require; and
 - b. Keep financial records and afford access to those records as the State may find necessary to assure the correctness and verification of reports and proper disbursement of funds provided under Part C.

- 4.2 The Local Lead Agency assures through the terms and conditions of interagency agreements, contracts, and purchase orders, the following:
 - a. Federal funds made available under Part C shall not be commingled with State funds.

State funds references Federal, State, local and private funding sources other than federal Part C funds. This assurance shall be satisfied by the use of an accounting system that includes an "audit trail" of the expenditure of funds awarded under Part C. Separate bank accounts are not warranted.

- b. Federal funds made available under Part C shall be used to supplement and increase the level of State and local funds expended for infants and toddlers with disabilities and their families and in no case supplant such State and local funds appropriated or budgeted at the state and local level for Part C services.

To meet this requirement, the total amount of State and local funds budgeted for expenditures in the current fiscal year for early intervention services for Part C eligible children shall be at least equal to the total amount of State and local funds budgeted for expenditures in the current fiscal year for early intervention services for Part C eligible children shall be at least equal to the total amount of State and local funds actually expended for early intervention

services for these children and their families in the most recent fiscal year for which information is available.

- c. Fiscal control and fund accounting procedures shall be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal and State funds paid under Part C.
- d. Every effort shall be made to routinely and regularly consider and access all available sources of funds prior to use of Part C funds. To meet the payor of last resort provision, the requirements on non-substitution of funds and non-reduction of other benefits must be met.

Part C funds shall not be used as a reimbursement source in the following instances:

- 1. For a family with private insurance, Part C funds shall not be used to make up the difference between the usual and customary rate paid by the insurance company for a service and the local participating agency's/provider's cost to provide that service. By being a provider for that insurance company, the local participating agency/provider has agreed to accept that usual and customary rate as payment in full.
- 2. For a child with Medicaid, Part C funds shall not be used to make up the difference between the amount reimbursed by Medicaid and the local participating agency's/provider's cost of providing that service. As a Medicaid provider, the local participating agency/provider has agreed to accept reimbursement at the Medicaid rate as payment in full.
- 3. For a child whose family is paying according to the statewide Part C ability to pay scale, Part C funds shall not be used to reimburse the agency for the family fee if the family states they are unable to pay the fee (even after all appeals are exhausted) if state, local or federal funds are used to support the provision of any early intervention services provided by the agency.

Specifically, this requirement applies primarily to public agencies including, but not limited to, CSBs and Health Departments that use public funds to provide early intervention services. It also applies to private agencies that provide early intervention services via a lump sum contract with a public agency. This does not apply, however, if early intervention services are purchased from a vendor at a per service rate.

- e. Part C funds shall be used by the Local Lead Agency to plan, develop, and implement a local interagency system of early intervention services for Part C eligible children and their families as defined in State policies and shall be expended in accordance with Federal requirements, including requirements for the provision of direct services not provided or funded by other sources.

- f. Local policies and practices shall be implemented that provide access to culturally-competent services within the local Part C system for traditionally-underserved groups, including minority, low income, and rural families.
- g. All Federal, State, and local policies and procedures for Part C implementation shall be implemented through local interagency agreements, contracts, and/or memoranda of understanding.
- h. All local participating agencies/providers shall be informed of the assurances listed above and that the obligation to comply with these assurances is included in all contracts, agreements, and purchase orders with local Part C services providers.

5.0 GENERAL CONDITIONS:

- 5.1 **Applicable Laws and Courts:** This contract shall be governed in all respects by the laws of the Commonwealth of Virginia and any litigation with respect thereto shall be brought in the courts of the Commonwealth. The Local Lead Agency shall comply with all federal, state and local laws, rules and regulations applicable to Part C participation.
- 5.2 **Anti-Discrimination:** The Local Lead Agency shall conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and *Virginia Code* § 2.2-4311. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (*Virginia Code* § 2.2-4343.1E).
 - 5.2.1 During the performance of this contract, the Local Lead Agency agrees as follows:
 - a. The Local Lead Agency shall not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, or disabilities, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Local Lead Agency. The Local Lead Agency agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- b. The Local Lead Agency, in all solicitations or advertisements for employees, shall state that such Local Lead Agency is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
- 5.2.2 The Local Lead Agency shall include the provisions of 5.2.1 above in every contract for services or purchase order over \$10,000, so that the provisions shall be binding upon each contractor or vendor.
- 5.3 **Compliance:** The Local Lead Agency shall incorporate compliance with the following requirements into all contracts, interagency agreements, and memoranda of understanding for the implementation of Part C of IDEA, as amended: *(Links to many of these documents may be found on our website and can be accessed at: www.infantva.org).*
 - 5.3.1 Public Law 105-17, Individuals with Disabilities Education Act (IDEA), as amended;
 - 5.3.2 34 CFR Part 303: Early Intervention Program for Infants and Toddlers with Disabilities;
 - 5.3.3 Virginia Code § 2.2-5300 et seq.;
 - 5.3.4 Submission, Assurances and Certifications; Part C Grant Application;
 - 5.3.5 The Commonwealth of Virginia 2000 Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA), any subsequent revisions, and local policies and procedures;
 - 5.3.6 Department of Mental Health, Mental Retardation and Substance Abuse Services Policy 4037 (CSB) 91-2: Early Intervention Program for Infants and Toddlers with Disabilities and Their Families;
 - 5.3.7 Memorandum of Agreement Among the Agencies Involved in the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA), as amended, to Meet Full Implementation Requirements (September 1996) and local interagency agreements or memorandum of understanding; and
 - 5.3.8 Applicable local interagency agreements, contracts, and memoranda of understanding.
 - 5.3.9 Immigration Reform and Control Act of 1986: The Local Lead Agency certifies that they do not and shall not during the performance of this contract employ illegal alien workers or otherwise violate the provisions of the federal Immigration Reform and Control Act of 1986.
- 5.4 **Authorities:** Nothing in this contract shall be construed as authority for any party to make commitments that will bind the other party beyond the scope of services contained herein.

- 5.5 **Ethics in Public Contracting:** The Local Lead Agency certifies that any contract entered into by the Local Lead Agency as a result of this agreement shall be made without collusion or fraud and that it will not offer or receive any kickbacks or inducements from any other parties in connection with its contract and that it will not confer on any public employee having any official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
- 5.6 **Performances:** All services provided by the Local Lead Agency pursuant to this contract shall be performed in accordance with the terms of the contract and with all applicable federal, state and local laws, ordinances, rules and regulations. The Local Lead Agency shall not receive payment for work found by the DMHMRSAS to be in violation the terms of this contract or, of Federal, State and local laws, ordinances, rules or regulations. Furthermore, the Local Lead Agency shall, through contract management, hold local public and private agencies to which Part C funds are provided accountable and withhold payment for services found to be in violation of the contract with that provider. Should any disagreements arise under any portion of this contract, both parties agree to attempt to resolve them through open discussion prior to issuing any notice of cancellation of a contract.
- 5.7 **Confidentiality:** The Local Lead Agency assures that information and data obtained as to personal facts and circumstances related to clients shall be held confidential, during and following the term of this agreement, and shall not be divulged, except as permitted by law, without written authorization of the individual or the individual's authorized representative and then only in strict accordance with Part C of IDEA, as amended, confidentiality requirements and prevailing laws.
- 5.8 **Modification of Contract:** This Contract may be modified upon the mutual agreement of the DMHMRSAS and the Local Lead Agency, including, but not limited to, the Scope of Work, budget, and compensation. Any and all modifications to the Contract shall be in writing and signed by both the Local Lead Agency and the DMHMRSAS. This procedure does not include changes to original funding. The procedure applicable to changes to funds is under Section 5.0 "General Conditions," Section 5.18 "Changes to Funds."
- 5.9 **Termination of Contract:** Either the DMHMRSAS or the Local Lead Agency may terminate this contract at any time during the contract period, upon 90 days written notice via certified mail with return receipt. In the event that the Local Lead Agency wishes to terminate the contract, the notice of cancellation shall be sent to the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services. In the event the DMHMRSAS wishes to terminate the contract, the notice of cancellation shall be sent to the person who signed the contract on behalf of the Local Lead Agency, or his successor. The 90-day notice period shall commence on the date of receipt of the notice by the addressee as documented by the return receipt. In the event that this contract is

cancelled for any reason, the Local Lead Agency shall cooperate with the DMHMRSAS to develop and implement a transition plan for Part C eligible children and their families served under this contract that will ensure continuity of services and supports to children and families. Child Find and all other Part C local obligations shall continue during both the 90-day cancellation time period. The Local Lead Agency shall ensure that current projects will be completed to the satisfaction of the State Lead Agency with financial compensation being provided for that work.

- 5.10 **Audit:** The Local Lead Agency shall retain all books, records, and other documents relative to this contract for five years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The DMHMRSAS, its authorized agents, and State and Federal auditors shall have full access to and the right to examine any of said materials during said period.
- 5.11 **Availability of Funds:** It is understood and agreed between the parties that the DMHMRSAS and the Local Lead Agency shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this contract.
- 5.12 **Assignment of Contract:** This contract shall not be assignable by the Local Lead Agency in whole or in part without the written consent of the DMHMRSAS.
- 5.13 **Prompt Payment:** The Local Lead Agency shall comply with the terms and conditions of Article 4, Titled “Prompt Payment” of the Virginia Public Procurement Act.
- 5.14 **Drug-Free Workplace:** During the performance of this contract, the Local Lead Agency agrees to (i) provide a drug-free workplace for the Local Lead Agency’s employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Local Lead Agency’s workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the Local Lead Agency that the Local Lead Agency maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every contract for services or purchase order of over \$10,000.00 so that the provisions will be binding upon each contractor or vendor.

For the purposes of this section “*drug-free workplace*” means a site for the performance of work done in connection with a specific contract awarded to a contractor; the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

- 5.15 **Precedence of Terms:** The terms and conditions of this contract shall apply in all instances. In the event of a conflict between any of these terms and conditions and those of any other contracts, the terms and conditions of this contract shall apply.

- 5.16 **Renewal of Contract:** This contract may be renewed by the DMHMRSAS upon written agreement of all parties for four (4) successive one year periods, under the terms of the current contract, and at a reasonable time (approximately 90 days) prior to the expiration.
- 5.17 **Changes to Funds:** Upon request by the Local Lead Agency for changes in its original funding amounts, DMHMRSAS reserves the right to grant additional funds to the Local Lead Agency (if additional funds were requested by the Local Lead Agency) or to reduce the amount of funds previously allocated to the Local Lead Agency (if a reduction was requested by the Local Lead Agency). DMHMRSAS shall notify the Local Lead Agency of the amount of funds added to its original funding amounts and what the additional funds may be used for, or the reduction to its original funding, by issuing a letter to the Local Lead Agency. This letter shall be made part of the Contract.

6.0 SUBMISSION REQUIREMENTS

The Local Lead Agency shall submit to the DMHMRSAS the following documents, incorporated as part of this contract and in the supplemental Excel spreadsheets as Attachments A, B and C, which are required for execution of this contract:

- 6.1 Identification Sheet
- 6.2 Part C Funds Local Budget
- 6.3 Local Part C Interagency Budget Justification Narrative

The Local Lead Agency shall submit to DMHMRSAS the signed SFY 2008 Local Contract for Continuing Participation in Part C by June 01, 2007 for execution by July 01, 2007. The timely submission of this contract is required for continuance of automatic allocations. The DMHMRSAS shall suspend semi-monthly payments until the signed contract is received.

- 7.0 PERIOD OF CONTRACT:** This contract commences upon final execution and expires on June 30, 2008, to include work beginning July 1, 2007.

8.0 COMPENSATION AND PAYMENT

The DMHMRSAS shall pay the Local Lead Agency semi-monthly (a total of 24 payments). The timely submission of Expenditure Reports by the Local Lead Agency in accordance with §2.1.1.b (1) of this contract is required for the continuance of automatic allocations. The DMHMRSAS shall suspend any further semi-monthly payments until required reports are received in accordance with this contract.

Federal Part C Funds
State General Funds

TOTAL Part C Allocation 07-08:

The Local Lead Agency shall use these funds for the implementation of the Part C early intervention system in accordance with all requirements and provisions in this contract.

9.0 SUBMISSION STATEMENT

The Local Lead Agency agrees to carry out all services and functions outlined in this contract in compliance with this contract and all terms and conditions imposed herein, as well as all fiscal requirements of Part C of IDEA, as amended (20 U.S.C. §1232 et. seq), subject to the availability of adequate state and federal funds.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby:

{Local Lead Agency}

By: _____

{Name of Authorized Officer of Local Lead Agency}
{Title}

Date: _____

**Department of Mental Health, Mental Retardation
And Substance Abuse Services**

By: _____

James S. Reinhard, M.D.
Commissioner

Date: _____

ATTACHMENTS

ATTACHMENT A – IDENTIFICATION SHEET

ATTACHMENT B – Local Part C Interagency Budget/Expenditure Reporting Form

ATTACHMENT C – State Fiscal Year (SFY) 2008 Local Part C Interagency Budget
Justification Narrative

ATTACHMENT D – Personnel Data - Reporting Form

ATTACHMENT E – Verification Forms

ATTACHMENT F – Anticipated Data/Information Required from Local Interagency
Coordinating Councils

State Fiscal Year (SFY) 2008

**COMMONWEALTH OF VIRGINIA
LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C
EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES**

ATTACHMENT A

IDENTIFICATION SHEET

Name of Local Lead Agency

Contact Person for Local Lead Agency

Address

Telephone number

Fax number

Email Address

Name of Local Part C System Manager

Infant & Toddler Connection of

Name of Local System

Address

Telephone Number

Fax Number

Email Address

State Fiscal Year (SFY) 2008

Infant & Toddler Connection of
COMMONWEALTH OF VIRGINIA

LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C
EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES

ATTACHMENT B

Actual interagency budget and expenditure reporting forms and instructions for FFY 07-08 are included in the accompanying Excel spreadsheet.

Part C Funds Revenue/Expense FY08								
Infant & Toddler Connection of:					0			
Form Purpose		2nd Quarter Report	4th Quarter Report					
		X						
Revenue/Expense: Part C								
Box A	State Part C	Federal Part C	State Part C Carryover	Federal Carryover	Total Part C Expenses			
Revenue								
Systems Operations								
Administration					\$ -			
System Management					\$ -			
Data Collection					\$ -			
Training					\$ -			
Total Systems Operations:	\$ -	\$ -	\$ -	\$ -	\$ -			
Entitled Services								
Assistive Technology					\$ -			
Audiology					\$ -			
Evaluation/Assessment					\$ -			
Family Trng, Counseling, Home Visits					\$ -			
Health					\$ -			
Nursing					\$ -			
Nutrition					\$ -			
Occupational Therapy					\$ -			
Physical Therapy					\$ -			
Psychology					\$ -			
Service Coordination/Case Mgmt.					\$ -			
Social Work					\$ -			
Special Instruction					\$ -			
Speech Language Pathology					\$ -			
Transportation					\$ -			
Vision					\$ -			
Other Services					\$ -			
Total Entitled Services:	\$ -	\$ -	\$ -	\$ -	\$ -			
Total:	\$ -	\$ -	\$ -	\$ -	\$ -			
Dollars Remaining:	\$ -	\$ -	\$ -	\$ -	\$ -			
Box B								
Total Revenue					\$ -			
Dollars Remaining					\$ -			
Box C								
Revenues/Expenses: Itemized Non Part C Dollars for Early Intervention								
Local Funds	Family Fees	Medicaid	TCM	Private Insurance	Grants/Gifts Donations	Other Revenue	Total Expenses	Remainders
Revenue								\$ -
Box D								
Aggregate Revenues/Expenses: Total Non Part C Dollars for Early Intervention								
Revenue								
Expense								
Balance								\$ -

State Fiscal Year (SFY) 2008

Infant & Toddler Connection of

COMMONWEALTH OF VIRGINIA

LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C

EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES

Part C Funds Budget FY08

Infant & Toddler Connection of:

Form Purpose	
Initial Budget	Budget Revision

Part C Allocation	State	Federal	Total Part C
	Part C	Part C	Allocation
Allocation Amounts:			\$ -

	Budget		
	State	Federal	Total
	Part C	Part C	Budget
Systems Operations			
Administration			\$ -
System Management			\$ -
Data Collection			\$ -
Training			\$ -
Total Systems Operations:	\$ -	\$ -	\$ -
Entitled Services			
Assistive Technology			\$ -
Audiology			\$ -
Evaluation/Assessment			\$ -
Family Trng, Counseling, Home Visits			\$ -
Health			\$ -
Nursing			\$ -
Nutrition			\$ -
Occupational Therapy			\$ -
Physical Therapy			\$ -
Psychology			\$ -
Service Coordination/Case Mgmt.			\$ -
Social Work			\$ -
Special Instruction			\$ -
Speech Language Pathology			\$ -
Transportation			\$ -
Vision			\$ -
Other Services			\$ -
Total Entitled Services:	\$ -	\$ -	\$ -
Total:	\$ -	\$ -	\$ -

	Signatures	Printed Name
Part C System Manager:		
Lead Agency Rep.:		
Date:		

State Fiscal Year (SFY) 2008

Infant & Toddler Connection of

COMMONWEALTH OF VIRGINIA

LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C

EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES

Budget Form Instructions

(This form is to only be used for reporting planned budgets.)

- 1 Enter the local council name to the right of "Infant & Toddler Connection of:" This need only be entered into the first tabbed page labeled 'Budget'.
- 2 Place an 'X' in the appropriate box below the intended purpose of this form. As per the local contract: The Local Lead Agency, in collaboration with the LICC, also may revise up to 10% of its budget between categories without the prior approval of the DMHMRSAS. When seeking to move funds between budget categories, revisions, either singular or cumulative, exceeding 10% of the amount of this Contract must be submitted in writing to the DMHMRSAS and approved prior to the use of funds for newly proposed expenditures. These revisions shall be indicated on all subsequent expenditure reports in accordance with DMHMRSAS requirements. Please check "budget revision" when using this form to meet the contract provisions.
- 3 Do not enter any information into grey cells. These cells have formulas written into them and will automatically make calculations to figures you enter into other cells.
- 4 Enter allocation amounts by category as listed in your local contract into the orange cells.
- 5 Complete the budget section of this form, showing your plan for allocating your state and federal dollars in their appropriate columns. The total revenues allocation must equal the total budget for each revenue source. There are four line items under Systems & Operations. They are "Administration" (operational costs to Local Lead Agency to administer this contract; *federal expense* not to exceed 5% of total federal allocation), "System Management" (costs associated with Local Part C System Manager, including clerical support, supplies, copying, etc.), "Data Collection" (may include computer costs associated with 2.1.1.d of this contract) and "Training".
- 6 Obtain signatures, date and submit.

State Fiscal Year (SFY) **2008**

COMMONWEALTH OF VIRGINIA

LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C

EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES**Expenditure Reporting Form Instructions****General Instructions**

No entry should be needed to identify the council. The council name should be pulled from the Budget page.

Place an 'X' in the appropriate box below the intended purpose of this form.

Do not enter any information into grey cells. These cells have formulas written into them and will automatically make calculations to figures you enter into other cells.

Revenue from private providers does not need to be included for this report.

No signature is required on the form.

Electronic submission is allowed.

Box by box instructions

When reporting Total Part C Dollars please use box A

Box A

Enter Part C revenue amounts received by category (State, Federal) into the green cells. State carryover dollars are those State dollars received in FFY 2007 that are unspent and may be carried over spent through June 30, 2008. Federal carryover funds are the Federal carryover dollars that must have been obligated and expended between July 1st and September 30, 2007.

When reporting Total Non Part C Dollars for Early Intervention, please select either box B or C. If you are able to report by categorical revenue source, please use Box B. If you are only able to report aggregate revenues, use Box C.

Box B

In the green boxes, list by category the revenues for the designated reporting period. In the lavender box, list the total expenses for the reporting period.

Box C

In the green box, list the revenues for the designated reporting period. In the lavender box, list the total expenses for the reporting period.

PUBLIC COMMENT EXPOSURE DRAFT

State Fiscal Year (SFY) **2008** COMMONWEALTH OF VIRGINIA
LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C
EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES
ATTACHMENT C

STATE FISCAL YEAR (SFY) 2008 LOCAL PART C INTERAGENCY BUDGET JUSTIFICATION NARRATIVE

Total Part C Base Allocation*:

*includes State Part C Funds and Federal Part C Funds

Amount Designated for System Operations: _____

Explanation: Include Administration (not to exceed 5% of total local allocation); System Management; Data Collection; and Training

Amount Designated for Entitled Direct Services: _____

Explanation: Include the number of children your council serves; how evaluations and services are provided (provider positions funded, contracts with private providers, etc.); estimated revenues for family fees, third party payment, targeted case management (TCM) and local funding.

State Fiscal Year (SFY) **2008** COMMONWEALTH OF VIRGINIA
LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C
EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES

ATTACHMENT D

Personnel Verification Form

Submission date: January 10, 2008

To: Keisha White
 Part C Early Intervention Office **or** Fax: (804) 371-7959
 DMHMRSAS
 P.O. Box 1797
 Richmond VA 23218-1797

- All personnel providing Part C early intervention supports and services in the local Part C system, except those listed below, meet one of Virginia’s highest standards, as listed in Component IX of the Virginia Part C Policies and Procedures.

Complete the following information for those personnel who do not meet a highest standard:

NAME	LICENSURE SOUGHT	TARGET DATE FOR LICENSURE

By my signature on thjs form, I certify that the above information is accurate as of the date of my signature:

 Signature

 Date

PUBLIC COMMENT EXPOSURE DRAFT

State Fiscal Year (SFY) **2008**

COMMONWEALTH OF VIRGINIA

LOCAL CONTRACT FOR CONTINUING PARTICIPATION IN PART C

EARLY INTERVENTION FOR INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES

ATTACHMENT E

Data Verification Forms

Infant & Toddler Connection of Virginia

Data Accuracy Verification Form: ITOTS Data and December 1 Child Count

Infant & Toddler Connection of: _____

**This annual confirmation of ITOTS data and December 1 child count
is due January 10, 2008**

By my signature on this form, I certify that to the best of my ability, the child count for December 1, 2007 is accurate. Specifically, all children that were closed to the system prior to December 1, 2007 have had their transition destination entered. All children with an IFSP date prior to December 1, 2007 have been entered:

Signature

Date

Infant & Toddler Connection of Virginia

Data Accuracy Verification Form: Primary Service Setting

Infant & Toddler Connection of _____

Verification of Primary service setting for children with an active IFSP 12/1/2007

This data update is to be completed January 15, 2008

Data Update
Primary Service Setting

Date Completed

By my signature on this form, I certify that the local system's primary service setting data was updated in the new ITOTS report to reflect the primary service setting for each child based on the IFSP that was in effect on December 1, 2007. This data has been verified and is deemed accurate to the best of my ability.

Local System Manager Signature

Date

Please return this form to the Part C office as soon as your updating of primary service setting is completed, or no later than the due date for completion of January 15, 2008.

Infant & Toddler Connection of Virginia

Data Verification Form

Local System: _____

Reporting Date: _____

Reports: _____ Date Run: _____

Children Evaluated Eligible: _____

Children Discharged: _____

Children Active: _____

By my signature on this form, I certify that the above reports have been run on the date specified. These reports have been verified for accuracy to the best of my ability. A copy of the above reports, along with this verification report is being kept on file.

Signature

Date

ATTACHMENT F

Anticipated Data/Information Required from Local Lead Agencies During SFY08

The following table provides a list of data and information required from Local Lead Agencies during SFY 08, as well as the purpose for collecting this data and the ways the data may be used. While every effort has been made to plan ahead in identifying data requirements of Local Lead Agencies, there are almost always data needs that arise during the course of a year that were not originally anticipated. When that happens, DMHMRSAS will provide advance notice in requesting the additional information or data, as indicated in 2.2.5 of this contract.

Unless otherwise noted in the Contract or on the form, the information listed below must be submitted to:

Keisha White
Part C Early Intervention Office
DMHMRSAS
P. O. Box 1797
Richmond, VA 23218-1797
Fax: (804) 371-7959.

Data/ Information Requirement	Due Date	Purpose for Collecting this Data	How This Data will be Used
Primary Service Setting Data	01/15/08	To document the primary service settings for all children in Part C as of December 01, 2007 as required for reporting to OSEP.	This data is required by the Office of Special Education Programs based on all children receiving services in the Part C system as of December 01, 2007.
Part C Expenditure Reports	02/16/08 10/01/08	To document expenditures of Part C funds during the contract year.	This data is used by DMHMRSAS and the Early Intervention Interagency Management Team (EIIMT) to monitor use of funds at the local level and to document trends in use of funding statewide.

Data/ Information Requirement	Due Date	Purpose for Collecting this Data	How This Data will be Used
Child specific data that meet Individual Child Data Form elements (to be entered into the secure web-based data system).	Must be entered as children enter or leave the system or at least by the last day of each month. Data should be checked for needed updates and confirmed by: 7/10/07 10/10/07 1/10/08 4/10/08 A grace period of 10 days following the due date is allowed for all except the January 10, 2008 deadline	To meet federal reporting requirements related to child count and other child-specific data.	Child count and other required child-specific data must be submitted to OSEP annually. This data will also assist with state and local planning, accountability, compliance and systems improvement.
Generate, on at least a quarterly basis, the <i>Children Active, Children Discharged</i> and <i>Children Evaluated Eligible</i> reports through ITOTS.	7/10/07 10/10/07 1/10/08 4/10/08 A grace period of 10 days following the due date is allowed for all except the January 10, 2008 deadline	To meet the federal reporting requirements related to child count and child-specific data and to meet the federal requirement for verification of accuracy.	The Local Lead Agency reviews these reports and confirms the accuracy of the data by signature of the local system manager. This quarterly confirmation of accuracy is kept on file by the Local Lead Agency and is made available to the DMHMRSAS upon request.
Annually, the Local Lead Agency provides written verification (signed by the local system manager) to the State Lead Agency of the data accuracy based on the quarterly review of ITOTS reports.	01/10/08	To meet the federal reporting requirements related to child count and child-specific data and to meet the federal requirement for verification of accuracy.	Child count and other required child-specific data must be submitted to OSEP annually. This data will also assist with state and local planning, accountability, compliance and systems improvement.

Data/ Information Requirement	Due Date	Purpose for Collecting this Data	How This Data will be Used
Personnel Verification Form (Attachment D)	01/10/08	To document compliance with federal personnel requirements.	This information is used by DMHMRSAS and the local lead agency to monitor compliance with Part C personnel standard, including progress toward meeting highest standard for those persons hired without the required qualifications.
Revised local policies and procedures.	Any time substantive changes are made to the local policies and procedures and prior to implementation of those changes.	Compliance with federal and state regulations governing Part C.	Compliance and accountability at the local level for the provision of early intervention services.
Data mandated by the Virginia General Assembly under 2006 Appropriation Act, Item 312 (K) including the following: (a). Total revenues by funding source used to support Part C services provided by local Part C system, including all local Part Providers. (b). Total expenses for all Part C services provided by	To be reported on the Budget/Expenditure Form with the 10/01/08 submission of the report.	Mandated by the Virginia General Assembly as 2006 Appropriation Act, Item 312 (K) following allocation of additional Virginia General Funds.	This data must be submitted to the General Assembly annually beginning October 2005. This data will also assist with state planning and systems improvement.

Data/ Information Requirement	Due Date	Purpose for Collecting this Data	How This Data will be Used
<p>local Part C system, including all local Part C providers.</p> <p>(c). The services provided to those infants, toddlers and families.</p>			
<p>Revisions of the local mechanism for providing oversight of local service delivery trends.</p>	<p>Any time substantive changes are made to the mechanism and prior to implementation of those changes</p>	<p>To ensure that revised local mechanisms provide reasonable oversight of local service delivery trends and foster provision of supports and services in accordance with <i>Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places</i>. On the web at: http://www.infantva.org/documents/pr-SupportandServices.pdf.</p>	<p>Local systems will provide oversight of local service delivery trends to help move the local system forward in adopting the practices outlined in the <i>Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places</i>.</p>
<p>Annual Local Record Review</p>	<p>August 31, 2007</p>	<p>A component of the state monitoring and supervision system and a requirement of the State Performance Plan as required by OSEP, that samples records and looks at the following data: determining whether supports and services listed on the IFSP begin in a timely manner following IFSP development; transition..</p>	<p>Reporting to OSEP on the progress of the Infant & Toddler of Virginia as outlined in the State Performance Plan and monitoring and supervision by the state lead agency to ensure compliance with the federal and state Part C requirements.</p>