

1. EARLY SUPPORT SERVICES PROVISION

a. Scope of Work:

- (1) The Subcontractor must provide the Early Support Services, in accordance with [Sec. 303.13 Early Intervention Services - Individuals with Disabilities Education Act](#), and qualified personnel; and otherwise all things reasonably necessary for, or incidental to, the performance of the work, as set forth. The Subcontractor's responsibilities include, but are not limited to:

b. Internal Policies and Procedures:

- (1) The Subcontractor must establish and implement written internal policies and procedures, within ninety (90) calendar days of contract execution, that comply with Federal and State requirements, including WACs and DCYF program policies and procedures. These internal policies and procedures must be on hand and available upon request and must include but not be limited to the following:
 - (a) Enrollment process (e.g. child find and public awareness, referral, screening, evaluation and assessment, and Family Resource Coordination).
 - (b) ESIT service provision (e.g. timely service provision, natural environments, evidence-based and/or promising practices, twelve (12) month services, transition).
 - (c) Procedural safeguards (parent rights, prior written notice, consent, confidentiality) and dispute resolution requirements.
 - (d) Personnel (e.g. maintaining adequate staffing, providing Clinical Supervision, ensuring compliance with personnel standards, personnel development [training and technical assistance], Conflict of Interest, and background checks).
 - (e) Data Management
 - (f) Administrative and fiscal management of the agency including effective internal controls and accountability over funds and property. The internal written procedures must ensure all expenditures conform to the terms and conditions of the contract as well as generally accepted accounting principles.

2. ENROLLMENT PROCESS

a. Child Find and Public Awareness: The Subcontractor must:

- (1) Participate in child find and public awareness activities, including disseminating the DCYF approved public awareness materials and participating in child find events, as outlined in the Local Early Support Services Collaboration Plan with a focus on unserved and underserved areas.
- (2) Document completed child find/public awareness activities and submit to the Contractor and DCYF upon request.
- (3) Participate in the annual review of the Contractor's County and Statewide child find data and public awareness activities and contribute to the Local Early Support Services Collaboration Plan Child Find/Public Awareness activities as appropriate to ensure targeted identification of unserved and underserved populations.
- (4) Participate in the development of local public awareness materials

- b. Referral: The Subcontractor must:
- (1) Respond to all referrals
 - (2) Within three (3) business days of receipt of the referral, a designated qualified ESIT Service Provider (FRC or Intake Coordinator) must contact the family.
 - (3) Within three (3) business days, enter all referrals received into the DMS, including the status of the Referral indicating the family's informed decision to accept or decline. The referral date is the date the referral was received by the ESIT Provider Agency or Central Intake for the service area, whichever is earlier.
 - (4) Within five (5) business days of the family's consent to participate in Early Support Services, assign an FRC to the family.
 - (5) At least one (1) day prior to the FRC's first visit, assign an FRC in the DMS
 - (6) Submit upon request, to the Contractor and DCYF, documentation that a qualified ESIT service provider (FRC or Intake Coordinator):
 - (a) Provided and reviewed Parent Rights with the parent(s)/guardian(s), and
 - (b) Obtained written documentation of the family's informed decision to accept or decline participation in Part C of IDEA for all Referrals.
- c. Teaming: The Subcontractor must:
- (1) Use multidisciplinary teaming practices regarding conducting evaluations and assessments, completing child outcome measurement ratings, developing IFSPs and conducting IFSP reviews, and in providing coordinated IFSP services in accordance with the DCYF ESIT program recommended practices.
- d. Screening, Evaluation, and Assessment: The Subcontractor must:
- (1) Conduct screenings, and evaluations and assessments in accordance with:
 - (a) 34 CFR 303.321 Part C of IDEA
 - (b) DCYF ESIT Program Policies and Procedures
 - i. <https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/policies-procedures>
 - ii. Developmental Screening-Appropriate Use:
 - iii. <https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/contract-materials>
 - iv. ESIT Practice Guidance:
 - v. <https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>
 - vi. Qualified Personnel Guidelines:
 - vii. https://www.dcyf.wa.gov/sites/default/files/pdf/esit/Qualified_Personnel_Guidelines.pdf
 - (2) Conduct an initial family directed assessment, with concurrence of the family, to identify the family's strengths, resources, priorities, and concerns, and supports necessary to enhance the family's capacity to meet the developmental needs of the child and update annually.
 - (3) Conduct an initial evaluation to determine eligibility and initial assessment of the child's unique strengths and needs to identify appropriate Early Support Services to meet the developmental needs of the child.

- (a) Evaluation and assessment must be:
 - i. Multidisciplinary, defined as completed by qualified professionals representing at least two (2) disciplines, using two (2) tools/procedures.
 - ii. Comprehensive, covers all developmental domains, and includes the use of the Three Prong Approach protocol for vision and hearing for initial evaluation and ongoing annual assessments.
 - (4) Conduct ongoing assessments to identify progress/change in child and family's needs and to inform periodic IFSP reviews and annual IFSP meetings.
 - (5) Conduct a re-evaluation to determine ongoing eligibility if at any point during the provision of Early Support Services, the IFSP team determines that the child may no longer be eligible for Part C of IDEA services, the IFSP team must decide whether additional evaluations are warranted to establish continued eligibility for the Part C of IDEA program.
 - (6) Use current evaluation and assessment data to develop the child outcome summary of functional performance and select child outcome summary descriptor statements for the three (3) global outcome areas at entry and exit. Families must be included in this process using the Decision Tree.
 - (7) Within ten (10) business days of the event, enter eligibility information into the DMS including children referred and found not eligible.
 - (8) Within ten (10) business days, enter COS information into the DMS.
- e. Timely IFSP Meetings and Service Provision: The Subcontractor must:
- (1) Invite IFSP team members, as outlined in Part C of IDEA and the DCYF ESIT program policies and procedures, to participate in the following IFSP meetings and conduct these meetings:
 - (a) An initial IFSP meeting to develop an initial IFSP for children who are determined eligible for Part C of IDEA, within forty-five (45) calendar days of Referral.
 - (b) An IFSP review at least every six (6) months or more frequently if warranted.
 - (c) An annual IFSP meeting to evaluate the IFSP within 365 calendar days of the initial IFSP.
 - (d) An IFSP meeting to develop a transition plan for every child. This meeting can be combined with any IFSP meeting
 - (e) A transition conference for children potentially eligible for Part B, unless declined by the family, at least ninety (90) days prior to the child's third (3rd) birthday. This meeting can be combined with any IFSP meeting.
 - (2) For late referrals, refer to the "Late Services – Provision and Documentation – ESIT Practice Guide":
<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>
 - (3) Engage all families in the Entry and Exit COS process utilizing the Decision Tree as described in the DCYF Child Outcome Summary Process: Engaging Families in a Meaningful Way Practice Guide:

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>

- (4) Collect data to account for the reasons for delays, including exceptional family circumstances, impacting the timeliness of IFSP meetings as outlined in the ESIT program policies and procedures and the Late Services – Provision and Documentation Practice Guide.
- (5) Develop the initial and annual IFSP and revise the IFSP as needed based on decisions made at IFSP meetings, in accordance with ESIT program policies and procedures and all required components of the IFSP as outlined in the IFSP Reviews Practice Guide:

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>

f. Family Resources Coordination (FRC): The Subcontractor must:

- (1) Hire sufficient personnel to respond to Referrals and provide FRC services within a maximum caseload ranging from forty-five (45) to fifty-five (55) active IFSPs per 1.0 full-time equivalent (FTE) performing core service coordination activities and functions in accordance with ESIT Policy and Procedures. Caseload must be adjusted proportionately when FRC is assigned other duties. In no case, can an FRC caseload exceed fifty-five (55) for more than sixty (60) days without an exception to policy waiver submitted to the DCYF for approval.
- (2) Ensure all FRCs hold a current ESIT Credential in accordance with the following document titled FRC Credential Guidance:
<https://www.dcyf.wa.gov/services/early-learning-providers/qualifications/esit/training>
- (3) Ensure service coordination is listed on every child's IFSP
- (4) Ensure service coordination activities are documented in the child's file or DMS.
- (5) Support the FRC as an integral team member in the provision of Early Support Services along with other ESIT service providers.
- (6) Carry out all FRC activities as outlined in the DCYF ESIT policies and procedures, and 34 CFR 303.34 including but not limited to providing parent rights and procedural safeguards, facilitating IFSP meetings, coordinating Early Support Services, assisting families in accessing community resources, etc.

g. Early Support Service Provision:

- (1) Timely Service Provision in Accordance with the IFSP: The Subcontractor must:
 - (a) Provide all Early Support Services as outlined on each child's IFSP (e.g. frequency, intensity, length, and duration) and use effective teaming practices to meet the developmental needs of the child and the needs of the family related to enhancing their child's development.
 - (b) Ensure each child's IFSP is complete and provide a monthly service (which includes family resources coordination) for funding to be available to cover the cost of Early Support Services.
 - (c) Initiate Early Support Services within thirty (30) calendar days of the parent's signature or on or before the planned start date on the IFSP.

- (d) Document late other and exceptional family circumstances, impacting the timeliness of initiating IFSP services as outlined in the DCYF program policies and procedures and the Late Services – Provision and Documentation Practice Guide:

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>

(2) Natural Environments: The Subcontractor must:

- (a) Provide all Early Support Services in natural environments as documented on the IFSP unless a justification is provided as to why the child's outcome cannot be met in a natural environment, including a plan to return Early Support Services to a natural environment. The plan must address a limited time period for providing Early Support Services in a setting other than a natural environment as outlined in the DCYF policies and procedures and Natural Environments Practice Guide:

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>

(3) Evidence-based Practices: The Subcontractor must

- (a) Use evidence-based and/or promising practices from practitioner's professions that meet the needs of children and families and promote and strengthen the capacity of parents and other caregivers to provide everyday learning opportunities for their child and increase child participation in daily activities and family routines.
- (b) Use Family Centered, Coaching and Teaming practices to meet the needs of children and families and promote and strengthen the capacity of parents and other caregivers to provide everyday learning opportunities for their child and increase child participation in daily activities and family routines as described in the ESIT Guiding Concepts:

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/practice-guidance>

(4) Transition: The Subcontractor must:

- (a) Hold an IFSP meeting to establish a transition plan not fewer than 90 days, and, at the discretion of all parties, not more than nine months, before a child's third birthday for every child with an IFSP.
- (b) Hold a transition conference for every child determined to be potentially eligible for Part B services, unless declined by the child's family:
 - i. No later than ninety (90) days prior to the child's third (3rd) birthday and, at the discretion of all parties, not more than 9 months before the child's third birthday.
 - ii. If timely notification is provided and Part B does not respond or fails to attend the transition conference, the provider agency must still hold the transition conference and develop or revise the transition plan.
 - iii. For those children determined not potentially eligible or those who have opted-out of the notification to Part B, reasonable efforts must be made to convene a transition conference among

the ESIT Provider Agency, family, and providers of other appropriate services for the child.

- iv. The IFSP meeting to develop a transition plan and the transition conference can be held together.
- (c) Identify children who are potentially eligible for Part B services or who have opted-out of the Part B notification in the DMS.
- (d) Notify the Resident School District of potentially eligible children at 32 months of age unless the family has opted-out. Notification must include:
 - i. Child's First, Last, and Middle Initial
 - ii. Date of Birth
 - iii. Resident School District
 - iv. Parent Contact Information
 - v. FRC Contact Information
- (e) Notify the Resident School District when a potentially eligible child's family declines the transition conference, after the notification has been sent, for Part B services.
- (f) Ensure that when a family has opted-out of the notification to Part B, no information is sent to the resident school district.

3. PROCEDURAL SAFEGUARDS AND DISPUTE RESOLUTION

- a. Procedural Safeguards: The Subcontractor must implement all procedural safeguards requirements in accordance with the DCYF ESIT policies and procedures:
<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/policies-procedures>
- b. Parent Rights: The Subcontractor must share and explain the Part C of IDEA Procedural Safeguards: Parent Rights with parents of each child referred to Early Support Services at all required junctures in the enrollment and service delivery process. Parent Rights must be provided in the parent's native language or mode of communication, unless clearly not feasible to do so.
<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/forms-publications>
- c. Prior Written Notice: The Subcontractor must provide Prior Written Notice (PWN) no less than seven (7) business days in advance, unless it is documented that a different timeframe best meets the family's needs, prior to proposing or refusing to initiate or change the identification, evaluation, service setting, or the provision of appropriate Early Support Services. The PWN must be in the parent's native language or mode of communication, unless clearly not feasible to do so.
<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/forms-publications>
- d. Parent Consent:
 - (1) The Subcontractor must obtain written parental consent prior to:
 - (a) Conducting screening.
 - (b) Conducting evaluation and assessment.
 - (c) Providing Early Support Services.
 - (d) Releasing personally identifiable information.

- (e) Using TRICARE, or private insurance to pay for Early Support Services, including initially and each time there is an increase in frequency, intensity, length, or duration.

e. Confidentiality:

(1) The Subcontractor must:

- (a) Protect the confidentiality of any personally identifiable data, information and records collected, maintained, or used in accordance with IDEA requirements and HIPPA standards.
- (b) Maintain a written record of parties obtaining access to records collected, obtained, or used under Part C of IDEA (except access by parents and authorized employees of the Contractor or provider), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the child's record.
- (c) Ensure Telehealth services meet HIPAA compliance standards.

f. Dispute Resolution:

(1) The Subcontractor must:

- (a) Attempt to resolve a dispute with any party at the lowest possible level and if the dispute is unable to be resolved support the grieved party in understanding and requesting a formal dispute resolution option.
- (b) Maintain records of all information received related to both informal and formal disputes and complaints, how they were resolved and submit to DCYF upon request.

4. PERSONNEL

a. Adequate Staffing: The Subcontractor must:

- (1) Ensure adequate levels of qualified ESIT Service Providers and Subcontractors from various disciplines as outlined in the DCYF Qualified Personnel Guidelines to be available as part of a multi-disciplinary team to evaluate and assess all children referred and provide all IFSP services for each eligible child.
- (2) Ensure that a plan is in place to assure there is no break in FRC services.
- (3) Provide supervision of practitioners through the following functions: direct observations of service delivery; review of child/family records; performance appraisals of practitioners; and training/technical assistance of practitioners and other applicable ESIT Service Providers and Subcontractors.

b. Personnel Standards: The subcontractor must maintain current copies of each ESIT Service Provider and subcontractor's license or certification and ESIT Credential, to ensure that those individuals conducting evaluation and assessment and/or providing Early Support Services to eligible children and families meet all applicable state licensure and certification standards and requirements in accordance with the *Qualified Personnel Guidelines*, unless an exemption has been approved by the DCYF.

<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/training>

c. Personnel Recruitment and Retention: The Subcontractor must:

- (1) Have a comprehensive plan for recruitment and retention of ESIT Service Providers.
- (2) Make positive efforts to employ and advance employment of qualified individuals with disabilities.

- (3) Inform DCYF of any personnel shortages or staffing changes.
 - (4) Jointly develop recruitment and retention strategies with DCYF, when needed.
 - (5) Implement innovative strategies and activities for the recruitment and retention of ESIT Service Providers;
 - (6) Promote and financially support the preparation of ESIT Service Providers who are fully and appropriately qualified to provide Early Support Services.
- d. Personnel Development/Training and Technical Assistance: The Subcontractor must:
- (1) Ensure new ESIT program Coordinators request and complete orientation, from the DCYF ESIT program before the end of the Contract period.
 - (2) Ensure ESIT Service Providers have a training plan that includes required trainings and ongoing mentorship of direct service staff who are fully and appropriately qualified to provide Early Support Services.
 - (3) Ensure all ESIT Service Providers create an account within the DCYF Training Portal: <https://dcyftraining.com>
 - (4) Ensure ESIT Provider Agency staff, ESIT Service Providers and Subcontractors complete required training through the DCYF training portal in accordance with Training and Credential Requirements:
<https://www.dcyf.wa.gov/services/child-dev-support-providers/esit/training>.
 - (5) Maintain at least one training contact with an account in the DCYF Learning Management System to track training completion for staff.
 - (a) Complete the following form to request access for a new training contact:
<https://app.smartsheet.com/b/form/fc026826ba22476cb03a1e5e259196f5>
 - (b) Disseminate information about ongoing professional development opportunities offered by the DCYF ESIT as advertised on the DCYF website, ESIT Weekly, Training Tidbit Tuesday Newsletter, and other communications.
 - (6) Access and provide training and TA support using:
 - (a) DCYF developed resources (e.g. practice guides, clarification memos) and the DCYF developed training materials to support understanding and implementation of Part C of IDEA requirements and the use of evidence-based and/or promising practices as appropriate.
 - (b) External resources to support understanding and implementation of Part C of IDEA requirements and the use of evidence-based and/or promising practices including but not limited to Promoting First Relationships (PFR), Home Visiting Rating Scale (HOVRS), and Parent Coaching methodologies.
 - (7) Provide employee orientation training on current DCYF ESIT policies, procedures, and other guidance documents.
 - (8) Disseminate the DCYF resource materials to ESIT Service Providers and Subcontractors and invite participation in other training and technical assistance opportunities.
 - (9) Seek DCYF approval prior to adapting any DCYF provided forms/publications.
 - (10) Submit new and revised training and guidance materials developed using sources outside of the DCYF provided materials to the Contractor for DCYF

review and final approval at least 30-days prior to use or as soon as possible for urgent or emergent events.

(11) Upon request, participate in the development and review of statewide guidance materials.

e. Conflict of Interest: The Subcontractor must

(1) Monitor ESIT Service Provider's and Subcontractor's status related to Conflict of Interest in collaboration with the DCYF.

(2) Ensure that ESIT Service Providers and Subcontractors avoid a Conflict of Interest or the appearance of a Conflict of Interest, including but not limited to the abstention from soliciting families enrolled in Early Support Services for private business or personal economic gain. For example:

(a) ESIT Provider Agencies, Service Providers, and Subcontractors cannot make a unilateral decision to serve children ages 0-3 in private therapy without documenting that a parent has met with a qualified ESIT Service Provider (FRC or Intake Coordinator) and made an informed decision about declining participation in Early Support Services, including receiving their Parent Rights.

(b) ESIT Provider Agencies and Subcontractors cannot make a unilateral decision to serve children ages 0-3, without first referring the child to the ESIT Provider Agency serving the child's Resident School District Catchment Area. If a parent chooses to enroll with an ESIT Provider Agency outside their service area, documentation must be provided, upon request, that:

- i. The parent met with a qualified ESIT Provider Agency staff from the child's Resident School District Catchment Area (FRC or Intake Coordinator), and
- ii. Made an informed decision about declining participation in Early Support Services, including receiving their Parent Rights, and/or
- iii. Obtained approval from DCYF of an exception based on a family's unique needs or circumstances or the Child's Resident School District ESIT Provider Agency capacity. This exception allows the ESIT Provider Agency in the out of service area to bill for applicable DCYF funding.

f. Background Checks:

(1) The Subcontractor must conduct and keep on file background criminal history clearance at least once every three years for all employees, Subcontractors and/or volunteers who may have unsupervised access to children in accordance with state legal requirements for background checks, as defined in:

(a) RCW 43.43.830 through 43.43.840

<https://app.leg.wa.gov/RCW/default.aspx?cite=43.43>

(b) Chapter 110-06 WAC:

<https://app.leg.wa.gov/wac/default.aspx?cite=110-06&full=true>

g. Local Early Support Services Collaboration Plan:

(1) The Subcontractor must facilitate or participate in the develop and annual review of a Local Early Support Services Collaboration Plan or Local Strategic Plan to ensure high quality, equitable Early Support Services that addresses:

(a) Early Support Services Accountability

- (b) Child Find, Outreach, and Referral Activities
- (c) Evaluation and Assessment
- (d) Family Resources Coordination
- (e) Transition responsibilities with Resident School Districts and other early childhood partners (e.g. Head Start, ECEAP, etc.),
- (f) Dispute resolution procedures for grievances and formal complaints among local agencies.
- (g) Signatures of participants
- (h) The plan must;
 - i. Include Service Area Agreements, as necessary to ensure that no child and family goes unserved or to delineate service area coverage when there is more than one ESIT Provider Agency serving an identified Resident School District Catchment Area as outlined in the document titled *Service Area Agreement Guidance*. Be reviewed annually, and changes submitted to the Contractor in accordance with the document titled *Local Early Support Services Collaboration Plan*.
 - A. Signatures for reviews are not required
 - B. Maintain documentation that collaborators were involved in the review and provide to the Contractor and DCYF upon request.

h. Regional/County/Local Early Childhood Interagency Coordinating Council: The Subcontractor must:

- (1) Participate in or support a Regional/County/Local Early Childhood Interagency Coordinating Council (CICC), or Early Learning Coalition (ELC) within the county/geographic Early Support Services area, to advise and assist the Contractor in the implementation of local Early Support Services in accordance with RCW 43.216.574 and in collaboration with other applicable advisory committees and early learning coalitions.
- (2) Participate in meetings as outlined in the document titled *Regional-County-Local Early Childhood Interagency Coordinating Council*:
<https://www.dcyf.wa.gov/services/child-dev-support-providers/ESIT/contract-materials>
- (3) Maintain documentation (e.g. minutes, sign-in sheet) of participation in CICC/ELC meetings.

i. Agency Administration and Management: The subcontractor must:

- (1) Ensure there are sufficient administrative personnel with necessary expertise to manage and operate the agency and provide oversight of any Subcontractors to ensure compliance with state and federal requirements.

j. Contract Monitoring and Quality Assurance: The subcontractor must:

- (1) Participate in the Contractor's and DCYF's quality assurance activities to be proactive with program improvement and compliance. This includes review of DMS data, internal record reviews, and other strategies as deemed appropriate to identify and to initiate steps to mitigate any potential performance and/or compliance issues.

- (2) Comply with results of state level monitoring activities as part of the general supervisory authority of the DCYF
 - (a) Participate in data collection, compliance, fiscal, and quality reviews to ensure compliance with Part C of IDEA and Washington State's State Performance Plan/Annual Performance Report compliance and performance indicators, provision of quality Early Support Services, use of evidence-based and/or promising practices as appropriate and to support overall program improvement.
 - (b) Participate in training and TA identified in the DCYF Determination Levels Actions and Supports Rubric, approved improvement plan, and corrective action plan related to the DCYF monitoring that address root causes impacting compliance and/or performance.
 - (c) Participate in the ESIT Statewide Integrated Monitoring System (E-SIMS) and quality assurance activities conducted by the DCYF that include but are not limited to:
 - i. Systems Analysis Program Reviews
 - A. Fiscal Integrity Reviews
 - B. Dispute Resolution
 - C. Child and Family Record Reviews
 - (d) In collaboration with the Contractor and DCYF, develop and implement a Local System Improvement Plan that address the following:
 - i. Performance Based Contracting Quality and Outcome Measures
 - ii. Determinations
 - iii. ESIT Provider Agency identified training and technical assistance activities.
 - iv. Non-compliance
 - (e) In Collaboration with the Contractor and DCYF, use data to progress toward improvement and/or compliance.
 - (f) Participate in monitoring activities that include but are not limited to:
 - i. Fiscal Indicator Verification
 - ii. Single Monthly Count Verification
 - iii. A-19-1A Invoice Verification
 - iv. Payor of Last Resort Verification
 - v. System of Payments and Fees Verification
 - vi. Contract Deliverables Verification
 - vii. Services Delivered Verification,
 - viii. Correction of non-compliance
 - (g) Provide a right of access to its facilities to DCYF, personnel authorized by DCYF, or to any other authorized agent or official of the State of Washington or the federal government at all reasonable times in order to monitor and evaluate performance, compliance, and/or quality assurance under this Contract. DCYF will work with Contractor to determine a mutually acceptable date.

- (h) If DCYF (a) encounters non-compliance with the terms outlined in this Contract on the part of the Contractor, or (b) is not satisfied with the quality of the Contractor's work, DCYF will make a reasonable attempt to assist Contractor with technical assistance to resolve issues that impede quality and compliance. In the event that compliance and/or quality issues are not resolved through standard technical assistance, Contractor will be engaged in corrective action through the development of a Local System Improvement Plan.
- k. Technical Assistance and Training for Continuous Quality Improvement and Compliance: The Subcontractor must identify technical assistance and training needs and access these supports to enhance program improvement and ensure compliance. This should occur following both internal quality assurance activities as well as participation in DCYF monitoring and continuous quality assurance activities.

5. DATA/DOCUMENTS/RECORDS

- a. DMS: The Subcontractor must:

- (1) Enter accurate, valid, and reliable data in the DMS no later than ten (10) business days following an event and in no case later than the tenth (10th) of the following month.
- (2) Enter the following required data in the DMS to maintain each child's Part C of IDEA electronic record:
 - (a) All Referrals;
 - (b) All evaluations/assessments;
 - (c) All eligibility criteria;
 - (d) IFSPs, including documenting late other and exceptional family circumstances, if required, in accordance with the "Late Services – Provision and Documentation" ESIT Practice Guide" resulting in delay in holding:
 - i. Timely IFSP meetings (e.g. Initial IFSP meeting within forty-five (45) calendar days from Referral;
 - ii. IFSP review at least once every six (6) months or more frequently as needed;
 - iii. Annual IFSP within 365 calendar days of initial IFSP),
 - iv. IFSP amendment when adding or changing Early Support Services, including frequency, intensity, or duration;
 - v. An IFSP meeting to develop a transition plan, for every child with an ISFP, at least ninety (90) days prior to the child's third (3rd) birthday;
 - vi. A transition conference for every child determined potentially eligible for Part B services, unless declined by the family, at least ninety (90) days prior to the child's third (3rd) birthday;
 - (e) Initiation of Early Support Services within thirty (30) calendar days of the parent's signature, or on or before the planned start date, including documenting programmatic reasons and exceptional family circumstances resulting in reasons for delay; and
 - (f) Child Outcome Summary (COS) entry and exit data reporting.
 - (g) Transition activities:

- i. Transition steps and services in the IFSP transition plan for all children receiving early support services;
 - ii. Potential eligibility for Part B services in the DMS, unless the parent has opted out.
 - A. Parents' informed decision to Opt-out of the transition notification to the State Education Agency and Resident School District.
 - B. Date transition conference was held or declined, for all children determined potentially eligible for Party B Special Education Preschool and/or Related Services.
 - (3) Enter ESIT Service Provider data into the DMS to maintain a current list of all ESIT Service Providers and Subcontractors
 - (4) Ensure all ESIT Service Providers and Subcontractors using the DMS receive the required training before assuming these duties and that they are subscribed to the DMS GovDelivery.
 - (5) Enter all early support service(s) provided to each child monthly into the DMS or an Electronic Medical Record with direct connection to the DMS no later than the tenth (10th) of the following month, when made available by DCYF, in accordance with Chapter 43.216 RCW (HB 1661).
- b. Use of Data: The Subcontractor must use DMS data reports and functions for:
- (1) Monitoring timelines and compliance.
 - (2) Internal quality assurance purposes including program improvement.
 - (3) Managing caseloads and staffing.
 - (4) Informing financial planning and fiscal management.
- c. Other Documentation and Reporting: The Subcontractor must:
- (1) Annually submit to the Contractor Statewide Directory- Contract Contact information
 - (2) Exit children from the DMS by documenting and submitting to the DCYF, upon request, the following:
 - (a) For children who are referred but do not yet have an IFSP, a child's record can be closed after three (3) failed attempts using at least two (2) different means of communication over a period of at least ten (10) business days.
 - (b) Exit all children who have a current IFSP and are lost to Early Support Services after a maximum of ninety (90) days from the DMS after three (3) failed attempts on multiple days using at least two (2) different means of communication made over at least ten (10) business days.
- d. Service Provision: The Subcontractor must:
- (1) Register for and participate in scheduled DMS training and technical assistance sessions to learn how to document the provision of Early Support Services provided as indicated on an active IFSP monthly for or on behalf of a child/family. Training and technical assistance sessions will require inputting a representative sampling of child/family service delivery information to practice and demonstrate efficiency with the new service delivery tracking and reporting features.

- (2) Maintain documentation of the provision of Early Support Services provided as indicated on an active IFSP monthly for or on behalf of a child/family within its existing child/family recordkeeping system. Documentation of the Early Support Services provided as indicated on an active IFSP in an existing child/family recordkeeping system must be made available upon request to DCYF.

e. System of Payment and Fees (SOPAF): The Subcontractor must:

- (1) Maintain documentation supporting the implementation of the SOPAF policy and procedures for each child receiving Early Support Services related to but not limited to:
 - (a) Receipt of Procedural Safeguards, including parent rights
 - (b) Permission to bill public and/or private insurance
 - (c) Determination of Ability and Inability to Pay
 - (d) Billing families' co-pays, co-insurance, deductibles, and monthly participation fees
 - (e) Approval of hardship exemptions
 - (f) Updating the SOPAF form annually or as required to document changes in:
 - i. Insurance Coverage
 - ii. Income
 - iii. Expenditures
 - iv. Increase in Frequency/Intensity/Duration of Services

f. Record Retention: The Subcontractor must:

- (1) Retain child records, electronic, digital, and/or paper, for six (6) years from when it was last in effect or the termination of the DCYF contract, whichever is later. Records must meet Secretary of State Standards

<https://www.sos.wa.gov/archives/recordsmanagement/managing-state-agency-records.aspx>

- (a) Records, electronic, digital, and/or paper, must be destroyed at the request of the parent. Destruction means to "physically destroy the record or ensure that personal identifiers are removed from a record so that the record is no longer personally identifiable.
- (b) A permanent record, electronic, digital, and/or paper, of a child's name, date of birth, parent contact information (including address and phone number), names of service coordinator(s) and ESIT service provider(s) and exit data (including year and age upon exit, and any programs entered into upon exiting) may be maintained without time limitation.
- (c) Submit to ESIT.Reports@dcyf.wa.gov, the Certification of Data Disposition form, within fifteen (15) calendar days of the destruction of records e.g. electronic, digital, or paper.

g. Inventory: The Subcontractor must:

- (1) Submit a written request for pre-approval to the Contractor for the purchase of all assets with a unit cost (including ancillary costs) of at least \$5,000 or greater.

- (2) Maintain a list of all inventory purchased in whole or in part with the DCYF funds with unit costs of at least \$500 or greater, including;
 - (a) Computer systems, software, laptop and notebook computers, and other approved office equipment.
 - (b) Communications and audio-visual equipment.
 - (c) Cameras and photographic projection equipment.
 - (d) Therapy appliances.
 - (e) Other assets identified by the Contractor as vulnerable to loss.
 - (f) Include the following in the inventory list and supporting records, if applicable:
 - i. Description of the asset; Manufacturer or trade name;
 - ii. Quantity;
 - iii. Serial number;
 - iv. Inventory control number;
 - v. Contractor's acquisition date;
 - vi. Order number from purchasing document;
 - vii. Total cost or value at time of acquisition;
 - viii. Ownership status, for example if shared by multiple funding sources;
 - ix. Depreciation for capital assets;
 - x. Location of item;
 - xi. Useful life, in years; and
 - xii. Disposal date, method, and salvage value.

h. Treatment of Assets

- (1) The Subcontractor holds title to equipment purchased in whole or in part with the DCYF funds.
- (2) The Subcontractor must request approval from the DCYF prior to selling or disposing of equipment from the Subcontractor's Inventory List, and the DCYF must have the option of recapturing the equipment.
- (3) If the DCYF gives approval for the Subcontractor to sell the DCYF equipment, the Subcontractor shall use the income for Early Support Services.
- (4) If a Subcontractor ceases provision of Early Support Services, the Subcontractor must transfer title and return to the DCYF any equipment purchased all or in part with the DCYF funds or the proceeds from current market-value sale of such equipment, at the DCYF's discretion.
- (5) If a Subcontractor ceases provision of Early Support Services at a site or Subcontractor, the Contractor must transfer equipment purchased all or in part with the DCYF funds, or the proceeds from current market value sale of such equipment to another the DCYF site or return it to DCYF.
- (6) Any property funded by the DCFY, Part C of IDEA funds must, unless otherwise provided herein or approved by the DCYF, be used only for the performance of this Contract.

6. OTHER REQUIREMENTS

- a. Subcontractor Communication with the DCYF: The Subcontractor must:

- (1) Participate in the DCYF web-based meetings, as requested.
- (2) Attend mandatory Statewide and Regional Provider meetings, as designated by the DCYF.
- (3) Participate in technical assistance and continuous quality improvement activities with the DCYF Program Staff, as requested.
- (4) Sign up to receive ESIT communications e.g. ESIT Weekly, Training Tidbit Tuesday Newsletter, etc.
- (5) Inform the DCYF Accountability & Quality Improvement Manager immediately of:
 - (a) Any serious issue that impacts Early Support Services for the DCYF.
 - (b) Any serious issue that has potential for media coverage.
 - (c) A charge or conviction against an ESIT Service Provider and subcontractor for a disqualifying crime under WAC 110-06-0070:
<https://apps.leg.wa.gov/WAC/default.aspx?cite=110-06-0070>

a. Outcome measure activities: The Subcontractor must participate in outcome measure activities, as requested by the DCYF to help achieve the following long-term child and family outcomes, with a focus on building partnerships, using data to learn and improve, and advancing racial and social justice equity:

- (1) Expected child outcomes of the DCYF are:
 - (a) Positive social-emotional skills (including positive social relationships),
 - (b) Acquisition and use of knowledge and skills (including early language/communication), and
 - (c) Use of appropriate behaviors to meet their needs
- (2) Expected Family outcomes are:
 - (a) Know their rights,
 - (b) Effectively Communicate their child's needs, and
 - (c) Help their child develop and learn

b. Performance-Based Contracting (PBC): The Subcontractor must do the following:

- (1) Certify monthly that Early Support Services were provided to all children with an active IFSP, as submitted for billing.
- (2) Participate in universal training as well as targeted and tailored technical assistance as may be needed, when provided by the DCYF
- (3) Ensure that all ESIT service(s) provided to each child monthly are entered into the DMS or an Electronic Medical Record with direct connection to the DMS no later than the tenth (10th) of the following month, when made available by DCYF, in accordance with Chapter 43.216 RCW (HB 1661).
- (4) Participate in the develop a Local System Improvement Plan to address any unmet statewide targets for the performance Indicators as identified in the State Performance Plan/Annual Performance Report and reported on the annual Provider Agency Data Profile.
- (5) Comply with the document titled *ESIT PBC Logic Model*.

- c. In-person Services: The Subcontractor must offer and provide in-person early support services in accordance with the following:
- (1) ESIT Multi-Stage Framework for Reentry to In-person Services outlined on the DCYF COVID ESIT webpage.
 - (2) Local health jurisdictions, Washington State Department of Health (DOH) and Centers for Disease Control and Prevention (CDC) guidance.
- d. Mandatory Reporters: The Subcontractor must ensure that ESIT Service Providers and Subcontractors understand they are mandatory reporters of abuse and neglect involving children and vulnerable adults, in accordance with Chapter 26.44 RCW, and vulnerable adults, in accordance with Chapter 74.34 RCW and participate in training, as needed.

[Mandatory Reporting of Child Abuse and Neglect | Washington State Department of Children, Youth, and Families](#)

- e. Subcontracting
- (1) Upon approval by the Contractor and DCYF, the Subcontractor may subcontract with ESIT Service Providers to ensure comprehensive Early Support Services are available.
 - (2) The Subcontractor must adhere to requirements outlined in this contract when subcontracting and must notify the Contractor of any subcontract changes.
 - (3) In addition, the Subcontractor must:
 - (a) Submit drafts of all subcontracts and agreements regarding the provision of Early Support Services regardless of source of funds to the Contractor for approval by DCYF prior to implementing the subcontract.
 - (b) Ensure Subcontractor services are delivered according to Part C of IDEA and this Statement of Work.
 - (c) Ensure subcontractors providing more than one (1) type of direct Early Support Service, completes an Annual Fiscal Workbook - Budget Projection and an ESIT Revenue and Expenditure Year-End Report, approved by the Contractor and submitted to DCYF by September 30.
 - (d) Ensure audit and monitoring results are available upon request.
 - (e) Demonstrate ESIT Service Providers are meeting all requirements as outlined in this Statement of Work.
 - (f) Subcontracts must include all language from this Contract including:
 - i. A detailed division of responsibilities between the Subcontractor and Contractor.
 - ii. A list of deliverables the Subcontractor must submit to the Contractor, with due dates.
 - iii. Language that the Subcontractor must implement a plan to remedy noncompliance with the terms and conditions of the Subcontract, found during a monitoring process.

7. FISCAL

- a. Part C of IDEA Fiscal Requirements: The Subcontractor must maintain a financial management system that ensures federal Part C of IDEA funds are used in accordance with IDEA requirements including but not limited to:

b. Prohibition Against Supplanting:

- (1) The Subcontractor must not commingle Federal Part C of IDEA funds with other funds.
- (2) The Subcontractor must use Federal Part C of IDEA funds to supplement the level of state and local funds expended for eligible infants and toddlers with disabilities and their families, and in no case to supplant those state and local funds.

c. Payor of Last Resort:

- (1) The Subcontractor must use Federal Part C of IDEA funds as Payor of Last Resort. These funds must not be used to satisfy a financial commitment for Early Support Services that otherwise would have been paid for in full or in-part from another public or private funding source.
- (2) The Subcontractor may use federal funds to cover the remainder of a partially covered cost.
- (3) The Subcontractor may use Federal Part C of IDEA funds for infrastructure costs necessary for the provision of direct Early Support Services, such as family/parent advocate positions or positions that do not provide direct ESIT Services.
- (4) The Subcontractor must have a written payor of last resort policy and consistent protocols and procedures to address the collection of delinquent payments that are implemented equitably for all families.

d. Use of Funds: The Subcontractor must:

- (1) Ensure that all expenditures meet the federal cost principles as a direct charge, per 34 CFR 303.501.
- (2) Ensure compliance with use of funds guidance and requirements as set forth in state and federal law, and in accordance with WAC 110-400-0140, including the limit to Administrative Indirect costs.
- (3) Use fiscal and programmatic data to develop, manage, and maintain a final contract operating budget, delineated by fund source(s), to provide Early Support Services to eligible infants and toddlers and their families.
- (4) Identify funds for the provision of direct ESIT Services, subcontracting, and indirect costs.
- (5) Track all fund sources separately.
- (6) Submit to the Contractor an Annual Fiscal Workbook - Budget Projection, in the document titled *Fiscal Workbook* for approval 30-days from contract execution.

e. Fiscal Workbook Revision: The Subcontractor must

- (1) Submit for prior approval a Fiscal Workbook – Budget Projection Revision request to the Contractor when:
 - (a) Adding a subcontractor.
 - (b) Terminating a subcontractor.
 - (c) Redistributing 10% or more of the total allocation between Fiscal Workbook – Budget Projection categories.
 - (d) There is more than a 10% variance of total allocation as a result of a contract amendment

- (2) Make any changes according to the document titled *Fiscal Workbook Definitions and Instructions*.
 - (3) Written requests must be received at least one (1) month prior to the effective date for any revision.
 - (4) Final Fiscal Workbook - Budget Projection Revision requests must be received by the DCYF **no later than May 1**.
- f. Request for Additional Part C of IDEA Funds: The Subcontractor must:
- (1) Notify the Contractor in writing when current funding will be expended before the end of the Contract funding period and any final request for additional funds must be received by the DCYF **no later than April 1**.
 - (2) Requests to increase the funding allotment must be received at least two (2) months prior to the date the funds are needed.
 - (3) Additional funds must be budgeted according to the document titled *Fiscal Workbook Definitions and Instructions*.
- g. Fiscal Management: The Subcontractor must:
- (1) Disburse, make payments and/or reimburse funds for allowable expenses.
 - (2) Refer Developmental Disabilities Administration (DDA) eligible children to DDA or document the family's informed decision to decline.
 - (3) Bill and collect third party sources (e.g. Medicaid, TRICARE, and other public and private insurance) and parent fees (including co-pays, co-insurance, deductibles, or a monthly participation fee) in accordance with the ESIT System of Payments and Fees Policy and Procedures.
 - (4) Use funds efficiently and effectively to contain costs and provide high quality, equitable Early Support Services that meet the needs of children and families and complies with Part C of IDEA requirements.
 - (5) Monitor internal use of funds and resources on an ongoing basis, including participating in audits and fiscal monitoring as well as monitoring funding of subcontracts to ensure compliance with all federal, state, and local mandates.
 - (6) In accordance with WAC 110-400-0140 limit Administrative Indirect costs to:
 - (a) No more than ten (10) percent of the total public moneys received when providing Part C of IDEA required components or direct Early Support Services, or
 - (b) No more than five (5) percent of the total public moneys received when acting as a pass through for state birth to three special education, ELTA, or federal Part C of IDEA funding.

8. **COMPENSATION**

- a. ESIT Service Providers and Provider Agencies are expected to facilitate the coordination of payment for Early Support Services from Federal, State, Local and Private sources (including public, TRICARE, and private insurance coverage).
- b. Travel:
 - (1) The Subcontractor must comply with the Washington State Office of Financial Management travel policy for travel expenses directly related to services under this Contract. <http://www.ofm.wa.gov/policy/10.htm>.
 - a) For reimbursement of Subcontractor staff travel expenses, attach itemized receipts.

- b) Upon request, provide receipts and other supporting fiscal documentation.

9. DELIVERABLES

- a. Reporting Requirements: The Subcontractor must submit Deliverables, as described:
 - (1) Unless otherwise instructed, return deliverable forms in their original format, to the Contractor.
- b. Required Deliverables for this Subcontract are:
 - (1) ESIT Statewide Directory - Contract Contact Form annually, 30-days from contract execution and as changes occur
 - (2) FY24-25 Fiscal Workbook - Budget Projection – Subcontractors,
 - (3) FY24-25 Fiscal Workbook ESIT Revenue and Expenditure Report – Year-End for FY23-24, annually.
 - (4) Local Interagency Agreements/MOAs/MOUs, if needed, annually,
 - (5) Subcontracts, if needed, prior approval from Contractor and DCYF required, immediately upon development or expiration thereafter.
 - (6) Local Early Support Services Collaboration Plan, including Service Area Agreements, if needed
 - (7) FY24-25 Federal Certification and Assurance - annually.
 - (8) FY24-25 Financial Disclosure Certification, annually.
 - (9) Audits or Other Monitoring Reports, within two-weeks of receipt
- c. Other Reporting Requirements:
 - (1) Certificate of Insurance two-weeks after renewal
 - (2) Certification of Data Disposition, two-weeks prior to the destruction of information
 - (3) Confidentiality and Non-Disclosure Agreement initially and ongoing as staff changes occur