

# ESIT Delayed Funding Shift Q&A

## Early Support for Infants and Toddlers (ESIT) Delayed Funding Shift Questions and Answers

- 1. Is there is a chance we'll keep Local Lead Agencies (LLA) for an additional year or will the Office of the Superintendent of Public Instruction (OSPI) release their funding to the ESIT program?**

DCYF will continue using LLAs for the next year until the funding shifts.

- 2. Should I renew my school district contracts for at least one more year?**

Yes.

- 3. Does this mean school districts may still be required to provide the monthly count and coordinate contracts with current LLAs/providers for the 2019-2020 school year?**

Yes—see answers to numbers 5 and 16 for more information.

- 4. Will LLA contracts look different with regards to performance-based contracting?**

Much of the performance-based contracting incorporates existing requirements related to child and family outcomes and the Statewide Systemic Improvement Plan. ESIT anticipates minor changes to existing LLA contracts. Some of the performance-based work will be delayed.

- 5. If we already started a process to consolidate provider agencies and districts in our service area to meet the requirement of serving more than 50 children annually, should we continue?**

ESIT encourages providers that have taken steps toward meeting these requirements to continue as planned. ESIT staff can provide technical assistance as needed. School districts are still required to provide early intervention services, either directly or through a contract, or a combination of both. For those districts that currently serve less than 50 children and do not intend to provide services after 2019-2020, it makes sense to contract with another provider organization this year.

- 6. Will the 5 percent rule apply to school districts?**

Yes, there is language in the proviso that limits administrative indirect to 5 percent for districts that are contracting out for services.

- 7. What does this mean for current LLAs?**

ESIT will approach contracts the same way as in the past so it will be a familiar process. There will be no Request for Qualifications process this year. ESIT intends to proceed with changes that will move closer to the planned system design but there will be few changes in contracts this year.

- 8. How will school districts be notified of the 5 percent rule?**

ESIT is working with partners at OSPI to make sure a clear and consistent message is communicated to everyone involved with funding for the provision of early intervention services.



# ESIT Delayed Funding Shift: Q&A

**9. What does this mean for the provider qualifications, i.e. small districts serving less than 50 children per year?**

The requirements will be the same as this past year (see answer to number 14).

**10. What is the process for distributing Part C funding to providers when there is a County Lead Agency?**

The process will be the same as this past year.

**11. Does the current budget provide enough resources for ESIT to maintain its team?**

Yes. ESIT will hold off on filling three planned positions and statewide training for an additional year.

**12. What ESIT activities will be put on hold and how will you determine what those might be?**

In addition to what's mentioned above, ESIT will wait on the development of other statewide supports that were in the planning process.

**13. Will there be a limit of how much school districts can hold back in the school district contract for indirect services?**

The proviso language that is expected in the budget limits administrative indirect withholding to 5 percent.

**14. Some districts have already changed programs since they knew they could not be providers because of the under 50 student limit. Now that the change is not happening for another year, can they say no to providing services across the board?**

There is a statutory requirement that districts must provide or arrange for services. Until the statutory requirement is removed, school districts must meet this requirement. ESIT encourages districts that will not provide services in the future to work with other qualified provider agencies in their communities to contract out for those services.

**15. Why is it not an option for school districts to say “no” to providing services?**

School districts are still required to provide early intervention services, either directly or through a contract, or a combination of both. The [special education portion of the Revised Code of Washington](#) (RCW 28A.155) outlines this requirement.

**16. Who monitors the monthly changes to the Basic Education Allocation (BEA) rate to adjust the rate school districts are paying every month?**

Adjustments to BEA rates are posted on OSPI's website monthly (see answer to number 30).

**17. When will the draft LLA contract be available?**

ESIT is working to get it out as soon as possible.

# ESIT Delayed Funding Shift: Q&A

**18. Should LLAs plan on receiving 90 percent of federal Part C funds and 95 percent of state dollars flowing through the districts?**

No, this is not completely accurate. Ninety-five percent of the state dollars should continue to be provided over the next year through contracts with local school districts in areas where districts are not providing services. ESIT will withhold an additional 10 percent of the federal dollars that are currently distributed. More clarity regarding funding allocations and methodology will be developed as a requirement of the current proviso.

**19. Does the proviso language include 10 percent admin for LLAs providing direct services?**

It does not reference LLAs.

**20. What is the additional 10 percent of federal dollars being withheld used to fund?**

This will cover the cost of additional staff to support statewide work moving forward.

**21. Will there be any discussion of qualification criteria for provider agencies prior to September 2020?**

ESIT will provide a recorded version of the system design update webinar that was presented at the February LLA Meeting.

**22. What positions were ESIT hoping to hire for that won't be filled?**

A total of three positions will not be filled this year. These positions fall into the areas of Quality Improvement and Accountability and Data Systems.

**23. How is the Family Resource Coordinator (FRC) training program affected?**

Enhancements to the FRC training will be placed on hold. Current FRC training components will continue in their current form until the funding shift occurs.

**24. What support can ESIT provide if school districts aren't sticking to the 5 percent rule?**

ESIT has provided technical assistance with negotiations in the past and will continue to do so. ESIT can support increased awareness and resources for early intervention provider agencies. DCYF leadership will continue to collaborate with OSPI to resolve this issue on a larger scale.

**25. Will there be any communication from OSPI to school districts regarding this delay?**

Yes (see answer to number 26).

**26. When will school districts be notified of this change?**

School districts on ESIT's mailing lists through GovDelivery were notified in the ESIT Weekly as well as in a separate mailing. ESIT is in the process of supporting OSPI in the development of their communication plan.

**27. If we are currently an LLA and a provider agency, that will remain the same?**

Yes.

# ESIT Delayed Funding Shift: Q&A

## **28. Are we moving to regionalization this year?**

There is no plan to regionalize ESIT services in the way the original design plan described. In the 20-21 contract year there will be four County Lead Agencies, in addition to Early Intervention Provider Agencies, with no other regional service delivery boundaries.

## **29. If school districts are still doing direct services, will they continue to do that in 2019?**

If not providing services directly, school districts are encouraged to contract with their LLA and/or provider agencies and move forward with that approach.

## **30. Is DCYF able to provide guidance around when BEA rates should be reviewed by agencies?**

BEA rates are updated monthly beginning in January of each program year. The [Special Education Allocations Report 1220](#) includes the current BEA rate for each district which can be accessed from the OPSI website. ESIT recommends that a rate review schedule is included in the negotiated Statement of Work in individual contracts with school districts.

## **31. Do FRCs have to be employed by provider agencies?**

Yes. The role and responsibilities of the FRC outlined in [ESIT Procedures 2.A.14 \(a\)-\(d\)](#) necessitate direct employment with the Early Intervention Provider Agency.

## **32. What are the best ways to communicate with stakeholders?**

ESIT will post and update this Q&A on the DCYF website. Stakeholders can email Sue Rose at [sue.rose@dcyf.wa.gov](mailto:sue.rose@dcyf.wa.gov) with additional stakeholder engagement ideas. If there are individual or specific challenges that stakeholders would like to talk through, they can reach Laurie Thomas, ESIT Administrator at [laurie.thomas@dcyf.wa.gov](mailto:laurie.thomas@dcyf.wa.gov).

## **33. When will we see the Statement of Work for next year?**

The draft Statement of Work and allocation information was released May 3, 2019.

## **34. One provider is currently covering nine districts, next year they can only cover seven. Who will be responsible for covering those two districts?**

It is the LLA's responsibility in partnership with ESIT to ensure full coverage of the service area outlined in the contract for the 2019-2020 contract year. We encourage providers to move forward with changes which are not dependent on the funding shift. School districts continue to have a statutory requirement to either provide or contract for 0-3 services for the 2019-2020 contract year and share in the responsibility for coverage of their district.

## **35. Is there still an opportunity for new providers to join the system as a regional service provider?**

We will not add additional service providers in the upcoming contract year.

# ESIT Delayed Funding Shift: Q&A

**36. What are the contract requirements going to be for next year? In particular, the PBC requirements about verifying services delivered.**

The draft Statement of Work and allocation information is released. We received consistent feedback from providers regarding the challenges related to verifying individual services provided. We were given a reprieve this year and will only ask providers to report whether or not a child received a service during the past month. This will also support our ability to work out any kinks in the billing verification process this year before the funding shift goes into effect next year.

**37. Will there still be a Request For Qualifications for this coming year?**

No, we will do the same contract process we have done with LLAS in the past that is not competitive.

**38. Is there any chance the proviso language won't move forward as written? What can providers do to advocate for that?**

The proviso language was included in the budget. OSPI and DCYF will also provide a joint memo confirming the 5 percent administrative indirect cap for flow-through funds.

**39. What is the difference between the budget proviso about 5 percent admin cap and the existing WAC?**

There were concerns expressed that DCYF does not have the authority to impose rules on funding held by OSPI. The budget proviso will provide clarity.

**40. What will be included in the model mentioned in the proviso language? What is the plan for engaging stakeholders across the state?**

The agency is currently in discussions about how best to proceed and will involve stakeholders as appropriate.

**41. Can you post the OSPI newsletter with the WAC language on the website?**

We will post it to the page where the proviso language is on the [ESIT site](#). We will also post the joint memo when it is completed and signed.

**42. Is there another way we can make sure the school districts get the information about the 5 percent cap that was included in their monthly newsletter? And can it be sent to ESIT providers as well?**

See above. We will send a copy of the completed memo via GovDelivery and post on the ESIT website.

**43. How and when will school districts be notified about the current status of funding?**

It was in the April 2019 Special Education Monthly Update posted by OSPI. OSPI is working on their own internal communication plan.

# ESIT Delayed Funding Shift: Q&A

**44. Could the State Auditor's Office potentially give a finding back to 2017 when the WAC was put in place?**

This is unlikely.

**45. Is the requirement to bill insurance also delayed?**

If there are providers or school districts who do not plan to provide during the 2020-2021 contract year, they will not need to begin billing but all other agencies need to be in compliance with WAC.

**46. We are going to apply for 2020. Do we still need to get all of our staff approved by private insurance companies? We do not have additional funds to hire staff to bill private companies. Will we have to do this in order to apply for the competitive contract?**

The requirement to bill will be a part of the Request for Qualifications.

**47. Can we have something official in writing about the "waiver" for districts to bill?**

Yes, please email Laurie Thomas, ESIT Administrator, at [laurie.thomas@dcyf.wa.gov](mailto:laurie.thomas@dcyf.wa.gov).

**48. Can a program submit a proposal/request for support for a billing system?**

ESIT will review any proposals/requests for support.

**49. Our school district received a "waiver" to not bill insurance. Does that still stand?**

Yes, those still stand. Please connect with your ESIT program consultant if you have further questions about this.

**50. What will the funding look like from July 1, 2020, to September 1, 2020?**

The proviso language supports the funding shift on July 1, 2020. DCYF will move forward with verification systems for billing and distribute apportionment funding in a more streamlined manner that is still consistent with the way it is currently distributed.

**51. Will DCYF start with a 10-month funding year (September to July) and then go to a 12-month year for 2021-2022?**

Yes.

**52. What will the timeline be for the funding shift when it does happen?**

The drafted proviso states the transfer would happen July 1, 2020, and be in effect September 1, 2020.

**53. Will ESIT present the model for funding early in the legislative session next year to be approved?**

This needs to be submitted to the legislature by September 1, 2019.

# ESIT Delayed Funding Shift: Q&A

**54. Will we get the chance to participate in the report to the legislature?**

DCYF is seeking clarity regarding what must be included in this plan and will seek stakeholder feedback as appropriate.

**55. How often should we review the BEA rates in the school district contracts (related to #30 on the Q&A)?**

The rates change based on enrollment levels; it may be a good practice to review rates on a monthly basis.

**56. If the shift happens on September 1, 2020, we won't have enough funds to cover the summer months. Is there a way to change it to July 1?**

This was a negotiation with OSPI. You should receive a full year of funding to cover the summer regardless of over how many months it is distributed. The total dollar amount won't change. It will be important to plan expenditures to account for summer months.

**57. Can you explain the additional 10 percent ESIT is holding back this year? What is that funding supporting for the system?**

ESIT is building infrastructure that will help ensure the capacity to better support the needs of provider agencies. There is critical work that needs to be led and supported by the state office such as:

- Developing a system for expanded billing.
- Developing and providing statewide training.
- Enhancing the data system to support the items mentioned above and to be more useful at the provider agency level.
- Strengthening a system for accountability and comprehensive monitoring.

**58. Can we get a breakdown of the funding for this year (starting July 2019), similar to the one that was on the last page of the funding proposal? The grid showing how much money goes to DCYF, school districts, LLAs and providers was helpful.**

ESIT can develop something like this as soon as we have final budget numbers.

**59. Is ESIT sure this kind of funding shift can happen in the middle of a biennium?**

Based on the legislative action referenced in the approved budget proviso, yes.

**60. When will the contract and funding allocation information be available for 2019-2020?**

A: The Statement of Work was distributed.

**61. How is the review of the System of Payment and Fees (SOPAF) going to move forward?**

There is an State Interagency Coordinating Council (SICC) Finance Committee workgroup that is tasked with reviewing and recommending changes to SOPAF. The workgroup will make recommendations to the larger SICC and the SICC will make recommendations to ESIT regarding how best to move forward.

# ESIT Delayed Funding Shift: Q&A

**62. Can we have guidance on how the BEA rates are adjusted throughout the year so providers can negotiate contracts?**

The BEA rates are adjusted based on enrollment counts. The BEA rates September through December are based on budgeted enrollment; January through June rates are based on actual enrollment counts.

**63. Is there more information about what will be required for collecting information on services delivered?**

We will only require verification that a child received services in a month.

**64. How is the state working toward allowing other systems to be able to feed services delivered data from other program systems?**

We know it is important to limit the data entry burden for providers and are exploring what is possible in the agency's new data system platform.

**65. Can we just focus on the minimum requirements for service delivery data?**

That is our goal. We will engage stakeholders in gathering feedback regarding how to best capture this and what information is most critical to gather.

**66. Can services delivered be collected by sampling for two months instead of 12?**

DCYF will require child-level data. We will not be required to collect this level of data for another year.

**67. Can it be a sampling of a percent of children served?**

We were given a reprieve this year and will only need to collect data regarding which children received services each month.

**68. Is DCYF linking quantity of services to quality of service?**

DCYF ultimately intends to look at a number of factors including level of service and provider type cross referenced to Child Outcomes Summary (COS) data.

**69. How often will you need the services delivered data and in what format? We are limited in our capacity? We already collect it and just need to know what and how often?**

Quarterly.

**70. Why was services delivered chosen as a Performance-Based Contracting requirement? How will the data be used?**

This is an agency requirement based on legislation that created the new agency. The data will not only support accountability but allow us to identify gaps in services across the state.



# ESIT Delayed Funding Shift: Q&A

**71. How will the Performance-Based Contracting requirements be met by individual contractors?**

The data on the children these contractors serve will be reported by the agency that contracts with that provider.

**72. Can we take the next year to work on how to collect service delivery information?**

This is what we will be doing.

**73. How will DCYF process the data on services delivered?**

We expect that ESIT will need to submit a report to DCYF in the same way that all other agency programs will. We have not been informed yet regarding what the process will be.

**74. Can we submit a sample of verified services delivered?**

We are eliminating this requirement.

**75. Are other DCYF programs collecting service delivered data and in what form? Are they having the same challenge as ESIT providers?**

We have not heard of this being a challenge for other programs.

**76. What are the new reporting requirements for 2019-2020?**

Submitting quarterly data regarding children who received services during a month.

**77. Can you send the language in the legislation that requires capturing services delivered?**

Yes.

**78. What do you mean by “verify” services? There are many ways to do that.**

This requirement was removed.

**79. Can we verify that a child was served during a month?**

Yes, this is the compromise reached with the agency for this year.

**80. Can you explain what financial information will be shared this week?**

We are sharing the allocation information in the same way it has been done in the past. We will share more about the decision making process regarding the allocations at the LLA meeting in May.

**81. Can we have a draft for how ESIT will want to collect that data before the LLA meeting so we can provide meaningful input?**

We will ask for feedback about what and how this data collection might happen at the LLA meeting.

# ESIT Delayed Funding Shift: Q&A

**82. Will the Data Management System (DMS) be able to talk to local systems to upload information about services delivered?**

This is our goal.

**83. What is the intended use of the data about services delivered?**

This data will be used for performance based contracting. It will support our ability to accurately capture the true cost of services as we work to establish appropriate billing rates and it will also support our ability to identify gaps in services across the state.

**84. What do school districts report in terms of services delivered for Part B? This might be a good comparison for us to consider.**

We are currently gathering this information.

**85. How do we capture a child whose needs are changing all the time (feeding kids)? We are told we can't use a range for services and don't want to put a minimum or a range.**

The Individualized Family Service Plan should be approached as a "working document" and can be adjusted as the needs of the child change.

**86. What are the plans to replace the ESIT Data Manager?**

We are working on the classification for this position and will fill it as soon as possible.

**87. Does the five percent administrative indirect cap referenced in the [ESIT budget proviso](#) apply to school districts that are providing early intervention services?**

No, this only applies to districts that are passing through dollars in the form of contracts. School districts that are providing early intervention services directly have a 10 percent cap on administrative indirect ([WAC 110-400-0140](#)).