

Local Determinations

The Department of Public Health, as lead agency for Early Intervention in Massachusetts is required to make “local determinations” on program performance. In determining how well Massachusetts Early Intervention Programs meet the requirements of the Individuals with Disabilities Education Act, the Office of Special Education Programs requires that we use the most recent Annual Performance Report data from four compliance Indicators in the State Performance Plan. Those areas are: IFSP timeliness, timeliness of services, transition and timely correction of non-compliance. Each local program will receive a determination of meets requirements, needs assistance, needs intervention or needs substantial intervention based on compliance with Part C of IDEA.

The Department used the following criteria and review process for the FY 2010 Local Determinations:

Meets Requirements

Compliance rate is at or above 90% on all four compliance indicators 1- 4, or below 90% in only one of the non-compliance indicators 5 – 12.

Needs Assistance

Compliance rate is at or below 90% in two or three indicators; only one below in a compliance indicator 1 – 4; and any two or three below the state baseline of 90% in the non-compliance indicators 5 – 12.

Needs Intervention

Compliance rate is at or below 90% in three or four indicators with two or more in the compliance indicators 1 – 4, or four or more in noncompliance indicators 5 – 12.

Needs Substantial Intervention

Compliance rate is at or below 90% in ten or more indicators 1 -12.

The DPH will require local EIPs that receive a “Need Assistance” determination for two consecutive years or “Needs Intervention” or “Substantial Intervention” to obtain technical assistance to help the EIP address areas in which the program needs assistance. The EIP will report the technical assistance sources from which the EIP received support. The DPH may impose a moratorium on referrals or withhold funds to programs that fall in “Needs Intervention” or “Needs Substantial Intervention” and are unable to come into compliance in a timely manner.

Local Determinations will be completed in the spring of each year. Please note that the criteria and state baseline may change from year to year with the goal being 100% in all of the compliance indicators.

For more information, please contact the Parent Leadership Project at 1-877-353-4757.