



NANCY BARGMANN
DIRECTOR

State of California—Health and Human Services Agency
Department of Developmental Services
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GAVIN NEWSOM
GOVERNOR

October 20, 2023

Lisa Kleinbub, Executive Director
Regional Center of the East Bay
500 Davis Street, Suite 100
San Leandro, CA 94577

Dear Ms. Kleinbub:

This letter is to convey the results of the Department of Developmental Services (DDS) remote review of the Early Start program at Regional Center of the East Bay (RCEB). This review was conducted through DDS' Self-Assessment Monitoring (SAM) system on March 30, 2023, through May 17, 2023, to ensure that California meets Part C of the Individuals with Disabilities Education Act (IDEA) requirements.

RCEB completed a self-assessment of 79 records through SAM. This consisted of 40 regular records and 39 transition records. DDS verified the documentation and the findings identified for each of the 79 records. DDS identified finding(s) of noncompliance in the following areas:

- Timely written notice to families for the Individualized Family Service Plan (IFSP) meeting,
- Timely provision of services,
- IFSPs include the frequency, length and location for all identified Early Intervention Services,
- Early Intervention Services are provided in the natural environment,
- IFSPs include present levels of development in all five domains,
- Parental consent obtained prior to the provision of Early Intervention Services,
- Periodic reviews of the IFSP were completed when an Early Intervention Service was added, decreased or changed,
- IFSPs with transition steps and services were completed timely, and
- Timely transition conference.

The details of the findings are in the enclosed monitoring report.

Required Action:

The U.S. Department of Education's Office of Special Education Programs (OSEP) requires the state lead agency, DDS, to verify correction of noncompliance based on the individual child level (prong 1) and the systemic level (prong 2) as soon as possible, and

Lisa Kleinbub, Executive Director
October 20, 2023
Page two

no later than one year from the date of this letter. A plan, signed by you, addressing the systemic level (prong 2) areas of noncompliance is required to be submitted to DDS within 30 days from the date of this letter. As part of the plan of correction, RCEB should identify and address the root cause of noncompliance on each outstanding finding. Identifying the root cause ensures that corrective actions are meaningful and effective. Please forward the required evidence of clearance on each of the outstanding individual findings (prong 1) as soon as it is available (if applicable). DDS will require RCEB to provide subsequent records to clear the systemic level findings. In addition, please see recommendations listed on page 6 of the monitoring report.

Thank you for your cooperation during the monitoring review of the Early Start program at RCEB and your commitment to serve children and families. If you have any questions, please contact Nathaniel Taleon, Chief, Part C Federal Reporting and Monitoring Section, at (951) 374-0174, or by email at Nathaniel.Taleon@dds.ca.gov.

Sincerely,

Original signed by

MARICRIS ACON
Deputy Director
Children, Adolescents, and Young Adult Services Division

Enclosure

cc: Frank Pare, RCEB Board President
Ronke Sodipo, RCEB
Ben Braun, RCEB

**EARLY START MONITORING REPORT SUMMARY
REGIONAL CENTER OF THE EAST BAY**

DATE OF REVIEW: MARCH 30 – MAY 17, 2023
FINAL REPORT DATE: OCTOBER 20, 2023

ITEMS AT 100% COMPLIANCE				
	REQUIREMENT	RECORDS IN COMPLIANCE	TOTAL RECORDS REVIEWED	COMPLIANCE PERCENTAGE
R1	Obtained written parental consent for evaluation/assessment. 34 Code of Federal Regulations (CFR), Sections 303.7 and 303.420(a)(1) and (a)(2)	40	40	100%
R2	Initial evaluation determined the infant's or toddler's level of functioning in all developmental domains, including hearing, vision, and health. 34 CFR, Sections 303.21, 303.24, 303.310, 303.321 and Title 14, California Early Intervention Services Act (CEISA) Section 95014	40	40	100%

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CLEARED FINDINGS

Findings cleared prior to the issuance of the report. No further action is required.

REQUIREMENT		ORIGINAL RECORDS IN COMPLIANCE	TOTAL RECORDS REVIEWED	ORIGINAL COMPLIANCE PERCENTAGE	SUBSEQUENT RECORDS IN COMPLIANCE	TOTAL SUBSEQUENT RECORDS REVIEWED	SUBSEQUENT COMPLIANCE PERCENTAGE
R3	Initial assessment for service planning identified unique strengths and service needs in all five developmental domains, including hearing, vision, and health, prior to the Individualized Family Service Plan (IFSP) 34 CFR, Sections 303.21, 303.24, 303.310, 303.321 and Title 14, CEISA Section 95014	39	40	97.50%	3	3	100%
R5	Initial IFSP meeting was conducted within the 45-day timeline. 34 CFR, Sections 303.310 and 303.342(a)	37	40	92.50%	3	3	100%
O1	IFSP includes services necessary to meet needs of child & family. 34 CFR, Sections 303.344(d)(1) and (e)	39	40	97.50%	3	3	100%
T2	Timely referral to Local Educational Agency (LEA). 34 CFR, Sections 303.209(b) and 303.401(d)	36	39	92.31%	3	3	100%

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NONCOMPLIANCE

Regional Center of the East Bay must clear findings on both the child-specific and systemic levels. **Child-specific findings must be cleared as soon as possible but no later than 30 days from the date the report is issued.** Systemic level findings must be cleared as soon as possible but no later than one year from the final report date. **A Plan of Correction and subsequent review are required to clear these items.**

REQUIREMENT		RECORDS IN COMPLIANCE	TOTAL RECORDS REVIEWED	COMPLIANCE PERCENTAGE	PRONG 1 (CHILD-SPECIFIC)	PRONG 2 (SYSTEMIC)
					OUTSTANDING	OUTSTANDING
R4	Written notice of the IFSP meeting. 34 CFR, Section 303.342(d)(2)	34	40	85.00%		X
R6	Timely provision of services. 34 CFR, Sections 303.344(f)(1) and 340.420(b)(2) Title 17, California Code of Regulations (CCR), Section 52109(b)	32	40	80.00%	X	X
R7	The IFSP included the frequency and length for all early intervention services. 34 CFR, Section 303.344(d)(1)(i)	36	40	90.00%	X	X
R8	Early intervention services are provided in the natural environment or the IFSP contains an appropriate justification when services are not provided in a natural environment. 34 CFR, Sections 303.26, 303.126 and 303.344(d)(1)(ii)	36	40	90.00%	X	X
O2	IFSP includes present levels of child's development in all five domains (including health, hearing, and vision). 34 CFR, Section 303.344(a)	28	40	70.00%	X	X
O3	Parental consent was obtained prior to the provision of services. 34 CFR, Section 303.342(e)	35	40	87.50%	X	X

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REQUIREMENT		RECORDS IN COMPLIANCE	TOTAL RECORDS REVIEWED	COMPLIANCE PERCENTAGE	PRONG 1 (CHILD-SPECIFIC)	PRONG 2 (SYSTEMIC)
					OUTSTANDING	OUTSTANDING
O4	Location of all services is specified on the IFSP. 34 CFR, Section 303.344(d)(1)(iii)	36	40	90.00%		X
O5	A Periodic Review was completed when early intervention services were added, decreased or changed. 34 CFR, Section 303.342(b)(1)(ii)	38	40	95.00%	X	X
T1	The IFSP included timely transition steps and services. 34 CFR, Sections 303.209(d) & (e) and 303.344(h)	28	39	71.79%		X
T3	Transition Conference occurred in a timely manner and the LEA was invited to the transition meeting. 34 CFR, Section 303.209(c)(1)	27	39	69.23%		X

Key:

R – “Regular” corresponds to the Regular Review Tool item, followed by the number of the Regular Review Tool item (ex. - R1 refers to the Regular Review Tool item number 1).

T – “Transition” corresponds to the Transition Review Tool item, followed by the number of the Transition Review Tool item (ex. - T3 refers to the Transition Review Tool item number 3).

O – “Other” refers to an additional finding, not included in the Regular or Transition review tools.

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OUTSTANDING INDIVIDUAL FINDINGS (PRONG 1)

#	UCI	Item 6 Services	Item 8 Natural Environment	Item 7 Frequency & Length	Other 2 Present Levels	Other 3 Consent for Service	Other 5 Periodic Review
1	8056178					X	
7	8056123	X				X	
10	8056120					X	
13	8056404				X		X
15	8056416			X			
20	8056087				X		
21	8056112			X			
22	8056497	X					
25	8056102	X					
26	805438		X				
27	8055439		X				
28	8056106		X				
29	8056374		X				

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RECOMMENDATIONS

During the monitoring review, the Department of Developmental Services (DDS) reviewed multiple records where:

- The written notice was not provided to the family and other participants early enough (some notices were provided less than 24 hours before the meeting) before the IFSP meeting date to ensure the family and other participants could attend,
- Services identified in the IFSP began beyond the 45-day timeline from obtaining parental consent,
- Frequency and length were missing on the IFSP,
- The IFSP did not include the results of the child's hearing and/or vision screening,
- Transition steps and services were developed fewer than 90 days prior to the child's third birthday, and,
- The timely transition conference was held fewer than 90 days prior to child's 3rd birthday.

Considering what is outlined above, DDS recommends RCEB to align practices/procedures related to:

- Written IFSP meeting notification,
- Timely provision of services,
- Frequency and length,
- Content of the IFSP, specific to location of services and outcome documentation of screenings, evaluations and assessments,
- Timely steps and services, and,
- Timely transition conference.

As required by 34 CFR Sections 303.342(d)(2), 303.344(a), 303.344(d)(1)(i), 303.344(f)(1), 340.420(b)(2), 303.209(c)(1), 303.209(d) & (e), 303.344(h), and Title 17, California Code of Regulations, Section 52109(b).