



**King County Developmental Disabilities and Early Childhood Supports Division
Early Support for Infants and Toddlers Services Contract Definitions**

September 1, 2020

"Administrative indirect" per WAC 170-400-0140 means indirect costs such as general management compensation, joint facility costs, contract administration, fiscal services, and general office supplies that are not allocated to direct services for infants, toddlers and their families.

Indirect Costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. Such indirect expenses could include administrative, facilities, general office supplies, or other costs.

After direct costs have been determined and assigned to the contract, indirect costs are those remaining to be allocated benefiting early intervention services. Typical examples of indirect cost for many organizations may include depreciation or use allowances on buildings and equipment, the costs of operating and maintaining facilities, general administration, and general expenses (i.e., salaries and expenses of executive officers, personnel administration, and accounting).

The purpose of assigning indirect costs is to “facilitate equitable distribution of indirect expenses to the cost objective service (i.e., early intervention services contract), when there are other departments within an agency also receiving benefits”.

For Example:

Direct Administrative Costs	Indirect Administrative Costs
% of administrator time directly focused on early intervention activities Program supplies (materials for the provision of services) Facilities – service provider space or playgroup space (if it is not shared with any other program) Direct service providers completing documentation for billing Part C required transition activities Staff time to complete billing for multiple programs that can be tracked by program	Office supplies shared by multiple programs/cost centers % of program directors’ time spent on agency-wide administrative functions such as board meetings, finance, etc. Facilities – shared spaces such as conference rooms Staff time for personnel responsible for billing for multiple programs that cannot be tracked by program
Determining if staff time is a direct or indirect/admin cost: If staff are able to track the % of their time designated to ESIT (Part C) allowable activities this is an allowable direct administrative cost.	

“Allocable” means that in instances where there is shared benefit, the programs involved will need to establish a methodology for determining what portion of the costs should be ascribed to each of the programs. The proportionate share of the costs that should be ascribed to the Part C of IDEA program should correspond to the amount of benefit that the program is receiving and, if other programs are receiving benefit that they also contribute to the costs.

“APR” means Washington State’s Annual Performance Report.

“Assure” means pledge or promise.

“CFR” means Code of Federal Regulations.

“CLA” or **“County Lead Agency”** refers to the four (4) designated county organizations, under contract with DCYF ensure through subcontracts with ESIT Provider Agencies and ESIT Providers, that ESIT services are provided countywide in accordance with the CLA’s contract with the DCYF, Part C of IDEA, and Washington’s Federally Approved State Plan. A CLA may be authorized by the DCYF provide low incidence services based on identified need.

“Child Find” means the process of locating, identifying, referring, and evaluating those infants and toddlers who are in need of ESIT services.

“CICC” means the County Interagency Coordinating Council.

“Clinical Supervision” means a formal and discipline specific working alliance in which the supervisee's clinical (direct service) work is reviewed and reflected upon, by a senior level practitioner with the purpose of supporting the supervisee in relation to their work and professional development.

“Confidential Information” means information that may be exempt from disclosure under either chapter 42.56 RCW or other state or federal statutes. Confidential Information includes, but is not limited to, personal information, personally identifiable data, agency source code or object code, and agency security data.

“Conflict of Interest” means a situation in which a person or organization is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another. Typically, this relates to situations in which the personal interest of an individual or organization might adversely affect a duty owed to make decisions for the benefit of a third party. For example: IDEA Part C contractors 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 staff and made an informed decision about declining early intervention services, including receiving their Parent Rights.

“Contractor” means one not employed by the DCYF that is the individual or entity performing services pursuant to this Contract and includes the Contractor's owners, members, officers, directors, partners, employees, and/or agents, unless otherwise state in this Contract. For purposes of any permitted subcontract, “Contractor” includes any Subcontractor and its owners, members, officers, director, partners, employees, and/or agents.

“Contractor’s staff” or **“staff”** means the Contractor’s directors, officers, employees, and agents who provide goods or services pursuant to this contract. “Contractor Staff” also means Subcontractors’, officers, employees, and agents who provide goods or service on behalf of the Contractor. The term “Contractors Staff” also means Subcontractors’ directors, officers, employees, and agents who provide goods or services on behalf of the Subcontractor and Contractor.

“Converted Data” means the data which has been successfully converted by the Contractor/subcontractor for processing by the DCYF computer system.

“COS” means the Child Outcomes Summary process.

“COS process” means a team process for summarizing assessment information related to a child’s development, as compared to same-age peers, in each of the three child outcome areas on a 7-point scale.

“COS modules” means a series of training modules developed by ESIT, which provide key information about the COS process; and the practices that contribute to consistent and meaningful COS decision-making.

“Data” means records, files, forms, data, information and other documents in electronic or hard copy form, including but not limited to Converted Data.

“DMS” or **“Data Management System”** means the ESIT Data Management System and the database used by ESIT Contractors to enter required State and federal data.

“DCYF” or the **“Department of Children Youth and Families”**, of the State of Washington; (formerly known as “Department of Early Learning” and “DEL”); means any division, section, office, unit, or other entity of DCYF; or any of the officers or other officials lawfully representing DCYF. DCYF is the State Lead Agency designated by the Governor to administer Part C of IDEA in Washington State.

“Discrete” means separate, distinct and disconnected.

“ESIT Provider Agency” means any County approved organization including but not limited to a public, private, tribal, or non-profit entity including a School District, that provides ESIT services. (Listed as EISPA in WAC 110-140).

“ESIT Provider” means an individual, that is either an employee or subcontractor, who provides ESIT services, including Family Resources Coordination in accordance with the CLA or ESIT Provider Agencies’ contract with the County, Part C of IDEA, and Washington’s Federally Approved State Plan regardless of whether or not the entity or individual receives federal funds under Part C of IDEA.

“ESIT Team” means the direct ESIT providers organized as a team (i.e., Multidisciplinary, Interdisciplinary, Trans-disciplinary, Primary Coach, Primary Provider...).

“ESIT Public Revenue Data” means all state and local income received from public sources for direct ESIT service provision.

“ESIT” or “Early Support for Infants and Toddlers” means the Part C of IDEA Statewide program.

“ESIT Basic Part C modules” mean the EI training modules available for all Washington State stakeholders. “ESIT Website” is located on the DCYF Website, at <https://www.dcyf.wa.gov/services/child-development-supports/esit>

“Ensure” means to make certain.

“FERPA” means the “Family Education Rights and Privacy Act” of 1974, as amended, codified as 20. U.S.C. 1232g; 34 CFR part 99, and is the federal law that protects the privacy of student [child] records.

“FRC” or the “Family Resources Coordinator” is the individual who assists an eligible child and his/her family in gaining access to ESIT services and other resources, as identified in the IFSP, and in receiving their rights and procedural safeguards of the early intervention program, and as further defined in the DCYF State Plan Part II, Policy 2 Definitions and under Service Coordination (case management) in 34 CFR §303.34.

“FRC Year 1 Training” means the training required for Family Resources Coordinators to be registered and maintain registration with ESIT.

“FRC Year 2 Training” means required training, for FRCs who have completed Year 1 Introductory Training, in order to maintain their state registration with ESIT.

“FRC Year 3 Training” means required training, for FRCs who have completed both the “Year 1 FRC Training” and “Year 2 FRC Training” in order to maintain their state annual registration with ESIT.

“HIPPA” or the “Health Insurance Portability and Accountability Act” of 1996, Privacy Rule, August 2002, and Security Rule, February 2003, under Public Law 104-191 and regulated under 45 CFR Part 160, 162, and 164 is the federal law that protects the privacy of an individual’s health information.

“IDEA” means the federal Individuals with Disabilities Education Act, as amended, codified as 20 U.S.C. §§1431.631 – 1444.644 and regulated under 34 CFR 303.

“IFSP” or the “Individualized Family Service Plan” means the written plan required for providing ESIT services to an eligible child and the child’s family, per Washington’s Federally Approved State Plan.

“IFSP Team” or “Individualized Family Service Plan Team” means the child’s family; FRC; ESIT providers, and others, as identified on the plan.

“Medical home” is primary health care that is accessible, continuous, comprehensive, family-centered, coordinated, compassionate and culturally effective.

“Natural Environments” means the home or community settings that are natural or typical for a same-aged infant or toddler without a disability, and shall be consistent with the provisions of IDEA, Part C, 34 CFR §303.26, and ESIT’s Policies and Procedures and “Natural Environments and Justifications for Services Provided Outside of the Natural Environment” practice guide.

“Necessary” means expenditure are driven by the purpose of the ESIT’s mission and vision, and ultimately the needs of infants and toddlers with disabilities and their families.

“Part C of IDEA” or **“Part C”** means the Infants and Toddlers with Disabilities program under the federal Individuals with Disabilities Education Improvement Act (IDEA) of 2004, as amended, codified as 20 USC §§1400.631 – 1400.644 and regulated under 34 CFR §303.amended.

“Part C of IDEA” means the Infants and Toddlers with Disabilities program under the federal Individuals with Disabilities Education Improvement Act of 2004, as amended, codified as 20 USC §§1400.631 – 1400.644 and regulated under 34 CFR §303.

“Payor of Last Resort” means “funds under Part C of IDEA may not be used to satisfy a financial commitment for ESIT services that would otherwise have been paid for from another public or private source, including any medical program administered by the Department of Defense, but for the enactment of Part C of IDEA. Therefore, IDEA Part C funds may be used only for ESIT services that an infant or toddler with a disability needs but is not currently entitled to receive or have payment made from any other federal, state, local, or private source (subject to 34 CFR §§303.520 and 303.521).” (34 CFR §303.510(a)).

“Personal Information” means information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, e-mail addresses, credit card information, law enforcement records or other identifying numbers or Protected Health Information, any financial identifiers, and other information that may be exempt from disclosure under either chapter 42.56 RCW or other state and federal statutes.

“Private funding” and **“Private fund source”** means private funding excluding fundraising and charitable contributions.

“Prohibition against Supplanting” means “Part C funds shall be used to supplement the level of federal, state, and local [public] funds expended for infants and toddlers, and their families, and in no case to supplant these federal, state, and local [public] funds”. (34 CFR§303.225(a)(2))

“Reasonable” means expenditures for goods and services do not cost more than a typical person, with ordinary prudence, would pay under the same circumstances.

“Regional/County Early Childhood Interagency Coordinating Council” means a geographic entity comprised of membership from various early childhood programs/initiatives, parents and other service providers to coordinate and enhance existing ESIT services and assist each community to meet the needs of infants and toddlers with disabilities and their families as outlined in RCW 43.216.574. The SICC shall identify and work with regional/county early childhood interagency coordinating councils.

“Resident School District Catchment Area” means the [geographic boundaries delineating residency of students](#) as defined by the Office of Superintendent of Public Instruction.

“School District” means the geographic boundaries delineating residency of students as defined by the Office of Superintendent of Public Instruction, RCW 28A.315.035.

“SICC” means the Washington State Interagency Coordinating Council for Infants and Toddlers with Disabilities and their Families, as appointed by the governor and required under Part C of IDEA.

“State Systemic Improvement Plan” (SSIP) means a comprehensive multi-year plan under Federal Part C of IDEA Indicator C-11 focusing on improving results for infants and toddlers with disabilities.

“State Plan” or **“Washington’s Federally Approved State Plan”** means the application for a State administered grant that meets the requirements in 34 CFR §7.1 and 34 CFR §303 Subparts B and C.

“Statement of Work” – The detailed description of services to be performed by the Contractor and set forth in the Contract.

“Subaward” means an award provided by DCYF to a subrecipient to provide support for the performance of any portion of the substantive project or program for which DCYF awards to an eligible subrecipient. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

"Subcontractor" means a person, partnership, company, or other entity that is not in the employment of or owned by Contractor and that is performing services under this Contract under a separate contract with or on behalf of the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

“Subrecipient” means an entity that receives a subaward from DCYF under the Part C of IDEA grant award; and is accountable to DCYF for the use of the federal funds provided by the subaward.

“Telepractice” means the application of telecommunications technology to the delivery of professional services at a distance by linking practitioner to family members for assessment, intervention, and/or consultation.

“Under Public Supervision” means services provided through a program funded by federal, state, or local public monies, and services provided through a private provider, but whose services are supervised or paid for by a public agency.

"Unsupervised access" means:

- (a) An individual will or may have the opportunity to be alone with a child receiving early learning services at any time and for any length of time; and
- (b) Access that is not within constant visual or auditory range of the licensee, an employee authorized by the ESIT provider, nor a relative or guardian of the child receiving early learning services.

“WAC” or **“Washington Administrative Code”** means rules that codify the regulations of the executive branch agencies and are issued by authority of statutes.