

Dated October 19, 2000

Honorable Cecil Picard
Superintendent
Louisiana Department of Education
Baton Rouge, Louisiana 70804

Dear Superintendent Picard:

The United States Department of Education, Office of Special Education Programs (OSEP), is in the process of completing monitoring activities related to Louisiana's implementation of the Individuals with Disabilities Education Act (IDEA), Parts B and C. This legislation ensures a free appropriate public education for eligible children aged 3 through 21, and early intervention services for eligible infants and toddlers and their families.

While in the State for onsite monitoring activities in February 2000, OSEP requested financial information related to the State's sources of funds for the early intervention system. We appreciate the information provided to OSEP by the Louisiana Department of Education (LDE); however, in order to complete our monitoring activities for the State of Louisiana, OSEP is requesting additional financial information related to implementation of Part C, the early intervention program for infants, toddlers and their families.

Under Part C, the Governor of the State designates a lead agency with a single line of responsibility for the administration of the early intervention system (§303.500). According to the Part C Application, the Department of Education in Louisiana has been designated by the Governor to be the lead agency responsible for general administration and supervision of the early intervention program, as well as the entity responsible for assigning financial responsibility among appropriate agencies (§303.143). The lead agency is responsible for monitoring all programs and activities used by the State to carry out Part C, whether or not those programs or activities are receiving assistance under Part C, to ensure that the State complies with Part C (§303.501). This includes programs under other State agencies that provide either funding or services for early intervention, such as those listed in the State's interagency agreement submitted as part of the State's Part C application. (See attachment.)

Each lead agency is also responsible for establishing State policies related to how services to children eligible under Part C and their families will be paid for under the State's early intervention system (§303.520). In addition, the lead agency is responsible for the

identification and coordination of all available resources for early intervention services within the State, including those from Federal, State, local, and private sources (§303.522). The Federal funding sources include Title V of the Social Security Act relating to Maternal and Child Health; Title XIX of the Social Security Act relating to the general Medicaid Program and Early Periodic Screening Diagnostic and Treatment program; the Head Start Act; Parts B and C of IDEA; the Developmental Disabilities Assistance and Bill of Rights Act; and other Federal programs. State sources include funds from any State agencies providing funding or services for early intervention. The State must also identify and coordinate resources from any local agencies involved in the provision of early intervention services to eligible infants and toddlers.

In addition, each State must submit a statement of assurances which includes an assurance that Federal funds made available under Part C will be used to supplement the level of State and local funds expended for children eligible under Part C and their families and in no case to supplant those State and local funds. To meet this requirement, the total amount of State and local funds budgeted for expenditures in the current fiscal year for early intervention services for children eligible under Part C and their families must be at least equal to the total amount of State and local funds actually expended for early intervention services for these children and their families in the most recent preceding fiscal year.

During its February visit, when OSEP requested expenditure reports covering all State and local spending for early intervention, LDE provided data showing only LDE expenditures. OSEP is aware, however, from the State's interagency agreement as well as discussions with LDE, that the total early intervention effort in the State comes from various diverse sources, as the Part C statute envisions. For example, during OSEP's monitoring visit, LDE stated that the Department of Health and Hospitals (DHH), through its Office of Citizens with Developmental Disabilities, is a funding source of early intervention programs operated by the Association for Retarded Citizens. According to LDE, these programs are located in six of the ten DHH regions. LDE further stated that it did not have financial information on these early intervention programs funded by the Office of Citizens with Developmental Disabilities. OSEP also learned that there are a variety of hospital-associated programs and clinics providing early intervention services.

OSEP is, therefore, requesting information, such as actual expenditure reports, to enable us to determine total State and local spending, for the last three fiscal years (1996-97 through 1998-99) for each program providing early intervention funding or services in Louisiana using State or local dollars, or using Federal funds other than IDEA funds. Please provide these expenditure reports or data information with funds identified by agency and source.

With respect to State funds, expenditures include amounts spent by any State agency providing early intervention services or funding for those services. This includes expenditures on child find, evaluation and assessment activities provided through local school

Page 3 - Honorable Cecil Picard

districts, as well as all other early intervention services from all State and local sources. State sources include, but are not limited to, those State agencies listed in the interagency agreement as providing early intervention services and support to the early intervention program. State agencies listed in the interagency agreement include LDE, the Office of Public Health and Office of Citizens with Developmental Disabilities under the Department of Health and Hospitals; the Office of Community Services under the Department of Social Services; and the Louisiana Health Care Authority.

Please submit this information as soon as possible. Thank you for your assistance in this matter, and if you have any questions, please call the Part C contact for Louisiana, Terese Lilly at 202-205-0151.

Sincerely

signed Kenneth R. Warlick/pg

Kenneth R. Warlick
Director
Office of Special Education Programs

cc Governor Murphy J. "Mike" Foster, Jr.
David Hood, Secretary of the Department of Health and Hospitals
Virginia Beridon, Director of Special Populations, LA Dept of Ed