

OMB NO. 1820-0550
Expires: 9/30/2017

**ANNUAL STATE APPLICATION UNDER PART C OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FEDERAL FISCAL YEAR (FFY) 2017**

CFDA No. 84.181A

ED FORM No. 1 B20--26P

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS
Washington, DC 20202-2600**

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefits (20 U.S.C. 1433; 20 U.S.C. 1435). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1820-0550. Note: Please do not return the completed Annual State Application form to this address.

Section I

A. Submission Statements for Part C of IDEA

Select 1 or 2 below. Check 3 if appropriate.

1. The State's policies, procedures, methods, descriptions, certifications, and assurances meet all application requirements of Part C of the Act as found in the Individuals with Disabilities Education Act (IDEA), codified at 20 U.S.C. 1431 through 1443 and the Part C regulations in 34 CFR Part 303. The State is able to provide and/or meet all policies, procedures, methods, descriptions, and assurances, found in Sections II.A and II.B of this Application.

By selecting this submission statement the State either has on file with the Secretary or has submitted new or revised State policies, procedures, methods, and descriptions that meet all requirements found in Section II.A.

2. The State cannot provide the policies, procedures, methods, descriptions, and/or assurances for all application requirements of Part C of the Act as found in Part C of the IDEA, 20 U.S.C. 1431 through 1443 and the Part C regulations in 34 CFR Part 303. The State has determined that it is unable to provide the policies, procedures, methods, descriptions, and/or assurances that are checked 'No' in Sections II.A and II.B. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in 20 U.S.C. 1431 through 1443 and the 2011 Part C regulations in 34 CFR Part 303. The State will develop and/or make such changes to existing policies, procedures, methods, descriptions, and assurances as are necessary to bring the policies, procedures, methods, descriptions, and assurances into compliance with the requirements of the IDEA Part C Act and regulations, as amended, as soon as possible, and not later than June 30, 2018. The State has included the date by which it expects to complete necessary changes associated with policies, procedures, methods, descriptions, and assurances marked 'No'. The items checked 'Yes' in Section II.A are enclosed with this application as revised or new or are identified as "OF" already on file with the Secretary.¹

Optional:

3. The State is submitting new or modified State policies and procedures previously submitted to the Department and checked in Section II.A, "N", "R" or "OF" cell(s) found in the 'Yes' column. These modifications are a result of: (1) the State revising its applicable State law or regulations; (2) changes required by the Secretary due to new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulation.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A:

- a. Sections II.A and II.B reflect completion of all issues identified in the FFY 2016 conditional approval letter (attach any additional documentation required by the FFY 2016 letter).
- b. As noted in Sections II.A and II.B, the State has not completed all issues identified in the FFY 2016 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- a. The State previously submitted documentation of completion of all issues identified in the FFY 2016 conditional approval letter.
- b. The State is attaching documentation of completion of all issues identified in the FFY 2016 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- c. The State has not completed all issues identified in the FFY 2016 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

¹ If Option 2 is checked, the State is to provide dates in Sections II.A and II.B as to when the required policies, procedures, methods, descriptions, and assurances will be provided, which date can be no later than June 30, 2018.
Part C Annual State Application: FFY 2017
OMB No. 1820-0550/Expiration Date: 9/30/2017

Section II

A. State Policies, Procedures, Methods, and Descriptions

As checked below, the State hereby declares that it has or has not filed the following policies, procedures, methods, and descriptions with the U.S. Department of Education, and, as of the date of the signature below, affirms and incorporates by reference those policies, procedures, methods, and descriptions with respect to Part C of the Individuals with Disabilities Education Act (IDEA or Act) in 20 U.S.C. 1431 - 1443 and the Part C regulations in 34 CFR Part 303 (Part C). By submission of this Section II, the State assures that throughout the period of this FFY 2017 grant award, the State will operate consistent with all requirements of Part C of the IDEA in 20 U.S.C. 1431 through 1443 and the Part C regulations in 34 CFR Part 303. The State will develop and/or make such changes to existing policies, procedures, methods, descriptions, and assurances as are necessary to bring the policies, procedures, methods, descriptions, and assurances into compliance with the requirements of the IDEA Part C Act and regulations by the date indicated below and not later than June 30, 2018.

<i>Check and enter date(s) as applicable. Enclose relevant documents.</i>			<i>N = 'New' Policy and/or Procedure R = 'Revised' Policy and/or Procedure OF = Policy and/or Procedure is already 'On File' with the USDE</i>
Yes (If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)	No (Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)		
N	R	OF	State Policies, Procedures, Methods, and Descriptions
			Subpart C – State Policies and Procedures
		X	1. Each application must include the name of the State lead agency, as designated under §303.120, that will be responsible for the administration of funds provided under this part. (34 CFR §303.201)
		X	2. Each application must include a description of services to be provided under Part C to infants and toddlers with disabilities and their families through the State's system. (34 CFR §303.203(a))
			3. Each application must include the State's policies and procedures regarding the identification and coordination of all available resources within the State from Federal, State, local, and private sources as required under subpart F of 34 CFR Part 303. <i>The State must have policies and procedures that meet the requirements listed in 3(a) and the methods identified in 3(b), and must provide responses to those</i>

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p><i>entries. If the State has not adopted a system of payments, it may respond "NA" to 3(a).</i></p>
		<p>X</p>	<p>(a) If the State has adopted a system of payments, each application must include any policies or procedures adopted by the State as its system of payments and those policies and procedures must meet the requirements in §§303.510, 303.520 and 303.521 (regarding the use of public insurance or benefits, private insurance, or family costs or fees).</p> <p>(34 CFR §303.203(b)(1))</p> <p><i>The policies and procedures listed in 3(a) are optional. Enter 'NA' in the cells to the left if the State has elected not to adopt a system of payments (which includes a system to use public insurance or benefits or private insurance or family fees to pay for Part C services); otherwise check the appropriate response under the 'Yes' column and, if checking 'N' or 'R', attach policies and procedures.</i></p> <p><i>The State's response under 3(a) of Section II.A must match the State's response under Section IV.A.</i></p>
		<p>X</p>	<p>(b) Each application must include the methods (State law, regulation, signed interagency or intra-agency agreements or other appropriate written method(s) approved by the Secretary) used by the State to implement the payor of last resort and fiscal responsibility requirements in §303.511(b)(2) and (3).</p> <p>(34 CFR §303.203(b)(2))</p> <p><i>If the State uses signed interagency agreements or "other appropriate written method(s)" to meet</i></p>

<p><i>Check and enter date(s) as applicable. Enclose relevant documents.</i></p>			<p><i>N = 'New' Policy and/or Procedure R = 'Revised' Policy and/or Procedure OF = Policy and/or Procedure is already 'On File' with the USDE</i></p>
<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p><i>the requirements in 3(b), please check 'N' or 'R' and submit with the application. If the State's method is a State statute or regulation, the State does not need to submit that method (the statute or regulation) with its application.</i></p>
		<p>X</p>	<p>4. Each application must include the State's rigorous definition of developmental delay as required under §§303.10 and 303.111. Each Statewide system must include the State's rigorous definition of <u>developmental delay</u>, consistent with §§303.10 and 303.203(c), that will be used by the State in carrying out programs under Part C of the Act in order to appropriately identify infants and toddlers with disabilities who are in need of services under Part C of the Act. The definition must--</p> <p>(a) Describe, for each of the areas listed in §303.21(a)(1), the evaluation and assessment procedures, consistent with §303.321, that will be used to measure a child's development; and</p> <p>(b) Specify the level of developmental delay in functioning or other comparable criteria that constitute a developmental delay in one or more of the developmental areas identified in §303.21(a)(1).</p> <p>(34 CFR §§303.203(c) & 303.111)</p>
		<p>NA</p>	<p>5. If the State provides services under Part C to at-risk infants and toddlers through the statewide system, the application must include--</p> <p>(a) The State's definition of at-risk infants and toddlers with disabilities who are eligible in the State for services under Part C (consistent with §§303.5 and 303.21(b)); and</p> <p>(b) A description of the early intervention services</p>

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Yes (If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)	No (Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)		
N	R	OF	State Policies, Procedures, Methods, and Descriptions
			provided under Part C to at-risk infants and toddlers with disabilities who meet the State's definition described in §303.204(a). (34 CFR §303.204). <i>The policies and procedures listed in 5 are optional (i.e., they only apply if the State opts to serve at-risk children). Enter 'NA' in the cells to the left if the State has elected not to provide services under Part C to at-risk infants and toddlers; otherwise check the appropriate response under the 'Yes' column and, if checking 'N' or 'R', attach the definition and description.</i>
X			6. Each State application must include a description of the State's use of funds under Part C for the fiscal year or years covered by the application. The description must be presented separately for the lead agency and the State Interagency Coordinating Council (Council), and include the information required in attached Section III of this application. (34 CFR §303.205)
		X	7. Each application must include the State's policies and procedures that require the referral for early intervention services under Part C of specific children under the age of three, as described in §303.303(b) (which includes children who are the subject of a substantiated case of abuse or neglect, or directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure). (34 CFR §303.206)
		X	8. Each application must include a description of the procedure used by the State to ensure that resources are made available under Part C for all geographic areas within the State. (34 CFR §303.207)

Check and enter date(s) as applicable. Enclose relevant documents.			<i>N = 'New' Policy and/or Procedure</i> <i>R = 'Revised' Policy and/or Procedure</i> <i>OF = Policy and/or Procedure is already 'On File' with the USDE</i>
Yes (If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)	No (Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)		
N	R	OF	State Policies, Procedures, Methods, and Descriptions
		X	<p>9. Each application must include a description of the policies and procedures used by the State to ensure that, before adopting any new policy or procedure (including any revision to an existing policy or procedure) needed to comply with Part C of the Act and 34 CFR Part 303, the lead agency--</p> <ul style="list-style-type: none"> (1) Holds public hearings on the new policy or procedure (including any revision to an existing policy or procedure); (2) Provides notice of the hearings held in accordance with §303.208(b)(1) at least 30 days before the hearings are conducted to enable public participation; and (3) Provides an opportunity for the general public, including individuals with disabilities, parents of infants and toddlers with disabilities, EIS providers, and the members of the Council, to comment for at least 30 days on the new policy or procedure (including any revision to an existing policy or procedure) needed to comply with Part C of the Act and 34 CFR Part 303. <p style="text-align: center;">(34 CFR §303.208(b))</p>
X			<p>10. (a) <u>Application Requirements</u>: Each State must include the following in its application:</p> <ul style="list-style-type: none"> (1) A description of the policies and procedures it will use to ensure a smooth transition for infants and toddlers with disabilities under the age of three and their families from receiving early intervention services under Part C to preschool or other appropriate services (for toddlers with disabilities) or exiting the program for infants and toddlers with disabilities.

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<p style="text-align: center;">Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p style="text-align: center;">No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>			
N	R	OF		<p>State Policies, Procedures, Methods, and Descriptions</p>
				<ul style="list-style-type: none"> (2) A description of how the State will meet each requirement in §303.209(b) through (f). (3) (i)(A) If the lead agency is not the SEA, an interagency agreement between the lead agency and the SEA; or (B) If the lead agency is the SEA, an intra-agency agreement between the program within that agency that administers Part C of the Act and the program within the agency that administers section 619 of the Act <ul style="list-style-type: none"> (ii) To ensure a seamless transition between services under Part C and under Part B of the Act, an interagency agreement under paragraph (a)(3)(i)(A) of this section or an intra-agency agreement under paragraph (a)(3)(i)(B) of this section must address how the lead agency and the SEA will meet the requirements of paragraphs (b) through (f) of this section (including any policies adopted by the lead agency under §303.401(d) and (e)), §303.344(h), and 34 CFR 300.101(b), 300.124, 300.321(f) and 300.323(b). (4) Any policy the lead agency has adopted under §303.401(d) and (e). (b) <u>Notification to the SEA and appropriate LEA.</u> The State must ensure that-- <ul style="list-style-type: none"> (1) Subject to paragraph (b)(4) of this section, not fewer than 90 days before the third birthday of the toddler with a disability if that toddler may be eligible for preschool services under Part B of the Act, the lead agency notifies the SEA and the LEA for the area in which the toddler resides that the toddler on his or her third birthday will reach the age of eligibility for services under Part B of the Act, as determined in accordance with State law; or (2) Subject to paragraph (b)(4) of this section, if

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p>the lead agency determines that the toddler is eligible for early intervention services under Part C of the Act more than 45 but less than 90 days before that toddler's third birthday and if that toddler may be eligible for preschool services under Part B of the Act, the lead agency, as soon as possible after determining the child's eligibility, notifies the SEA and the LEA for the area in which the toddler with a disability resides that the toddler on his or her third birthday will reach the age of eligibility for services under Part B of the Act, as determined in accordance with State law; or</p> <p>(3) Subject to paragraph (b)(4) of this section, if a toddler is referred to the lead agency fewer than 45 days before that toddler's third birthday and that toddler may be eligible for preschool services under Part B of the Act, the lead agency, with parental consent required under §303.414, refers the toddler to the SEA and the LEA for the area in which the toddler resides; but, the lead agency is not required to conduct an evaluation, assessment, or an initial IFSP meeting under these circumstances;</p> <p>(4) The notification required under paragraphs (b)(1), (2), and (3) of this section is consistent with any policy that the State has adopted, under §303.401(e), permitting a parent to object to disclosure of personally identifiable information.</p> <p>(c) <u>Conference to discuss services.</u> The State must ensure that—</p> <p>(1) If a toddler with a disability may be eligible for preschool services under Part B of the Act, the lead agency, with the approval of</p>

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p>the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA not fewer than 90 days--and, at the discretion of all of the parties, not more than 9 months--before the toddler's third birthday to discuss any services the toddler may receive under Part B of the Act.</p> <p>(2) If a toddler with a disability is determined to not be potentially eligible for preschool services under Part B of the Act, the lead agency, with the approval of the family of that toddler, makes reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for the toddler to discuss appropriate services that the toddler may receive.</p> <p>(d) <u>Transition plan</u>. The State must ensure that for all toddlers with disabilities –</p> <p>(1)(i) It reviews the program options for the toddler with a disability for the period from the toddler's third birthday through the remainder of the school year; and</p> <p>(ii) Each family of a toddler with a disability who is served under Part C is included in the development of the transition plan required under this section and §303.344(h);</p> <p>(2) It establishes a transition plan in the IFSP not fewer than 90 days--and, at the discretion of all of the parties, not more than 9 months--before the toddler's third birthday; and</p> <p>(3) The transition plan in the IFSP includes, consistent with §303.344(h), as appropriate—</p> <p>(i) Steps for the toddler with a disability</p>

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p style="text-align: right;">and his or her family to exit from the Part C program; and</p> <p style="text-align: right;">(ii) Any transition services that the IFSP Team identifies as needed by that toddler and his or her family.</p> <p>(e) <u>Transition conference and plan meeting requirements.</u> Any conference conducted under paragraph (c) of this section or meeting to develop the transition plan under paragraph (d) of this section (which conference and meeting may be combined into one meeting) must meet the requirements in §§303.342(d) and (e) and 303.343(a).</p> <p>(f) <u>Applicability of transition requirements.</u></p> <p>(1) The transition requirements in paragraphs (b)(1) and (2), (c)(1), and (d) of this section apply to all toddlers with disabilities receiving services under this part before those toddlers turn age three, including any toddler with a disability under the age of three who is served by a State that offers services under §303.211.</p> <p>(2) In a State that offers services under §303.211, for toddlers with disabilities identified in paragraph (b)(1) of this section, the parent must be provided at the transition conference conducted under paragraph (c)(1) of this section: (i) An explanation, consistent with §303.211(b)(1)(ii), of the toddler's options to continue to receive early intervention services under this part or preschool services under section 619 of the Act; (ii) The initial annual notice referenced in §303.211(b)(1).</p> <p>(3) For children with disabilities age three and older who receive services pursuant to §303.211, the State must ensure that it satisfies the separate transition requirements in §303.211(b)(6)(ii).</p> <p>(34 CFR §303.209)</p>

Check and enter date(s) as applicable. Enclose relevant documents.			<i>N = 'New' Policy and/or Procedure</i> <i>R = 'Revised' Policy and/or Procedure</i> <i>OF = Policy and/or Procedure is already 'On File' with the USDE</i>
Yes (If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)	No (Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)		
N	R	OF	State Policies, Procedures, Methods, and Descriptions
		X	11. Each application must contain a description of State efforts to promote collaboration among Head Start and Early Head Start programs under the Head Start Act (42 U.S.C. 9801, <u>et seq.</u> , as amended), early education and child care programs, and services under Part C. (34 CFR §303.210)
		X	12. Each application must include, as required by Section 427 of the General Education Provisions Act (GEPA), a description of how the State has identified barriers and developed strategies to address the barriers and has provided a description of the steps the State is taking to ensure equitable access to, and participation in, Part C. (34 CFR §303.212(a))
		NA	13. (a) (1) A State may elect to include in its application for a grant under Part C a State policy, developed and implemented jointly by the lead agency and the SEA, under which a parent of a child with a disability who is eligible for preschool services under section 619 of the Act and who previously received early intervention services under Part C, may choose the continuation of early intervention services under Part C for his or her child after the child turns three until the child enters, or is eligible under State law to enter, kindergarten or elementary school. (2) A State that adopts the policy described in paragraph (a)(1) of this section may determine whether it applies to children with disabilities-- <ul style="list-style-type: none"> (i) From age three until the beginning of the school year following the child's third birthday; (ii) From age three until the beginning of the school year following the child's fourth birthday; or (iii) From age three until the beginning of the school year following the child's fifth

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p style="text-align: center;">birthday.</p> <p>(3) However, in no case may a State provide services under this section beyond the age at which the child actually enrolls in, or is eligible under State law to enter, kindergarten or elementary school in the State.</p> <p>(b) <u>Requirements</u>. If a State's application for a grant under Part C includes the State policy described in paragraph (a) of this section, the system must ensure the following:</p> <p>(1) Parents of children with disabilities who are eligible for services under section 619 of the Act and who previously received early intervention services under Part C will be provided annual notice (the initial annual notice must be provided as set forth in §303.209(f)(2)(ii) that contains--</p> <p>(i) A description of the rights of the parents to elect to receive services pursuant to §303.211 or under Part B of the Act; and</p> <p>(ii) An explanation of the differences between services provided pursuant to §303.211 and services provided under Part B of the Act, including--</p> <p>(A) The types of services and the locations at which the services are provided;</p> <p>(B) The procedural safeguards that apply; and</p> <p>(C) Possible costs (including the costs or fees to be charged to families as described in §§303.520 and 303.521), if any, to parents; and</p> <p>(2) Consistent with §303.344(d), services provided pursuant to §303.211 will include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills.</p>

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<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p>(3) The State policy ensures that any child served pursuant to this section has the right, at any time, to receive FAPE (as that term is defined at §303.15) under Part B of the Act instead of early intervention services under Part C of the Act under §303.211.</p> <p>(4) The lead agency must continue to provide all early intervention services identified in the toddler with a disability's IFSP under §303.344 (and consented to by the parent under §303.342(e)) beyond age three until that toddler's initial eligibility determination under Part B of the Act is made under 34 CFR §300.306. This provision does not apply if the LEA has requested parental consent for the initial evaluation under §300.300(a) and the parent has not provided that consent.</p> <p>(5) The lead agency must obtain informed consent from the parent of any child with a disability for the continuation of early intervention services pursuant to this section for that child. Consent must be obtained before the child reaches three years of age, where practicable.</p> <p>(6)(i) For toddlers with disabilities under the age of three in a State that offers services under this section, the lead agency ensures that the transition requirements in §303.209(b)(1) and (2), (c)(1) and (d) are met.</p> <p>(ii) For toddlers with disabilities age three and older in a State that offers services under this section, the lead agency ensures a smooth transition from services under this section to preschool, kindergarten or elementary school by:</p> <p>(A) Providing the SEA and LEA where the child resides, consistent with any State policy adopted</p>

<p><i>Check and enter date(s) as applicable. Enclose relevant documents.</i></p>			<p><i>N = 'New' Policy and/or Procedure R = 'Revised' Policy and/or Procedure OF = Policy and/or Procedure is already 'On File' with the USDE</i></p>
<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p>under §303.401(e), the information listed in §303.401(d)(1) not fewer than 90 days before the child will no longer be eligible under subsection (a)(2) of this section to receive early intervention services under this section; (B) With the approval of the parents of the child, convening a transition conference, among the lead agency, the parents, and the LEA, not fewer than 90 days--and, at the discretion of all parties, not more than 9 months--before the child will no longer be eligible under subsection (a)(2) of this section to receive, or will no longer receive, early intervention services under this section, to discuss any services that the child may receive under Part B of the Act; and (C) Establishing a transition plan in the IFSP not fewer than 90 days--and, at the discretion of all parties, not more than 9 months--before the child will no longer be eligible under subsection (a)(2) of this section to receive, or no longer receives, early intervention services under this section.</p> <p>(7) In States that adopt the option to make services under Part C available to children ages three and older pursuant to §303.211, there will be a referral to the Part C system, dependent upon parental consent, of a child under the age of three who directly experiences a substantiated case of trauma due to exposure to family violence, as defined in section 320 of the Family Violence Prevention and Services Act, 42 U.S.C. 10401, et seq.</p> <p>(c) <u>Reporting requirement.</u> If a State includes in its application a State policy described in §303.211(a), the State must submit to the Secretary, in the State's report under §303.124, the number and percentage of children with disabilities who are eligible for services under</p>

<p><i>Check and enter date(s) as applicable. Enclose relevant documents.</i></p>			<p><i>N = 'New' Policy and/or Procedure R = 'Revised' Policy and/or Procedure OF = Policy and/or Procedure is already 'On File' with the USDE</i></p>
<p>Yes</p> <p>(If New or Revised is checked, the State is submitting policies, procedures, methods, and descriptions with this application. If already 'On File with OSEP', check OF.)</p>	<p>No</p> <p>(Policies, procedures, methods, and descriptions have not been provided. Provide date by which State will submit to OSEP required documentation, which date shall be no later than June 30, 2018.)</p>		
<p>N</p>	<p>R</p>	<p>OF</p>	<p>State Policies, Procedures, Methods, and Descriptions</p>
			<p>section 619 of the Act but whose parents choose for their children to continue to receive early intervention services under §303.211.</p> <p>(d) <u>Available funds.</u> The State policy described in §303.211(a) must describe the funds--including an identification as Federal, State, or local funds--that will be used to ensure that the option described in §303.211(a) is available to eligible children and families who provide the consent described in §303.211(b)(5), including fees, if any, to be charged to families as described in §§303.520 and 303.521.</p> <p>(e) <u>Rules of construction.</u> (1) If a statewide system includes a State policy described in §303.211(a), a State that provides services in accordance with this section to a child with a disability who is eligible for services under section 619 of the Act will not be required to provide the child FAPE under Part B of the Act for the period of time in which the child is receiving services under §303.211.</p> <p>(2) Nothing in this section may be construed to require a provider of services under Part C to provide a child served under Part C with FAPE.</p> <p>(34 CFR §303.211)</p> <p><i>The policies and procedures listed in 13 are optional. Enter 'NA' in the cells to the left if the State has elected not to develop and implement a policy under 34 CFR §303.211 to make Part C services to children beyond age three; otherwise check the appropriate response under the 'Yes' column and, if checking 'N' or 'R', attach policies and procedures.</i></p>

B. Assurances and Optional Assurance

The State makes the following assurances and provisions as required by Part C of the Individuals with Disabilities Education Act. (20 U.S.C. 1431 et. seq.; 34 CFR §§303.101-126; 303.220; 303.227)

<i>Check and enter date(s) as applicable</i>		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
X		<p>1. The State has adopted a policy that appropriate early intervention services, as defined in 34 CFR §303.13, are available to all infants and toddlers with disabilities in the State and their families, including--</p> <p>(a) Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State;</p> <p>(b) Infants and toddlers with disabilities who are homeless children and their families; and</p> <p>(c) Infants and toddlers with disabilities who are wards of the State.</p> <p>(34 CFR §303.101(a))</p>
X		<p>2. The State has in effect a statewide system of early intervention services that meets the requirements of section 635 of the Act, including policies and procedures that address, at a minimum, the components required in 34 CFR §§303.111 through 303.126. (34 CFR §303.101(a))</p>
X		<p>3. The State ensures that any State rules, regulations, policies and procedures relating to 34 CFR Part 303 conform to the purposes and requirements of 34 CFR Part 303. (34 CFR §303.102)</p>
X		<p>4. Each statewide system (system) must include, at a minimum, the components described in §§303.111 through 303.126. (34 CFR §303.110)</p>
X		<p>5. The State has a policy in effect that ensures that appropriate early intervention services are based on scientifically based research, to the extent practicable, and are available to all infants and toddlers with disabilities and their families, including—</p> <p>(a) Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State; and</p> <p>(b) Infants and toddlers with disabilities who are homeless children and their families. (34 CFR §303.112)</p>

<i>Check and enter date(s) as applicable</i>		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
X		<p>6. (a) The Statewide system ensures the performance of--</p> <p style="margin-left: 40px;">(1) A timely, comprehensive, multidisciplinary evaluation of the functioning of each infant or toddler with a disability in the State; and</p> <p style="margin-left: 40px;">(2) A family-directed identification of the needs of the family of the infant or toddler to assist appropriately in the development of the infant or toddler.</p> <p>(b) The evaluation and family-directed identification required in paragraph (a) of this section must meet the requirements of 34 CFR §303.321.</p> <p>(34 CFR §303.113)</p>
X		<p>7. The Statewide system ensures that, for each infant or toddler with a disability and his or her family in the State, an IFSP, as defined in 34 CFR §303.20, is developed and implemented that meets the requirements of 34 CFR §§303.340 through 303.345 and that includes service coordination services, as defined in 34 CFR §303.34. (34 CFR §303.114)</p>
X		<p>8. The Statewide system includes a comprehensive child find system that meets the requirements in 34 CFR §§303.302 and 303.303. (34 CFR §303.115)</p>
X		<p>9. The Statewide system includes a public awareness program that--</p> <p style="margin-left: 40px;">(a) Focuses on the early identification of infants and toddlers with disabilities; and</p> <p style="margin-left: 40px;">(b) Provides information to parents of infants and toddlers through primary referral sources in accordance with 34 CFR §303.301.</p> <p>(34 CFR §303.116)</p>
X		<p>10. The Statewide system includes a central directory that is accessible to the general public (i.e., through the lead agency's Web site and other appropriate means) and includes accurate, up-to-date information about:</p> <p style="margin-left: 40px;">(a) Public and private early intervention services, resources, and experts available in the State;</p> <p style="margin-left: 40px;">(b) Professional and other groups (including parent support and training and information centers, such as those funded under the Act) that provide assistance to infants and toddlers with disabilities</p>

Check and enter date(s) as applicable		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
		<p>eligible under Part C of the Act and their families; and</p> <p>(c) Research and demonstration projects being conducted in the State relating to infants and toddlers with disabilities.</p> <p>(34 CFR §303.117)</p>
X		<p>11. The Statewide system includes a comprehensive system of personnel development, including the training of paraprofessionals and the training of primary referral sources with respect to the basic components of early intervention services available in the State. The State's comprehensive system of personnel development--</p> <p>(a) Includes--</p> <ol style="list-style-type: none"> (1) Training personnel to implement innovative strategies and activities for the recruitment and retention of EIS providers; (2) Promoting the preparation of EIS providers who are fully and appropriately qualified to provide early intervention services under Part C; and (3) Training personnel to coordinate transition services for infants and toddlers with disabilities who are transitioning from an early intervention services program under Part C of the Act to a preschool program under section 619 of the Act, Head Start, Early Head Start, an elementary school program under Part B of the Act, or another appropriate program. <p>(b) May include--</p> <ol style="list-style-type: none"> (1) Training personnel to work in rural and inner-city areas; (2) Training personnel in the emotional and social development of young children; (3) Training personnel to support families in participating fully in the development and implementation of the child's IFSP; and (4) Training personnel who provide services under this part using standards that are consistent with early learning personnel development standards funded under the State Advisory Council on Early Childhood Education and Care established under the Head Start Act, if applicable. (34 CFR §303.118)
X		<p>12. The Statewide system includes policies and procedures relating to the establishment and maintenance of qualification standards to ensure that personnel necessary to carry out the purposes of Part C are appropriately and adequately prepared and trained. These policies and procedures provide for the establishment and maintenance of</p>

<i>Check and enter date(s) as applicable</i>		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
		<p>qualification standards that are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the profession, discipline, or area in which personnel are providing early intervention services. Nothing in Part C of the Act may be construed to prohibit the use of paraprofessionals and assistants who are appropriately trained and supervised in accordance with State law, regulation, or written policy, to assist in the provision of early intervention services under Part C of the Act to infants and toddlers with disabilities. (34 CFR §303.119(a) – (c))</p>
X		<p>13. The Statewide system includes a single line of responsibility in a lead agency designated or established by the Governor that is responsible for the following--</p> <p>(a)(1) The general administration and supervision of programs and activities administered by agencies, institutions, organizations, and EIS providers receiving assistance under Part C of the Act; and</p> <p>(2) The monitoring of programs and activities used by the State to carry out Part C of the Act (whether or not the programs or activities are administered by agencies, institutions, organizations, and EIS providers that are receiving assistance under Part C of the Act), to ensure that the State complies with Part C of the Act, including--</p> <ul style="list-style-type: none"> (i) Monitoring agencies, institutions, organizations, and EIS providers used by the State to carry out Part C of the Act; (ii) Enforcing any obligations imposed on those agencies, institutions, organizations, and EIS providers under Part C of the Act and 34 CFR Part 303; (iii) Providing technical assistance, if necessary, to those agencies, institutions, organizations and EIS providers; (iv) Correcting any noncompliance identified through monitoring as soon as possible and in no case later than one year after the lead agency's identification of the noncompliance; and (v) Conducting the activities in paragraphs (a)(2)(i) through (a)(2)(iv) of this section, consistent with 34 CFR §§303.700 through 303.707, and any other activities required by the State under those sections. <p>(b) The identification and coordination of all available resources for early intervention services within the State, including those from Federal, State, local, and private sources, consistent with subpart F</p>

<i>Check and enter date(s) as applicable</i>		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
		<p>of 34 CFR Part 303.</p> <p>(c) The assignment of financial responsibility in accordance with subpart F of 34 CFR Part 303.</p> <p>(d) The development of procedures in accordance with subpart F of 34 CFR Part 303 to ensure that early intervention services are provided to infants and toddlers with disabilities and their families under Part C of the Act in a timely manner, pending the resolution of any disputes among public agencies or EIS providers.</p> <p>(e) The resolution of intra- and interagency disputes in accordance with subpart F of 34 CFR Part 303.</p> <p>(f) The entry into formal interagency agreements or other written methods of establishing financial responsibility, consistent with 34 CFR §303.511, that define the financial responsibility of each agency for paying for early intervention services (consistent with State law) and procedures for resolving disputes and that include all additional components necessary to ensure meaningful cooperation and coordination as set forth in subpart F of 34 CFR Part 303.</p> <p>(34 CFR §303.120)</p>
X		<p>14. The Statewide system includes a policy pertaining to the contracting or making of other arrangements with public or private individuals or agency service providers to provide early intervention services in the State, consistent with the provisions of Part C of the Act and 34 CFR Part 303, including the contents of the application, and the conditions of the contract or other arrangements. The policy --</p> <p>(a) Includes a requirement that all early intervention services must meet State standards and be consistent with the provisions of Part C; and</p> <p>(b) Is consistent with the Education Department General Administrative Regulations in 34 CFR Part 80.</p> <p>(34 CFR §303.121)</p>
X		<p>15. The Statewide system includes procedures for securing the timely reimbursement of funds used under Part C of the Act, in accordance with subpart F of 34 CFR Part 303. (34 CFR §303.122)</p>
X		<p>16. The Statewide system includes procedural safeguards that meet the requirements of subpart E of 34 CFR Part 303. (34 CFR §303.123)</p>

<i>Check and enter date(s) as applicable</i>		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
X		17. The Statewide system includes a system for compiling and reporting timely and accurate data that meets the requirements of 34 CFR §§303.700 through 303.702 and 303.720 through 303.724 and the following requirements. The data system includes a description of the process that the State uses, or will use, to compile data on infants or toddlers with disabilities receiving early intervention services under Part C, including a description of the State’s sampling methods, if sampling is used, for reporting the data required by the Secretary under sections 616 and 618 of the IDEA and 34 CFR §§303.700 through 303.707 and 303.720 through 303.724. (34 CFR §303.124)
X		18. The Statewide system includes a State Interagency Coordinating Council (Council) that meets the requirements of subpart G of 34 CFR Part 303. (34 CFR §303.125)
X		19. The Statewide system includes policies and procedures to ensure, consistent with 34 CFR §§303.13(a)(8) (early intervention services), 303.26 (natural environments), and 303.344(d)(1)(ii) (content of an IFSP), that early intervention services for infants and toddlers with disabilities are provided-- (a) To the maximum extent appropriate, in natural environments; and (b) In settings other than the natural environment that are most appropriate, as determined by the parent and the IFSP Team, only when early intervention services cannot be achieved satisfactorily in a natural environment. (34 CFR §303.126)
X		20. The Statewide system ensures that Federal funds made available to the State under section 643 of the Act will be expended in accordance with the provisions of 34 CFR Part 303, including §§303.500 and 303.501. (34 CFR §303.221)
X		21. The Statewide system will comply with the requirements in §§303.510 and 303.511 in subpart F of this part. (34 CFR §303.222)
X		22. The Statewide system ensures that-- (a) The control of funds provided under 34 CFR Part 303, and title to property acquired with those funds, will be in a public agency for the

Check and enter date(s) as applicable		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
		uses and purposes provided in 34 CFR Part 303; and (b) A public agency will administer the funds and property. (34 CFR §303.223)
X		23. The Statewide system ensures that it will-- (a) Make reports in the form and containing the information that the Secretary may require; and (b) Keep records and afford access to those records as the Secretary may find necessary to ensure compliance with the requirements of 34 CFR Part 303, the correctness and verification of reports, and the proper disbursement of funds provided under 34 CFR Part 303. (34 CFR §303.224)
X		24. The Statewide system ensures that – (a) Federal funds made available under section 643 of the Act to the State – (1) Will not be commingled with State funds; and (2) Will be used so as to supplement the level of State and local funds expended for infants and toddlers with disabilities and their families and in no case to supplant those State and local funds. (b) To meet the requirement in paragraph (a) of this section, the total amount of State and local funds budgeted for expenditures in the current fiscal year for early intervention services for children eligible under this part 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 for which the information is available. Allowance may be made for— (1) A decrease in the number of infants and toddlers who are eligible to receive early intervention services under this part; and (2) Unusually large amounts of funds expended for such long-term purposes as the acquisition of equipment and the construction of facilities. (c) Requirement regarding indirect costs. (1) Except as provided in paragraph (c)(2) of this section, a lead agency under this part may not charge indirect costs to its Part C grant. (2) If approved by the lead agency’s cognizant Federal agency or by the Secretary, the lead agency must charge indirect costs through either-- (i) A restricted indirect cost rate that meets the requirements in 34 CFR 76.560 through 76.569; or

Check and enter date(s) as applicable		Subpart B – Assurances (20 U.S.C. 1434; 1435; and 1437(b); 34 CFR §§303.101-126; 303.220; 303.227)
Yes <i>(Assurance is hereby provided.)</i>	No <i>(Assurance cannot be ensured. Provide date on which State will complete changes in order to provide assurance.)</i>	
		<p>(ii) A cost allocation plan that meets the non-supplanting requirements in paragraph (b) of this section and 34 CFR Part 76 of EDGAR.</p> <p><u>(3) In charging indirect costs under paragraph (c)(2)(i) and (c)(2)(ii) of this section, the lead agency may not charge rent, occupancy, or space maintenance costs directly to the Part C grant, unless those costs are specifically approved in advance by the Secretary.</u></p> <p>(34 CFR §303.225)</p>
X		<p>25. The Statewide system ensures that fiscal control and fund accounting procedures will be adopted as necessary to ensure proper disbursement of, and accounting for, Federal funds paid under 34 CFR Part 303.</p> <p>(34 CFR §303.226)</p>
X		<p>26. The State ensures that policies and practices have been adopted to ensure that--</p> <p>(a) Traditionally underserved groups, including minority, low-income, homeless, and rural families and children with disabilities who are wards of the State, are meaningfully involved in the planning and implementation of all the requirements of Part C; and</p> <p>(b) These families have access to culturally competent services within their local geographical areas.</p> <p>(34 CFR §303.227)</p>
		Assurance Regarding Optional Policy
X		<p><i>Enter 'NA' in the cell to the left if this assurance is not applicable to your State.</i></p> <p>27. A State may adopt and has adopted a policy that includes making ongoing good-faith efforts to recruit and hire appropriately and adequately trained personnel to provide early intervention services to infants and toddlers with disabilities, including, in a geographic area of the State where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable course work necessary to meet the standards described in paragraphs (a) and (b) of this section. (34 CFR §303.119(d))</p>

C. Certifications

The State Lead Agency is providing the following certifications:

Yes	
X	<p>1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i>, is on file with the Secretary of Education.</p> <p>With respect to the <i>Certification Regarding Lobbying</i> the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers.</p>
X	<p>2. The State certifies that it has met the certifications in the Education Department General Administrative Regulations (EDGAR) at 34 CFR §80.11 relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State.</p>
X	<p>3. The State certifies that the arrangements to establish financial responsibility for the provision of Part C services among appropriate public agencies under §303.511 and the lead agency's contracts with EIS providers regarding financial responsibility for the provision of Part C services meet the requirements in §§303.500 through 303.521 and are current as of the date of submission of the certification. (34 CFR §303.202)</p>

D. Statement

I certify that the State of Mississippi has provided the policies, procedures, methods, descriptions, and assurances checked as 'yes' in Sections II.A and II.B and the certifications required in Section II.C of this application. These provisions meet the requirements of Part C of the Individuals with Disabilities Education Act as found in 20 U.S.C. 1431-1443 (as amended) and the 2011 regulations in 34 CFR Part 303 (as amended). The State will operate its IDEA Part C program in accordance with all of the required policies, procedures, methods, descriptions, assurances and certifications.

If any policies, procedures, methods, descriptions, and assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA as found in 20 U.S.C. 1431-1443 (as amended) and the 2011 regulations in 34 CFR Part 303 (as amended), and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2018. (34 CFR §76.104)

I, the undersigned authorized official of the

Mississippi State Department of Health,

(Name of State and official name of State lead agency)

am designated under Part C by the Governor of this State to submit this application for FFY 2017 funds under Part C of the Individuals with Disabilities Education Act (IDEA).

Printed/Typed Name and Title of Authorized Representative of the State:	
Mary Currier, M.D., MPH, State Health Officer	
Signature:	Date:

Section III

A. Description of Use of Part C Funds for the Lead Agency

(Completion of this Section, III.A is optional for SEAs.)

When completing this section include:

- Totals for the number of lead agency administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Part C funds;
- A general description of the duties which the positions entail; and
- A subtotal of the amount.

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Part C application budget.

Positions Funded	Number of Positions	% of Time Spent on Part C	Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds	10	100%	\$ 486,174	See Section III.A. – Attachment 1
< 100% funded with Part C Funds	1	50%	\$ 35,852	See Section III.A. – Attachment 1
Subtotal of amount under A:			\$ 522,026	

Section III (Continued)

B. Maintenance and Implementation Activities for the Lead Agency

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services. Activities could include enhancing the Comprehensive System of Personnel Development, implementing child find strategies, or ensuring a timely, comprehensive, multidisciplinary evaluation for each child;
- The approximate amount of funds to be spent for each activity; and
- A subtotal of the amount.

(Add columns and rows as needed.)

Major Activity	Part C Funds to be Spent	Description of Activities
Travel and Expenses for FSEIP Personnel	\$ 50,000.00	This category includes funding for in state travel and per diem expenses to attend meetings, monitor districts, and provide training throughout the state. Out of state travel includes per diem expenses for staff to attend conferences and training necessary for the implementation of Part C of IDEA.
Commodities	\$ 50,000.00	This category includes funding for test protocols, therapy supplies, reference resources, adaptive equipment (costing less than \$ 500 per item), FSEIP office supplies, and all other items designated as supplies or commodities.
Planning, development, and implementation activities	\$ 492,662.00	This category includes funding for Part C monitoring and technical assistance activities, collaborative training and technical assistance with other agencies, EI conference expenses (e.g., MS DEC Annual Conference), and State infrastructure improvement efforts
Subtotal of amount under B:	\$ 602,662.00	

Section III (Continued)

C. Description of Use of Part C Funds for the Interagency Coordinating Council (ICC)²

- When completing this section include: Totals for the number of ICC administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Part C funds;
- A general description of the duties which the positions entail; and
- A subtotal of the amount.

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Part C application budget.

Positions Funded	Number of Positions	% of Time Spent on Part C	Amount of Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds	0	0	\$ 0.00	
< 100% funded with Part C Funds	0	0	\$ 0.00	
Subtotal of amount under C:			\$ 0.00	

² Federal Part C funds used to support the SICC must meet the requirements of 34 CFR §303.603.

Section III (Continued)

D. Maintenance and Implementation Activities for the Interagency Coordinating Council (ICC)

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services. Activities could include coordinating child find identification efforts, ensuring the timely provision and payment of early intervention services to eligible children and their families, advising on early childhood transition, support for the ICC (travel), or other implementation and development activities of the SICC;
- The approximate amount of funds to be spent for each activity; and
- A subtotal of the amount.

(Add columns and rows as needed.)

Major Activity	Part C Funds to be Spent	Description of Activities
SICC/Stakeholders	\$ 15,000.00	This category includes funding for travel, meals, conference room and equipment rentals, etc.
SICC/Stakeholders	\$ 5,000.00	This category includes funding for SICC training and committee activities including Child Find, Transition, Data Systems, and Comprehensive System of Personnel Development (CSPD)
Subtotal of amount under D:	\$ 20,000.00	

Section III (Continued)

E. Direct Services (Funded by Part C Federal Dollars)

- When completing this section include a description of any direct early intervention service that the State lead agency expects to provide to eligible children and their families with funds under Part C, and the approximate amount for each direct service (States must disaggregate by service the approximate amount of funds expected to be expended for each direct service).

Description of Each Direct Early Intervention Service	Approximate Amount of Part C Funds to be Spent on Each Direct Service
Speech/Language Therapy (SLP) - These funds will be used to hire contract SLPs in the districts to provide direct EI services in NE.	\$ 630,000.00
Special Instruction (SI) - These funds will be used to hire contract SIs in the districts to provide direct EI services in NE.	\$840,000.00
Occupational Therapy (OT) - These funds will be used to hire contract OTs in the districts to provide direct EI services in NE	\$ 330,000.00
Physical Therapy (PT) – These funds will be used to hire contract PTs in the districts to provide direct EI services for EI children.	\$ 330,000.00
Evaluations – These funds will be used to hire Evaluation Teams in the districts.	\$ 553,000.00
Subtotal of amount under E:	\$ 2,683,000.00

Section III (Continued)

F. Description of Optional Use of Part C Funds

If the State uses Part C funds for initiating, expanding, or improving collaborative efforts related to at-risk infants and toddlers, the application must include:

- The name of the major activity ;
- The approximate amount of funds to be spent; and
- A description of the activities.

Provide subtotal of amount. *(Add columns and rows as needed.)*

Major Activity	Part C Funds to be Spent	Description of Activities
	\$ 0.00	
	\$ 0.00	
	\$ 0.00	
	\$ 0.00	
Subtotal of amount under F:	\$ 0.00	

Section III (Continued)

G. Activities by Other Agencies

If other State or local public agencies are to receive a portion of the Federal funds under Part C, the Application must include:

- The name of each public agency expected to receive funds;
- The approximate amount of funds each public agency will receive; and
- A summary of the purposes for which the funds will be used.

Provide subtotal of amount. *(Add columns and rows as needed.)*

Agency Receiving Funds	Amount of Funds	Purpose
Jackson Lifesigns	\$ 10,000.00	These funds will ensure District Early Intervention Programs have access to interpreters for infants and toddlers and/or parents who are deaf/hard of hearing (D/HH).
Magnolia Speech School	\$ 120,000.00	These funds will provide Early Intervention services (i.e., auditory-verbal instruction) for infants and toddlers who are deaf/hard of hearing (D/HH) and their families.
Mississippi Coalition for Citizens with Disabilities	\$ 50,000.00	These funds will ensure District Early Intervention Programs have access to parent liaisons, provide family training, and support family engagement and participation in program evaluation.
Mississippi State University Assistive Technology	\$ 20,000.00	These funds will ensure District Early Intervention Programs have access to assistive technology evaluations and a lending library of assistive technology devices.
University of Mississippi Medical Center-Children's Hospital and Child Life Services	\$90,000.00	These funds will support staff positions to provide Early Intervention services (i.e., service coordination and special instruction) for infants and toddlers in the NICU and their families.
Subtotal of amount under G:	\$ 290,000.00	

Section III (Continued)

H. Totals

Enter the subtotal amounts for Sub Sections A-G found in Section III and any indirect costs charged as specified in Section IV.B. The sub total amounts (Rows 1-8) should total the estimated grant application amount. (A State may apply for less than the full estimated allotted amount.)

Enter the subtotal amounts for Sub Sections A-G found in Section III of this application.		
Row No.	Section	Amount
1.	III.A.	\$ 522,026
2.	III.B.	\$ 592,662
3.	III.C.	\$ 0
4.	III.D.	\$ 20,000
5.	III.E.	\$ 2,683,000
6.	III.F.	\$ 0
7.	III G.	\$ 290,000
Enter any Indirect Costs Charged (See Section IV.B of this application.)		
8.	IV.B	\$ 94,539
Total (Rows 1-8)		\$ 4,202,227

Section IV

A. System of Payments / Use of Insurance / Program Income

The State

does (check as applicable)

does not (check as applicable)

have a system of payments for Part C services under 34 CFR §§303.203(b)(1), 303.500(b), 303.520, and 303.521 which may include use of public benefits or insurance, private insurance or family fees, such as a sliding scale. Any family fees are treated as "program income" for purposes of 2 CFR §200.307(e) and 34 CFR §303.520(e) and are not included in the State's determination of State and local expenditures for purposes of 20 U.S.C. 1437(b)(5)(B) and 34 CFR §303.225(a) and (b). *Note: If the State has adopted new or has revised its existing policies and procedures regarding its system of payments, it must submit these new and/or revised policies and procedures under Item 3.a in Section II.A above.*

B. Restricted Indirect Cost Rate/Cost Allocation Plan Information

(Note: To be completed if Lead Agency is not a State Educational Agency)

Under 34 CFR §303.225(c), a lead agency may not charge indirect costs to its Part C grant unless the lead agency charges indirect costs through either-- (i) A restricted indirect cost rate that meets the requirements in 34 CFR §§76.560 through 76.569; or (ii) A cost allocation plan that meets the non-supplanting requirements in paragraph (b) of this section and 34 CFR part 76 of EDGAR.

1. If the lead agency is not a State educational agency (as well as any outlying areas that have the Department of Interior as its cognizant Federal agency, even if an SEA) check the applicable status below (more than one check mark may be necessary) and enclose appropriate documentation for this Federal Fiscal Year.

The lead agency has a final restricted indirect cost rate or cost allocation plan that has been approved by the State lead agency's cognizant Federal agency and is in effect for this Federal fiscal year (FFY) (ending on June 30, 2018). (Attach a copy of the approved restricted indirect cost rate agreement or cost allocation plan.)

The lead agency has either a provisional or final restricted indirect cost rate or cost allocation plan that expires or expired on _____ and the State is in the process of negotiating a new restricted indirect cost rate agreement or cost allocation plan that will be in effect for the period _____.³ The State lead agency will continue to charge or bill the Part C grant using the provisional or previously approved final restricted indirect cost rate or cost allocation plan until a new rate or plan is negotiated and approved by the State's cognizant Federal agency, at which point the State lead agency must make appropriate adjustments for applicable FFYs. The State acknowledges that a final restricted indirect cost rate may result in an adjustment of the final audited expenditures allowable to be charged to the Part C grant and the Department's approval of this FFY Part C application with an expired or provisional restricted indirect cost rate does not constitute approval of that rate as the final rate for the lead agency for this FFY. When a final restricted indirect cost rate is approved, the lead agency must submit to OSEP: (1) a copy of the "final" restricted indirect cost rate agreement; and (2) details of adjustments made to past GAPS draw downs in light of the "final" rate. (Attach a copy of the previously approved restricted indirect cost rate agreement or cost allocation plan.)

No indirect costs are charged to the Part C grant. The total amount of the Federal Part C grant is used for allowable direct costs.

³ A "provisional" indirect cost rate is a temporary rate established for a future prospective period of time to permit budgeting, obligations, and payment of funds by awarding agencies until such time as the actual indirect costs can be determined and a final rate is established for the applicable period; provisional rates are subject to adjustment by issuance of a "final" rate based on actual indirect costs incurred for the period (usually the organization's fiscal year).

_____ Other, explanation attached.

2. Check if applicable.

_____ Under 34 CFR §303.225(c)(3), the lead agency may not charge rent, occupancy, or space maintenance costs directly to the Part C grant, unless those costs are specifically approved in advance by the Secretary. The lead agency is requesting the Secretary's approval to charge rent, occupancy or space maintenance costs either directly or indirectly to Part C FFY 2017 funds. If checked, the lead agency must attach to this Application a description of the amount to be charged, all uses of the space, and the proposed method of charging.

INTERAGENCY AGREEMENT

Authority: 20 U.S.C. §§ 1401(8); 1412(a)(12)(A)—(C)

Introduction. This is an Interagency Agreement entered into between the State Agencies responsible for the coordination of services for young children with disabilities in Mississippi.

Parties. This Interagency Agreement is made and entered into by and between the Mississippi State Department of Health (MSDH), Lead Agency for Part C of IDEA, and the Mississippi Department of Education (MDE), Lead Agency for Part B of IDEA.

The MSDH has general supervisory responsibility for all Early Intervention Programs (EIP) and early intervention supports and services (EISS) in Mississippi. The MSDH is responsible for ensuring the provision of EISS to infants and toddlers, ages birth through two (2) years, eligible under Part C of IDEA and State law to address their unique developmental needs and to enhance the capacity of their families to address these needs. The Mississippi First Steps Early Intervention Programs (MSFSEIP) supports local District FSEIP in their coordination of local EISS to all eligible infants and toddlers and their families.

The MDE has general supervisory responsibility for all educational programs for children with disabilities ages three (3) through twenty (20) years in Mississippi. The Office of Special Education (OSE) within the MDE supports local schools and public agencies in their efforts to provide effective educational programs to students with disabilities, ages three (3) through twenty (20) years, in need of special education and related services as provided for in Part B of the IDEA and State law.

Purpose. As a condition of receiving Federal funds under Part C of IDEA, 34 CFR §303.209 requires the Lead Agency for Part C to enter into an Interagency Agreement with the State Education Agency (SEA) responsible for Section 619 under Part B of IDEA to address Notification of Transition, Transition from Part C to Part B Services, Confidentiality, Individualized Family Service Plan (IFSP) content, provision of Free Appropriate Public Education (FAPE) at three years of age, and Part B Services in an Individual Education Program (IEP). This Interagency Agreement delineates the specific responsibilities of MDE and MSDH regarding Child Find, the exchange of confidential educational records, transition, evaluation and eligibility determination, developmental/educational placement, development and implementation of service plans, family involvement and supports, financial responsibilities, personnel development, program accountability, and data collection and reporting requirements of IDEA. Additionally, this Interagency Agreement indicates each Agency's responsibilities related to the terms and processes for enforcing this Agreement including dispute resolution among the parties.

Goal and Guiding Principles. The goal of this Interagency Agreement is to facilitate the development and maintenance of a comprehensive, coordinated system of services for young children with disabilities birth to five years of age and their families. The parties of this Interagency Agreement are committed to (1) the smooth and effective transition from Part C to Part B services for qualifying young children with disabilities; (2) the provision of high quality, individualized supports and services for qualifying young children with disabilities and their

families, as appropriate; (3) the involvement of families as partners in ensuring effective services for young children with disabilities; and (4) the establishment of cooperative agreements to maximize the use of Federal, State, and local resources and to prevent the duplication of efforts.

Scope of Services. Both the MDE and the MSDH agree to work collaboratively to ensure compliance with the Child Find responsibilities included in 34 CFR §§ 300.111; 303.301; 303.302, including the identification, location, and evaluation of children eligible for early intervention and/or special education services, early childhood transition, and service delivery requirements of IDEA, the Family Educational Rights and Privacy Act (FERPA), and the Federal reporting requirements of each of these Acts.

A. Child Find Responsibilities: Location and Identification

Both MSDH and MDE agree:

1. To collaborate in Child Find efforts to locate and identify infants, toddlers, and preschool children eligible for Part C early intervention and/or Part B special education services to maximize resources and to prevent duplication of efforts.
2. To involve representatives from State agencies including the MSDH, MDE, Mississippi Department of Human Services (MDHS), Mississippi Department of Mental Health (MDMH), the Division of Medicaid, and other entities engaged in early childhood efforts, including the State Interagency Coordinating Council for Early Intervention (SICC-EI), the State Early Childhood Advisory Council (SECAC) to the Governor, the Head Start Association, and the Bureau of Indian Education, in the planning, development, and/or implementation of statewide public awareness and Child Find efforts to locate and identify infants, toddlers, and preschool children eligible for early intervention and/or early childhood special education services.
3. To ensure primary referral sources conducting screenings (i.e., hospitals, physicians, Head Start/Early Head Start, Health Departments, Family Home Visitation Programs, etc.) are provided resources and/or training materials to make them aware that infants, toddlers, and preschool children birth up to forty-five (45) days (34.5 months) of reaching their third birthday suspected of having a developmental delay, a condition known to result in a developmental delay, or a categorical disability as defined under Part B must be referred to the MSDH Central Referral Unit. Children who are referred less than forty-five (45) days of their third birthday will be referred to the Local Education Agency (LEA) of the child's residence, with parental consent.
4. To extend Child Find efforts to all places in the community where infants, toddlers, and preschool children may spend the day (e.g., homes, family home provider care, preschools, child care centers, assisted living facilities, or shelters).
5. That potentially eligible for Part B special education and related services will be defined as toddlers who are twenty-seven (27) months of age or older in the MFSEIP with an active status and an implemented IFSP.

MSDH agrees:

6. To coordinate, plan, and implement Child Find efforts to identify and locate infants and toddlers with a developmental delay or a condition known to result in a developmental delay from birth up to forty-five (45) days of the toddler reaching his/her third birthday (i.e., 34.5 months).
7. To accept all referrals through the Central Referral Unit of infants and toddlers from birth up to forty-five (45) days of reaching his/her third birthday (i.e., 34.5 months) who are suspected of having a developmental delay or a condition known to result in a developmental delay.
8. For each infant and toddler eligible for Part C services and potentially eligible for Part B services, to notify the SEA and the LEA of residence not fewer than ninety (90) days prior to the child's third birthday that the child will reach the age of potential eligibility for services under Part B of IDEA.
9. For each child referred less than forty-five (45) days before the child's third birthday (i.e., over 34.5 months) who may possibly be eligible for preschool services under Part B of IDEA, to notify the SEA and the LEA in the area where the child resides, with written parental consent to release personally identifiable information, which includes the child's name, the child's date of birth, the parent's name, and the parent's contact information. Part C is not required to conduct an evaluation, assessment, or an initial IFSP meeting under these circumstances.
10. To refer infants and toddlers actively served in the MSFSEIP under Part C of IDEA who are potentially eligible for Part B services to the LEA of residence.
 - a. For each toddler twenty-seven (27) months of age, who is eligible for and is actively receiving Part C services, the assigned Service Coordinator will notify the Special Education Director of the LEA of residence in writing within a month from the date the child turns twenty-seven (27) months of age, that the child is potentially eligible for Part B services.
 - b. For toddlers determined eligible for EISS under Part C more than forty-five (45) days but less than ninety (90) days before that toddler's third birthday who may be potentially eligible for preschool services under Part B, the MSDH Service Coordinator, as soon as possible after determining the child's eligibility for Part C, notifies the SEA and the LEA where the toddler resides that the toddler is a toddler with a disability and on his or her third birthday will reach the age of eligibility for services under Part B. The MSFSEIP has procedures that a child will be referred to the SEA and LEA of residence within ten (10) business days of being determined eligible for EISS and who also may potentially be eligible for Part B services.

- c. For each toddler older than twenty-seven (27) months, who is eligible for and actively receiving Part C services and has transferred within the State to a new school district, the newly assigned Service Coordinator will notify the new LEA of residence in writing not fewer than ninety (90) days prior to the child's third birthday, unless notified of the child's transfer when the child is less than ninety (90) days from turning three years old. The MSFSEIP includes in its procedures that a child will be referred to the new LEA of residence within ten (10) business days of receipt of verification of a toddler's change in residence.

MDE agrees:

11. To bear the ultimate responsibility for the statewide coordination, planning and implementation of Child Find efforts related to the identification and location of children with disabilities from birth through twenty-one (21) years of age.
12. To accept all referrals of children referred less than forty-five (45) days before their third birthday and older (i.e., over 34.5 months) through the LEA of residence or other appropriate programs.
13. To ensure each LEA is informed of their obligation to notify the MSFSEIP Central Referral Unit of any infant or toddler from birth up to forty-five (45) days of reaching their third birthday (i.e., 34.5 months) who has been identified through Child Find activities or for whom a request for an evaluation has been received as soon as possible, but no later than two calendar days or 48 hours after the identification or receipt of the request.

B. Data Sharing

Both MSDH and MDE agree:

1. To abide by the requirements of IDEA Part B and C and Family Educational Rights and Privacy Act (FERPA) in collecting, recording, storing, sharing, and destroying personally identifiable information.
2. To complete a request for information form when seeking any personally identifiable information beyond that allowed to be shared for notification purposes without parental consent.
3. To collaborate to resolve differences in records sharing including determining reasons for non-matching files and reconciling issues when possible.

MSDH agrees:

4. To be responsible for ensuring Service Coordinators notify the LEA of residence about all infants and toddlers who are served in the MSFSEIP under Part C of IDEA who are potentially eligible for Part B services using timelines given in section A.

- a. Written notification will be sent from the Service Coordinator to the Special Education Director of the LEA of the child's residence.
 - b. Personally identifiable information to be included in the notification shall be limited to the child's name, date of birth, parent's name, and parent's contact information. The notification will also include the Service Coordinator's name and contact information.
 - c. This notification will not require parental consent for release.
5. To be responsible for ensuring the MSDH Central Office notifies the MDE OSE about all infants and toddlers who are served in the MSFSEIP under Part C of IDEA who are potentially eligible for Part B services.
- a. Electronic records from the First Steps Information System (FSIS) will be sent daily to the MDE Office of Special Education, Bureau of Fiscal Services or all toddlers with active status in FSIS no later than seven (7) calendar days after each toddler reaches twenty-seven (27) months of age or as soon as possible afterwards.
 - b. Personally identifiable information to be included in the notification shall be limited to the child's name, date of birth, parent's name, and parent's contact information. The notification will also include the Service Coordinator's name and contact information and the code for the LEA to which the notification letter was mailed and the date the letter was mailed.
 - c. This notification will not require parental consent for release.
6. To ensure Service Coordinators transmit a copy of the requested Part C records to the Special Education Director of the requesting LEA in a timely manner for which (a) a written request for records has been received and (b) written parental consent has been given to share the records requested including:
- a. Family assessment and developmental history;
 - b. Evaluation reports and assessment information collected as required in Part C regulations at 34 C.F.R. § 303.321;
 - c. Individualized Family Service Plans;
 - d. Progress notes from service providers, if available; and
 - e. Pertinent medical records which have become part of the education record and are thereby protected by FERPA.

MDE agrees:

7. To receive electronic files sent daily from the MSDH FSIS to the MDE OSE, Bureau of Fiscal Services for all toddlers who are potentially eligible for Part B services.
8. To run a matching procedure weekly against the MSDH submitted file and the Mississippi Student Information System (MSIS) to ensure eligible children transitioning from Part C to Part B receive special education and related services by age three (3).
9. To provide reports to school districts which identify non-matching files between the MSDH daily file and MSIS.

C. Specific Roles, Responsibilities, & Process for Transition

Both MSDH and MDE agree:

1. To share joint responsibility for the coordination, planning and implementation of efforts related to the smooth and effective transition of children with disabilities from Part C early intervention services to Part B special education services.
2. To discuss at the transition conference any services to which the child may receive under Part B. The transition conference may include revisions and/or updates to the steps and services contained within the transition plan to ensure a smooth and effective transition process.

MSDH agrees:

Transition Conference:

3. To ensure that a transition conference is scheduled for each child served under Part C of IDEA and who is potentially eligible for preschool services under Part B of IDEA, the Part C Service Coordinator, with the approval of the family of the toddler, convenes a transition conference among the lead agency, the family, and the LEA of residence, not fewer than ninety (90) days and, at the discretion of all parties to the conference, not more than nine (9) months, before the toddler's third birthday to discuss any services the toddler may receive under Part B of IDEA.
4. To ensure the transition conference is conducted in settings and at times that is convenient for the family, and in the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so. The meeting arrangements must be made with the family, and prior written notice provided to the family and other participants at least five (5) business days before the meeting date to ensure they will be able to attend.

5. To ensure the transition conference includes: (a) the parent or parents of the child; (b) other family members, as requested by the parent, if feasible to do so; (c) an advocate or person outside of the family, as requested by the parent; (d) the child's Service Coordinator; (e) a person or persons directly involved in conducting the evaluations and assessments for Part C; and (f) a person or persons who are and/or will be providing EISS to the child or family, as appropriate. If a person directly involved in conducting the evaluations and assessments is unable to attend the meeting, the Service Coordinator must arrange for the person's involvement through other means, which may include their participating in a phone conference call, sending a knowledgeable representative to attend the conference, or making pertinent records available at the meeting.
6. To ensure the parent receives a full explanation of any steps and services discussed during the transition conference and prior written consent is obtained prior to implementation of the steps and services written in the transition plan.
7. To ensure the transition conference or meeting conducted to discuss Part B services and the meeting to develop the transition plan, which may be combined into one meeting, meets the requirements of sections C.3., C.4., C.5., and C.6.

Transition Plan:

8. To ensure that for each toddler with a disability, the Service Coordinator reviews the program options for the toddler after the toddler's third birthday.
9. To ensure that the family of the toddler with a disability who is receiving EISS is included in the development of the transition plan.
10. To ensure the transition plan is established in the IFSP not fewer than ninety (90) days, and at the discretion of all parties, not more than nine (9) months, before the toddler's third birthday.
11. To ensure the transition plan in the IFSP includes, as appropriate, the steps for the toddler with a disability and his or her family to exit from Part C program and any transition services that the IFSP team identifies as needed by that toddler and his or her family to support the smooth transition of the toddler to preschool services under Part B, if appropriate, or other appropriate services. The steps must include:
 - a. Discussions with, and training of, parents, as appropriate, regarding future placements and other matters related to the toddler's transition;
 - b. Procedures to prepare the toddler for changes in service delivery, including steps to help the toddler adjust to, and function in, a new setting;
 - c. Confirmation that child find information about the toddler has been transmitted to the LEA of residence or other relevant agency;

- d. Identification of transition services and other activities that the IFSP team determines are necessary to support the transition of the toddler and his/her family; and
 - e. Confirmation that Part C has transmitted, with parental consent and a written request for information, any additional information including the most recent evaluation, assessment, and IFSP to the LEA of residence or other relevant agency.
12. To ensure that the meeting to develop the transition plan is conducted in settings and at times that is convenient for the family, and in the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so. The meeting arrangements must be made with the family, and a written notice provided to the family and other participants at least five (5) business days before the meeting date to ensure they will be able to attend.
13. To ensure the meeting to develop the transition plan includes: (a) the parent or parents of the child; (b) other family members, as requested by the parent, if feasible to do so; (c) an advocate or person outside of the family, as requested by the parent; (d) the child's Service Coordinator; (e) a person or persons directly involved in conducting the evaluations and assessments; and (f) a person or persons who are and/or will be providing EISS to the child and family, as appropriate. If a person directly involved in conducting the evaluations and assessments is unable to attend the meeting, the Service Coordinator must arrange for the person's involvement through other means, which may include their participating in a phone conference call, sending a knowledgeable representative to attend the conference, or making pertinent records available at the meeting.
14. To ensure the parent receives a full explanation of any steps and services discussed during the transition conference and meeting to develop the transition plan and prior written consent is obtained prior to implementation of the steps and services written in the transition plan.
15. To ensure the transition conference conducted to discuss Part B services and the meeting to develop the transition plan, which may be combined into one meeting, meets the requirements in sections C.12., C.13., and C.14.

MDE agrees:

16. To ensure representatives of LEAs actively participate in the transition conference, as invited, for each child who is served under Part C of IDEA and who is potentially eligible for Part B services and provide the parent with a copy of the Part B Procedural Safeguards.
17. To ensure representatives of the LEAs provide input on and assist the Service Coordinator with the implementation of the transition plan, detailing steps and

services including any transition education and follow-up activities to ensure a smooth and effective transition.

D. Child Find Responsibilities: Evaluation

Both MSDH and MDE agree:

1. To support LEAs and District FSEIP in the development of agreements at the local level regarding coordination of evaluations.
2. To facilitate personnel evaluating children with disabilities under each program to maximize resources by scheduling evaluations to determine eligibility jointly and simultaneously for the Part C and Part B programs for infants and toddlers between the ages of thirty-three (33) months to thirty-four (34) months and fifteen (15) days, when appropriate and feasible. This statement is intended to support collaboration and reduction in duplication of expenses; however, it should not be construed to mean the MSDH or MFSEIP assume any fiscal responsibility for the provision of the comprehensive evaluation to determine eligibility for Part B services which will remain the sole responsibility of the LEA of residence.
3. To facilitate joint evaluations and assessments through the adoption of shared assessment and evaluation forms between the Part C and Part B programs as mutually agreed, where appropriate and feasible. This statement is intended to support collaboration and reduction in duplication of expenses; however, it should not be construed to mean the MSDH or MSFSEIP or LEAs are mandated to use any specific forms not required by the policies and procedures of their respective agency.

MSDH agrees:

4. To be responsible for ensuring Service Coordinators notify the Special Education Director of the LEA of residence about evaluations to determine initial or continued eligibility under Part C of IDEA for children between the ages of thirty-three (33) months to thirty-four (34) months and fifteen (15) days of age to facilitate joint evaluations, when appropriate and feasible.
5. To ensure Service Coordinators notify the Special Education Director of the LEA of residence about any formal assessments to be conducted under Part C of IDEA for children between the ages of thirty (30) months to thirty-four (34) months and fifteen (15) days of age who are served under Part C and potentially eligible for Part B services to facilitate joint evaluations, when appropriate and feasible.

MDE agrees:

6. To ensure the Special Education Director of the LEA of residence are informed of the recommendation to coordinate with the local District FSEIP for the comprehensive evaluation of toddlers between the ages of thirty (30) months to thirty-four (34)

months and fifteen (15) days of age who are potentially eligible for Part B services to facilitate joint evaluations, when appropriate and feasible.

7. To ensure that LEAs are informed of their obligation to send an invitation to the Part C Service Coordinator for the initial IEP meeting at the request of the parent.
8. To ensure that LEA IEP Committees are informed of their obligation to consider the use of an IFSP containing IFSP content as described in IDEA section 636(d) and its implementing regulations when developing an initial IEP for all children transitioning from Part C services to Part B.
9. To ensure that LEA IEP Committees are informed of their obligation to allow an IFSP to serve as the IEP for a child with a disability aged three (3) through five (5) years as consistent with State policy under the following conditions:
 - a. If using the IFSP as the IEP is agreed to by the LEA and the child's parents;
 - b. If the child's parents are provided with a detailed explanation of the differences between an IEP and an IFSP;
 - c. If written informed consent is obtained from the parents if the parents choose an IFSP;
 - d. If the IFSP contains the IFSP content, including the natural environments statement;
 - e. If the IFSP includes an educational component that promotes school readiness and incorporates pre-literacy, language and numeracy skills for children with IFSPs who are at least three years of age; and
 - f. If the IFSP is developed in accordance with the IEP procedures under Part B of the IDEA.

E. Personnel Development

Both MSDH and MDE agree:

1. To offer and provide joint training and technical assistance to Part C and Part B staff regarding policies, regulations and procedures on the following topics:
 - a. Child Find activities;
 - b. Referrals;
 - c. Sharing records;
 - d. Recommended practices in early intervention and early childhood special education services;
 - e. Early childhood transition; and
 - f. Joint evaluations.

MSDH agrees:

2. To ensure Part C staff receives annual training and guidance, as needed, on topics contained in E.1., as well as training and guidance on collaborating with Part B staff.

MDE agrees:

3. To ensure Part B staff has access to training and/or guidance, as needed, on collaborating with Part C staff.

F. Service Provision & Program Accountability

Both MSDH and MDE agree:

1. To support LEAs and District FSEIP in the development of agreements at the local level to ensure the continuity of service provision for eligible children who reach their third birthday during the summer months (i.e., June, July, or August). A child must be determined eligible for Part B services and have an IEP in place by the child's third birthday to be eligible to continue services over the summer months that the child turns three (3) years of age.
 - a. Part C funds, as available, may be used to pay for continued IFSP services for the child from their third birthday until the beginning of the school year.
 - b. Extended School Year (ESY) services must be made available if the IEP Committee determines they are necessary in order for the child to receive a FAPE from his/her third birthday until the beginning of the school year.

MSDH agrees:

2. To be responsible for providing a system of service coordination to ensure families of eligible children ages birth through two (2) years of age obtain needed EISS.
3. To monitor programmatic requirements through data monitoring and on-site reviews.

MDE agrees:

4. To be responsible for ensuring a FAPE is made available to children with disabilities ages 3-20 who are in need of special education and related services.
5. To monitor LEAs to ensure children who are receiving services under Part C and who are eligible for Part B have implemented an Individual Education Program (IEP) or Individualized Family Service Plan (IFSP) no later than the child's third birthday.

6. To monitor LEAs to ensure the provision of FAPE for children while eligible for Section 619 services.

G. Data Collection and Sharing Agreement (Counting & Reporting)

Both MSDH and MDE agree:

1. To coordinate as necessary and appropriate to collect and report information to State and Federal authorities for accountability purposes.
2. To work collaboratively to reconcile any disagreements in information to be reported.
3. To include children who are under three (3) years of age reported in the child count to OSEP (Office of Special Education Programs) in December, and receive a combination of Part B and Part C services on the MSDH Part C Child Count report to the United States Department of Education/Office of Special Education Programs, not the MDE Part B December 1, Child Count.

MSDH agrees:

4. MSDH agrees to maintain a system for the collection of information to meet the Part C reporting requirements of the State Performance Plan/Annual Performance Report (SPP/APR) related to early childhood transition, specifically Part C SPP/APR Indicator 8A, 8B, and 8C.

MDE agrees:

5. To maintain a system for the collection of information to meet the Part B reporting requirements of the State Performance Plan/Annual Performance Report (SPP/APR) related to early childhood transition, specifically Part B SPP/APR Indicator 12.

Terms and Process for Enforcement of this Agreement

Period of Performance. The period of performance of the terms and conditions of this Interagency Agreement shall be from July 1, 2016 through June 30, 2020.

Relationship of Parties. The relationship of the MDE and the MSDH shall be that of Independent Contractor. None of the provisions of this Agreement are intended to create, nor shall they be construed to create an agency, partnership, joint venture or employer/employee relationship between the MDE and the MSDH.

Funding. In general, the purpose of this Interagency Agreement is to fulfill the State's responsibility pursuant to the Early Intervention Act for Infants and Toddlers (Miss. Code Ann. §§ 41-87-1, et seq.) and Subchapter III of the IDEA, 20 U.S.C. §§ 1431, et seq. To the extent that the services rendered pursuant to the terms and provisions of this Interagency Agreement are governed by applicable State and Federal laws and regulations pertaining to early intervention

services, the parties shall exercise due diligence to be knowledgeable concerning these laws and regulations and shall maintain reasonable efforts to comply with the requirements. Representatives of the parties shall participate in training sessions, seminars, and other educational initiatives to further comply with the applicable laws, as well as the policies and procedures adopted to achieve programmatic objectives and goals.

The fulfillment of the obligation of the MSDH under this Agreement is conditional upon the availability and the receipt of Federal and State funds. In the event of such insufficiency or unavailability of funding, the MSDH shall notify the MDE in writing of such event, and the Agreement shall be void. Nothing herein relieves the MSDH of the responsibilities imposed as the lead agency for Part C of IDEA.

Use of Funds. MSDH agrees to coordinate financial resources to ensure early intervention services accepted by parents and included in the IFSP in effect for infants and toddlers under three (3) years of age are delivered at no cost to the families. The use of IDEA Part C funds must be consistent with the use of funds requirements in 34 C.F.R. § 303.501.

For IDEA eligible children, MDE agrees to ensure preschool special education services accepted by the parents on the IEP or IFSP in effect for children three (3) years of age or older are delivered at no cost to the families.

Payor of Last Resort (POLR). Part C funds may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source, consistent with 34 C.F.R. § 303.510.

System of Payments. The following contingencies pertaining to the payment of early intervention services are agreed to:

- (a) The use of public and/or private health insurance to pay for Part C services cannot count towards or result in a loss of benefits due to the annual or lifetime health insurance coverage caps for the infant or toddler with a disability, the parent, or the child's family members who are covered under that health insurance policy.
- (b) The use of public and/or private health insurance to pay for Part C services cannot negatively affect the availability of health insurance to the infant or toddler with a disability or the parent or the child's family members who are covered under that health insurance policy. The health insurance coverage cannot be discontinued for these individuals due to the use of the health insurance to pay for services under Part C of the Act; and
- (c) The use of public and/or private health insurance to pay for Part C services cannot be the basis for increasing the health insurance premiums of the infant or toddler with a disability, the parent, or the child's family members covered under that health insurance policy.

Termination. Either the MDE or the MSDH may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least thirty (30) days before the effective date of such termination.

Compliance of Laws, Rules and Regulations. The MDE and the MSDH shall comply with any and all applicable laws, statutes, ordinances, rules, regulations, policies, procedures and directives of the United States, the State of Mississippi and any political or administrative subdivision thereof, including, but not limited to: The Americans with Disabilities Act and any other requirements that may affect the performance of the obligations under this Agreement. The MDE and the MSDH further agree they will not discriminate against any employee, subcontractor, or consultant, nor shall any person be subject to discrimination in the performance of this Agreement because of race, creed, color, sex, age, national origin or disability.

Modification or Amendment. This Agreement may be modified or amended by mutual consent of the parties. Any modification or amendment shall be made in writing, clearly state the changes being effected, and shall be duly executed by an authorized representative of each party.

Resolution of Disputes. The dispute resolution process established under this Agreement shall not affect, replace, or diminish any procedural safeguards provided to parents or individuals under any Federal or State statutes or regulations governing the respective agencies. In the event of a difference of opinion between or among the signatory agencies of the Agreement relative to the implementation of this Agreement, the agencies agree that the State division or program directors, within ten (10) days from receipt of a complaint, will review the issues and develop recommendations for resolution. If resolution is not achieved at the State division or program director level, the issue will be referred to the agency heads of the MDE and the MSDH within five (5) business days of the meeting to reach a determination on the matter.

Severability. Should any term or provision of this Agreement be found to be prohibited by the laws of the United States or the State of Mississippi, or should any term or provision be declared invalid or void by a court of competent jurisdiction, the remaining terms, conditions and obligations shall be valid and enforceable, to the fullest extent permitted by law, and shall not be affected by the invalidity of any other provision.

Notice. Any notice required or permitted to be given under this Agreement shall be in writing and sent by Certified Mail, Return Receipt Requested, to the party to whom notice should be given at the address set forth below:

MSDH: Dr. Mary Currier, State Health Officer
Mississippi State Department of Health
Post Office Box 1700
Jackson, Mississippi 39215-1700

MDE: Carey M. Wright, Ed.D., State Superintendent of Education
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

Each party agrees to notify the other promptly in the event of a change of address.

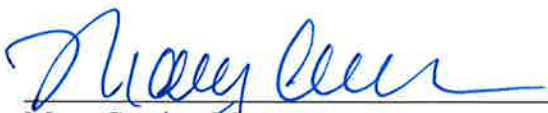
Additional Terms or Provisions. This Agreement is also subject to the following terms, conditions and obligations:

Each party agrees that all child or student information of a confidential or personal nature which is obtained from the other party will be used only for the purpose of carrying out the planned educational/developmental programs described herein. It is further agreed that the party receiving copies of such information will not release copies of that information to any other party, unless such disclosure is allowed by FERPA, IDEA and written parental consent.

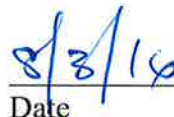
Entire Agreement. This Agreement and any document attached hereto or incorporated by reference, constitute the entire Agreement between the parties with respect to the subject matter contained herein and shall supersede and replace any and all prior negotiations, understandings and Agreements, whether written or oral between the parties hereto.

Therefore, the undersigned agency representatives agree to work cooperatively to ensure that the above mentioned IDEA requirements, as well as the MDE policies and procedures, are implemented. The MDE and the MSDH will review this Agreement at least once annually to determine the effectiveness of the services provided pursuant to this agreement and to ensure that the requirements of this Agreement are being met. If problems are identified, a report specifying the problems and offering solutions and timelines for correction will be developed cooperatively with agency personnel. Nothing in this Agreement shall be construed to indicate that the Boards of the cooperating agencies are abdicating any of their legal responsibility for the operation of the respective agencies.

APPROVED:



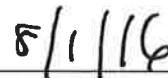
Mary Currier, M.D., M.P.H.
State Health Officer
Mississippi State Department of Health



Date



Carey M. Wright, Ed.D.
State Superintendent of Education
Mississippi Department of Education



Date