

September 12, 2017

Louisiana Board of Elementary and Secondary Education (BESE)  
1201 North Third St.  
Baton Rouge, LA 70802

Re: Request for Information and Changes to Individuals with Disabilities Education Act (IDEA) State Set-Aside Funded Activities

Dear BESE Members:

The Council would appreciate your consideration in addressing a number of issues related to state activities funded through state set-aside Individuals with Disabilities Education Act (IDEA) funds. Specifically, the Council requests BESE to take the following actions related to IDEA funded state activities:

**First, require the Louisiana Department of Education (LDOE) to provide stakeholders with information related to IDEA funding levels and desired outcomes of various IDEA funded initiatives, including proposed changes to existing operations and programs, prior to releasing Requests for Applications (RFAs).**

Stakeholders have not been provided the opportunity to participate in the planning and operation of many programs because LDOE does not share information related to funding levels and other programmatic aspects of programs funded by IDEA state set-aside funds prior to making commitments.<sup>i</sup> In some cases, information on how some IDEA state set-aside funds were spent by LDOE has never been made publicly available.<sup>ii</sup> Federal law requires LDOE to have opportunities for various stakeholders to participate in the planning for and operation of each program in the annual IDEA plan submitted by LDOE (see 20 U.S.C. §1232d(b)(7)<sup>iii</sup>; 20 U.S.C. §1412(a)(19)<sup>iv</sup>; and 34 CFR §300.165<sup>v</sup>).

**Second, require LDOE to change the Federal Fiscal Year 2018 (FFY18) contract provisions for direct family support provided by Families Helping Families (FHF) Regional Resource Centers by using the same catchment areas, deliverables, and funding levels as were in previous FHF Centers' contracts.**

The Council has concerns regarding the significant reduction in funding levels, changes in catchment areas, and outcomes presented in the family support RFA released on June 1, 2017. Funding in the RFA for direct family support statewide represents a reduction of \$305,000 annually, or 37%, (budget for these specific activities reduced from \$805,000 to \$500,000 annually). The expected negative impact to parents of students with disabilities from such a sudden and dramatic reduction in the level of resources dedicated to family support is extremely disconcerting.

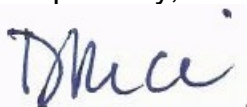
Louisiana parents of students with disabilities have been provided family support through an interagency-coordinated infrastructure of regional FHF Centers for years. FHF Centers are one-stop shops of training, peer-to-peer support, and information and referral to the array of services and supports individuals with disabilities and their family members need. Creating different regions for educational supports than for all other services ends the one-stop shop model for families in sixteen parishes and ends a collaborative approach to family support among Louisiana public agencies. This lack of collaboration will cause FHF Centers to duplicate efforts of other FHF Centers in sixteen parishes, thereby spending more resources to reach the same families. Parents of children with disabilities will receive mixed messages about which FHF Center they should turn to for assistance. The catchment areas in the RFA were designed to align with the LDOE Network Teams, not the existing statewide infrastructure. The Council believes the entire service delivery system should be built to provide services in the most cost effective, efficient manner that is focused on the end user. Because the model developed in the RFA appears focused on the organization of LDOE without consideration of the overall state organization, it seems to be a less cost effective and less efficient approach than the previously established collaborative model.

The outcomes sought in the RFA, specifically, the expectation for the FHF Centers to maintain contact with half of the students with disabilities in their catchment area, seems more focused on building large databases of names of contacts rather than deeper connections and supports for parents with children with more intensive needs.

A larger issue than merely the funding and outcomes of family support is a lack of information publicly available on current and proposed funding levels and programmatic expectations across all IDEA activities and programs. Other RFAs released by LDOE related to IDEA funding were also not properly vetted by stakeholders due to inadequate information regarding funding levels and specifics regarding program operations being made available prior to the release of the RFAs. Repeated attempts at requesting that LDOE provide specific breakdowns of budgets and expenditures of programs funded with IDEA Part B State set-aside dollars have not resulted in the release of information necessary for stakeholders to participate in the planning of these programs. The Council would appreciate BESE resolving the Council's concern by directing LDOE to provide a breakdown of budgets and expenditures, desired outcomes and any operational changes for each initiative and/or program covered by IDEA Part B funds for previous and future IDEA grants. This information is requested prior to LDOE committing to or spending IDEA funds.

Your consideration of these requests is appreciated. Please direct correspondence to this request to Shawn Fleming, Deputy Director at the Louisiana Developmental Disabilities Council at [shawn.fleming@la.gov](mailto:shawn.fleming@la.gov).

Respectfully,



Delery Rice  
Chairperson

DR:SF

cc: Superintendent John White  
Jamie Wong

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i. FFY17 IDEA state set-aside activities not publicly available until release of RFAs.  
Information related to changes slated for the FFY17 year, beginning October 1, 2017, was not made publicly available until LDOE released a Request for Applications on June 1, 2017 for family support activities that:

- Reduces the amount of IDEA funded state activities historically provided for family support by \$305,000 (i.e., a 37% reduction, from \$805,000 to \$500,000) per year for the next three federal fiscal years, October 1, 2017 - September 30, 2020;
- Discontinues using the same geographic regions for family support as used by other state agencies; and,
- Changes the goals of family support to focus more on quantity (i.e., high numbers of contacts) than on intensive peer-to-peer support.

Since these changes related to direct family support were not available for public view prior to the release of the RFA, none of the changes made by LDOE to the IDEA budget for family support were vetted by stakeholders.

ii. FFY16 IDEA funds to Family Support/Families Helping Families Centers not reported

To date, LDOE has not publicly released information related to funding levels and changes made to family support programs for the current quarter of the IDEA FFY16 budget cycle (i.e., July – September 2017). LDOE has been distributing a total of \$125,000 for family support through ten FHF Centers statewide, \$12,500 per center, for the final quarter of the FFY16 IDEA budget cycle. These amounts reflect a statewide reduction of \$75,000, or 37%, compared to average quarterly amounts of IDEA Part B funds historically provided for family support. LDOE did not report these FHF contracts to the BESE Administrative and Finance Committee on the standing agenda item for contracts below \$50,000 at either meeting held on June 20, 2017 or August 15, 2017.

iii. 20 U.S. Code § 1232d - Single State application

**(b) ASSURANCES** An application submitted under subsection (a) shall set forth assurances, satisfactory to the Secretary—

...

- (7) that the State will provide reasonable opportunities for the participation by local agencies, representatives of the class of individuals affected by each program and other interested institutions, organizations, and individuals in the planning for and operation of each program, including the following:
- (A) the State will consult with relevant advisory committees, local agencies, interest groups, and experienced professionals in the development of program plans required by statute;

- (B) the State will publish each proposed plan, in a manner that will ensure circulation throughout the State, at least sixty days prior to the date on which the plan is submitted to the Secretary or on which the plan becomes effective, whichever occurs earlier, with an opportunity for public comments on such plan to be accepted for at least thirty days;
- (C) the State will hold public hearings on the proposed plans if required by the Secretary by regulation; and
- (D) the State will provide an opportunity for interested agencies, organizations, and individuals to suggest improvements in the administration of the program and to allege that there has been a failure by any entity to comply with applicable statutes and regulations;

iv [U.S. Code 20 § 1412](#)

...

**(19) PUBLIC PARTICIPATION**

Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities.

v [34 CFR § 300.165](#) Public participation.

- (a)** Prior to the adoption of any policies and procedures needed to comply with Part B of the Act (including any amendments to those policies and procedures), the State must ensure that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities.
- (b)** Before submitting a State plan under this part, a State must comply with the public participation requirements in paragraph (a) of this section and those in 20 U.S.C. 1232d(b)(7).

(Approved by the Office of Management and Budget under control number 1820-0030)

(Authority: 20 U.S.C. 1412(a)(19); 20 U.S.C. 1232d(b)(7))