

Open for Public Comment

Louisiana Department of Health, Office for Citizens with Developmental Disabilities, EarlySteps is seeking public comment on the following documents:

- Memorandum of Understanding (MOU) between the Louisiana Department of Health, Office for Citizens with Developmental Disabilities (LDH-OCDD) and the Louisiana Department of Education (LDOE)
 - This MOU outlines LDH-OCDD and LDOE collaboration of children exiting EarlySteps to LDOE.

Public comment period is from **March 20, 2026 - May 20, 2026**.

Submit comments to:

- LDH/OCDD EarlySteps
P.O. Box 3117 BIN#21
Baton Rouge, LA 708021-3117
- Email: EarlyStepsQA@la.gov
- Call: (225) 342-8853

**Memorandum of Understanding
between
LOUISIANA DEPARTMENT OF HEALTH,
OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES
and
LOUISIANA DEPARTMENT OF EDUCATION**

Purpose of Memorandum of Understanding (MOU):

The purpose of this MOU is to establish and confirm the agreed upon obligations, responsibilities, and timelines essential to ensure a coordinated system of early intervention services as required by the Individuals with Disabilities Education Act, Part C and Part B. This MOU has been developed by recognized and authorized department representatives and represents the mutual assignment of responsibility and agreement for the state of Louisiana in order to comply with the federal regulations [34 Code of Federal Regulations Parts 303.209(b) through (f), 303.401 (d) and (e), 303.342, 303.343, and 303.344 (h), 300.101 (b), 300.124, 300.321 (f) and 300.323 (b)] and state regulations (EarlySteps Policy Section F.1-3): Transition to preschool and other programs, LDOE Bulletin 1706 Subchapter 124) for the administration and operation of the Louisiana IDEA, Part C system.

Outcomes:

The shared outcomes of this MOU are as follow:

- Ensure that potentially-eligible children, ages birth through two, are identified in a timely manner for the state's Part C system and that 3-year-old children are identified by the state's Part B system on or before a child's third birthday;
- Ensure that the Individualized Family Service Plans (IFSPs) for eligible children and their families are developed in a timely manner and that children transitioning to Part B have an Individualized Education Program (IEP) in place by their 3rd birthday;
- Ensure that all stakeholders have timely, accurate, and meaningful information regarding the Part C system in general;
- Ensure that there is continued communication between the Louisiana Department of Education (LDOE) and the Louisiana Department of Health–Office for Citizens with Developmental Disabilities (LDH-OCDD), which is also referred to as the Lead Agency for Part C, and that all communications reflect this MOU;
- Ensure that all appropriate and available resources are identified and utilized in the planning and implementation of the Part C system in Louisiana and delivery of Part C services; including but not limited to
 - Collaboration with the state Early Head Start and Head Start programs to jointly identify and provide support to children with disabilities and their families in both systems
 - Collaboration with the local Early Childhood Care and Education Community Networks to jointly identify and support children in early care and education settings, specifically those in child care and those participating in the Child Care Assistance Program (CCAP).

- Ensure that there is a mechanism for the swift identification and resolution of problems and issues between the two agencies.

Required Components:

I. Financial Responsibility

LDH-OCDD is responsible for identifying and coordinating all available resources for Part C, including federal, state, public, and private sources. Part C funds may not be used where other resources pay or otherwise provide for services (non-substituting or supplanting). Existing resources under Titles V and XIX may not reduce their coverage of services or benefits because of Part C. The lead agency must ensure that the total amount of state and local funds budgeted for expenditures in Part C are at least equal to the amount previously expended in the most recent preceding year (maintenance of effort).

Agreement:

LDH-OCDD and the LDOE will work jointly to meet federal requirements related to state, local, and other funds directed towards the current Part C system in order to ensure the maintenance of effort requirements.

The LDOE will make LEAs and their personnel aware that they may, at their discretion, enroll with the LDH-OCDD as providers of early intervention services as defined by LDH-OCDD. LEAs and their personnel electing to enroll with LDH-OCDD must adhere to Part C regulations. LEAs that choose to participate in the Part C system must enroll staff with the Part C Central Finance Office and Louisiana Medicaid, if appropriate.

II. Procedures for Resolving Disputes

When a formal dispute arises between LDH-OCDD, the LDOE, or an LEA regarding the terms of this Agreement, the party seeking clarification shall utilize the following procedures for resolution:

A. Resolution of a dispute:

1. The issue will be referred to the respective division administrators or their designees for resolution.
2. If the issue is still unresolved, it will be referred to the highest level within each agency for resolution.
3. The resolution process shall occur within 60 days. If acted upon in good faith, with just cause and through mutual agreement, an extension may be granted not to exceed 30 calendar days.

B. An unresolved dispute:

If the highest level within each agency does not resolve the dispute, the issue shall be referred to the Governor or his or her designee.

After following this procedure, both agencies may utilize any other legal means available to resolve the dispute. This dispute resolution process shall not infringe upon the parties' state and federal statutory obligations, nor shall either party be required by this agreement to act in any manner prohibited by federal or state law or regulation.

III. Additional Components to Ensure Effective Cooperation and Coordination

A. Child Find/Public Awareness:

LDH-OCDD has the responsibility to locate, identify, and evaluate all Part C-eligible children ages birth through two. The LDOE, as executed by LEAs, has the responsibility to locate and identify all children with disabilities, ages 3 through 21, under the provisions of the Individuals with Disabilities Education Act, Part B. The LDOE ensures LEAs are conducting evaluations for children with disabilities ages three through 21. LDH-OCDD will inform parents of toddlers with disabilities of the availability of services under IDEA, Part B, Section 619 not fewer than 90 days prior to the child's third birthday.

LEA Responsibilities:

The LDOE will direct LEAs and Early Childhood Care and Education Community Network Lead Agencies to refer all children suspected to be eligible for Part C to the appropriate system point of entry as defined by the LDH-OCDD.

The LDOE will encourage LEAs, as part of their Child Find efforts, and Early Childhood Care and Education Community Network Lead Agencies, as part of their enrollment efforts, to disseminate Part C brochures and other public awareness materials to their constituents.

LDH-OCDD and the LDOE will jointly share public awareness materials for their respective programs.

B. Comprehensive System of Personnel Development (CSPD)

A comprehensive system of personnel development (CSPD) is required by Part C to ensure that all Part C personnel and families are appropriately trained in their responsibilities for the Part C system. CSPD includes professional development for individuals currently recognized as Part C providers and technical assistance to ensure continuous compliance with federal and state regulations, policies, and procedures.

The LDH-OCDD will provide specific and targeted training to all current and potential Part C providers as required by Part C. This training will be open to early intervention teachers, therapists, diagnosticians, and other qualified staff employed by local schools as well as regional coordinators.

LDH-OCDD and the LDOE will collaborate in the development and implementation of training that would be beneficial for all early intervention service providers, including providers in early childhood programs in the LEA and Early Childhood Care and Education Community Network Lead Agencies. Both agencies will designate a staff person who will collaborate on training initiatives. Efforts will be made to avoid any duplication of training.

C. Early Childhood Care and Education Community Networks

LDOE will require Early Childhood Care and Education Community Network Lead Agencies to include EarlySteps regional representatives among their program partners and to support their collaboration with all community partners, with the goal to connect families of children with IFSPs with programs in the local Early Childhood Care and Education.

LDH-OCDD will require EarlySteps Regional Coordinators to participate as a partner in all Early Childhood Care and Education Community Networks in their regions and to fully participate in coordinated enrollment activities.

IV. Procedures for Sharing Data

A. LDH-OCDD is responsible for ensuring the timely and comprehensive collection of information related to individual child services, personnel, and other information as required by the United States Department of Education, Office for Special Education Programs.

LDH-OCDD will collect information at the central office level to share with LDOE regarding the referral activities, including the number and location of referrals and referral sources for children ages birth through two years old. Local Education Agencies and their personnel, who elect to provide Part C services, must provide required data as negotiated with LDH-OCDD.

LDH-OCDD and LDOE will identify data reports to be provided to LDOE, the U.S. DOE, and OSEP on a regular basis that will assist in financial forecasting and program planning for preschool services and meeting federal reporting requirements.

B. Shared Evaluations

LDH-OCDD and LEA staff will share evaluation reports for evaluation activities conducted as part of evaluation procedures conducted for eligibility determination.

C. Transition at Age 3

1. Transition Notification

LDH-OCDD and LDOE agree that to facilitate a smooth transition for children at age three, any child who is eligible for Part C services will be considered potentially eligible for Part B preschool services. LDH-OCDD will ensure that LDH-OCDD provides notification to the LDOE and the appropriate LEA, regarding children transitioning from the system, nine months prior to the child's third birthday but not fewer than 90 days prior, if the school district provides free, appropriate public education (FAPE) prior to age three. The transition notification data is provided on a monthly by LDH-OCDD data manager to LDOE via LDOE secured system. LDOE will upload the monthly data and send to the appropriate LEA through their eSER system. LDH-OCDD regional staff will also send transition notification data on a monthly basis to each LEA, respectively, via LDH secured email. Personally-identifiable information in the notice includes the child's name and date of birth and parent contact information, including name(s), address(es), and telephone number(s) will be shared via LDH-OCDD secured email and LDOE secured system.

- If a child is referred to LDH-OCDD forty-six (46) to ninety (90) calendar days prior to the child's third birthday, LDH-OCDD will provide notification to the LDOE and LEA, including the date of the transition meeting for an eligible child, as soon as possible, to allow the LEA to begin the evaluation process.

- If a child is referred to LDH-OCDD forty-five (45) or fewer days prior to the child's third birthday, LDH-OCDD, with parent consent, will refer the child to the LEA. Notification (as above) occurs through a notice letter sent by LDH to the appropriate LEA. If the parent does not give consent, LDH-OCDD will provide the parent with the contact information for the appropriate LEA. LDH-OCDD is not required to conduct an evaluation, assessment, or an initial IFSP meeting for a child referred 45 or fewer days prior to the third birthday.

- **By the 10th day of each month, EarlySteps state staff will notify the SEA and LEA of all active children ages 2 years, 2 months through age 3 years.** The EarlySteps data manager will pull the Age 3 Transition report in laeikds each month and upload to the Louisiana Department of Education's secure web transfer portal. This report contains children with an active IFSP ages 2 years, 2 months through age 3 years and includes the child's name, date of birth and parent contact information. The EarlySteps data manager will then disaggregate the list by region and parish and send by secure email to each EarlySteps Regional Coordinator. Each Regional Coordinator will further disaggregate the list by local school systems and send by secure email to the appropriate contact for each LEA. The EarlySteps data manger will maintain a spreadsheet to document the date

the SEA and each LEA are notified each month. Email records will be maintained to verify notifications were sent

2. Transition Conference

- LDH-OCDD will ensure that no earlier than nine (9) months and at least ninety (90) days prior to the child's third birthday, the Part C family service coordinator will convene an IFSP meeting transition conference to review program options and develop the transition process with the parents and other required team members, in order to develop a transition plan. The transition conference must meet the accessibility, convenience, and participant requirements for IFSP meetings in 34 C.F.R. §§ 303.342(d) and (e) and 303.343(a)."
- LEA personnel will be invited to participate in this transition conference/IFSP meeting. The LEA must participate in the transition planning conference arranged by the EIS program or provider, and failure to participate would be inconsistent with 34 C.F.R. § 300.124(c).
- The transition plan must include steps for the child with disability and their family to exit from the Part C program and any transition services that the IFSP Team identifies as needed by that toddler and their family. 34 C.F.R. §§ 303.209(d)(3) and 303.344(h)
- If the parent agrees to eligibility determination for special education and related services under IDEA, Part B, the Part C service coordinator shall obtain release(s) of information for LDH-OCDD to provide the LEA, including the most recent evaluation, assessments, IFSPs, progress notes, etc., and for the LEA to provide the eligibility status and IEP if the child is found eligible for Part B, at or prior to this meeting.

3. Services at age three

The LDOE ensures that LEAs will provide special education and related services to eligible children, as identified in the IEP, as of the child's third birthday. At the request of the parent, an invitation to the initial IEP meeting will be sent to the Part C service coordinator or other representative if the child received Part C services. The IEP team will consider the IFSP, including the natural environment statement, when developing the initial IEP. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under an IEP will begin. However, services shall begin no later than the first day of the school year.

LDH-OCDD and the LDOE agree to meet on a monthly basis to discuss transition process and any other issues identified by families or LEA personnel. Either agency may initiate these discussions. The MOU will be reviewed annually for any potential updates.

LDH-OCDD agrees to share aggregate data relating to transition with the LDOE.

This agreement shall become effective with signatures of the Louisiana Department of Education and the Louisiana Department of Health. This agreement may be terminated by either party by giving 30-day notice in writing.

Signatures of Agency Representatives:

Name/Title
Louisiana Department of Education **Date**

Name/Title
Louisiana Department of Health **Date**

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