



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

DIVISION OF FAMILY HEALTH SERVICES

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TO: INTERESTED PARTIES

FROM: NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES

SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD IN REGARD TO NEW JERSEY'S APPLICATION FOR FEDERAL FUNDS UNDER PART C, INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

DATE: MARCH 25, 2011

The New Jersey Department of Health and Senior Services (DHSS), lead agency for the administration of the New Jersey Early Intervention System (NJEIS), is applying to the United States Department of Education, Office of Special Education Programs (OSEP) for continued participation in the Infants and Toddlers with Disabilities Program (Part C of IDEA). The purpose of this memorandum is to announce a public comment period.

Background

The NJEIS provides a comprehensive, coordinated interagency system of early intervention services for children with developmental delays/disabilities ages birth to three years and their families. In December 2004, the federal Individuals with Disabilities Education Act (IDEA), reauthorized by Congress as IDEA 2004, was signed into law. In accordance with this reauthorization, DHSS-EIS developed a federal grant application that reflects changes made in IDEA. However, final federal regulations implementing changes made to Part C by IDEA 2004 have not been issued by the U.S. Department of Education.

In the interim, in accordance with the OSEP memorandum providing instructions for submission of the application, NJEIS is providing assurances to the U.S. Department of Education that throughout the period of the upcoming grant award (Federal Fiscal year 2011) the state will operate consistent with all requirements of IDEA 2004. In addition, the OSEP memorandum requests that states submit with the application *only* those policies, procedures, methods and descriptions that are *new or revised*. New Jersey Administrative Code, Title 8, Chapter 17, Early Intervention System effective October 6, 2008 and the current approved state plan policies and procedures are on file in Washington, DC at OSEP. The documents can be found on the NJEIS website at www.nj.gov/health/fhs/eis/index.shtml.

Once final federal Part C regulations are issued, all states will be required to revise state policies and procedures. The DHSS-NJEIS will develop and/or make changes to existing policies and procedures and NJAC 8:17 as are necessary to bring policies and procedures into compliance with the IDEA 2004 requirements and implement the federal regulations no later than June 30, 2012. During the process of adopting revised or new policies and procedures to come into compliance with IDEA 2004, the NJEIS will make the proposed revised or new policies and procedures available for public comment for 60 days, accept comment for 30 days, and conduct public hearings.

Executive Summary of Grant

Department, Division, Service, Program Applying for Grant

Department of Health & Senior Services (Lead Agency), Public Health Services Branch
Division of Family Health Services, Early Intervention System

Source of Grant Funds

U.S. Department of Education, Office of Special Education and Rehabilitative Services
Part C of the Individuals with Disabilities Education Act (IDEA)

Purpose/Significance

The Department of Health and Senior Services is the lead agency responsible for New Jersey's statewide system of services for infants and toddlers, birth to age three, with developmental delays or disabilities, and their families. The Federal funding is provided to support New Jersey in planning, developing and implementing its statewide system of early intervention services in accordance with Federal Part C rules and regulations. (34 CFR Part 303)

This funding will provide necessary support to ensure that New Jersey's statewide system includes the following components:

- Eligibility (definition and determination);
- Comprehensive system of personnel development;
- Policies and procedures for contracting with service providers;
- Central directory of information;
- Comprehensive child find system and public awareness;
- Procedural safeguards;
- Procedures for resolving complaints;
- Interagency agreements;
- Data collection;
- Development and implementation of Individualized Family Service Plans (IFSPs);
- Policies and procedures related to financial matters; and
- Supervision and monitoring of programs.

Public Comment

In accordance with the OSEP memorandum for this application, NJEIS "must publish the application for 60 days (March 25–May 24, 2011) and accept written public comment for 30 days (April 1-30, 2011).

The proposed grant application can be viewed during the public comment period online at <http://nj.gov/health/fhs/eis/index.shtml> and at the Regional Early Intervention Collaboratives and County Service Coordination Units. Comments may be made in writing, via email or facsimile. If you do not have access to the internet, please call NJEIS at (609) 777-7734 to find a location where you can review the application.

Written, email, and facsimile comments will be received through April 30, 2011 in order to receive public input regarding DHSS-NJEIS grant application for continued participation in the Part C (NJEIS) program. Comments should be sent to:

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