

FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

Action Required for Special Education Infant Program Grant Recipients



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Since the 1980s, California has provided services to infants and toddlers with a disability or significant development delays via Early Start, which is the early intervention program which coordinates the efforts of state and local agencies to ensure children and families receive the supports they need. There are three funded programs providing services: regional centers via Early Start serving the majority of infants with special needs; the Schools' Legacy Program, which provides funding for 97 Special Education Local Plan Areas (SELPA) with a legacy of providing early intervention services; and the Schools' Hearing, Visual, and Orthopedic Impairments Program provided for children who have solely low incidence disabilities.

Funding for early intervention services under the Infant Program (Program) primarily comes via state funding, with both early intervention funding and Infant Discretionary Fund (IDF) dollars available to provide services to infants younger than two years of age. Federal Individuals with Disabilities Education Act (IDEA) Part C sources, which started in 1986, cover approximately 10% of the costs of providing infant services, and other fund sources, such as insurance billing, cover around 13%. State funds for the Program have had few updates in the past 35 years, with no new programs or SELPAs being added, no additional funding "units" despite increases in the number of infants being served, and no changes to the funding rates received by specialized service providers, although cost-of-living adjustments were applied in 2019-20 and 2021-22.

SELPAs that historically received funding for existing programs may apply for a waiver to avoid loss of funding if there are changes to the number of infants served or the types of services and staff needed to serve infants in the Program. The California Department of Education (CDE) recently posted the Infant Reallocation and Growth Report (Report) for the 2021-22 fiscal year to assist SELPAs and local educational agencies that operate early education programs to review funding status and eligibility of their Program for funds.

SELPAs should review the Report and determine two specific items:

1. Item 6—Does the Program have instructional personnel units (units) to be released?
2. Item 9—Is there an active waiver on file with the CDE for the 2022-23 fiscal year?

Depending on the responses to the items above, the SELPA would consider the following actions:

- If a program has no units to be released, then the SELPA has no further action.
- If a program has units to be released, the SELPA should confirm if there is a waiver on file. If there is a waiver on file, then the SELPA has no further action.
- If a program has units to be released and there is no waiver on file, the SELPA should complete the 2021-22 [Infant Program Waiver Request Form](#) and provide programmatic justification for retaining the funding units. This justification must include data regarding infants served, the needs of those infants and how infant services would be impacted if the waiver were not approved. Waivers, referencing the required components of Education Code Section 56432(g), are due by April 18, 2022, and are valid for a period of three years.

Another key timeline for Program funding is the April 15 deadline to apply for IDF funding if the SELPA has overspent the Part C allocation during the provision of services in the Program. The application is part of the guidance document, which has been provided to SELPAs and can be found [here](#). Any requests for additional funding through the IDF are due to the CDE by April 15, 2022, and must include the Request for Additional Funds form and a letter providing a detailed and itemized description and justification for the requested funds.

Infant funding follows a complicated set of historical and unit-based allocations, and it is not uncommon for newer special education directors or SELPA directors to be unaware of the status of a SELPA waiver or the annual application for Program funding. The CDE has created a guidance document for Part C, Early Education Program funds, which can support new administrators to navigate the technicalities of the Program. To download the guidance document, click [here](#).