

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER  
NUMBER Ninety-Five

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: AMENDMENT TO EXECUTIVE ORDER 90 RELATING TO SERVICES  
AND EDUCATION FOR HANDICAPPED CHILDREN AGES 0 TO 5  
AND THEIR FAMILIES

WHEREAS, it remains in the best interests of handicapped or developmentally delayed infants, toddlers, children, their families and the State that intervention services be provided at the earliest ages and that said services be done in a comprehensive and coordinated fashion through the cooperation and collaboration of agencies both public and private; and

WHEREAS, because the designation of Lead Agency for the Early Intervention Initiative under PL 99-457, Part H, must be changed from the Office of Planning and Coordination to the Department of Health and Social Services; and

WHEREAS, Executive Order 90 created the Early Intervention Policy Steering Committee (PSC) to make recommendations concerning the planning, development and delivery of services and education to the aforesaid infants, toddlers, children and their families; and

WHEREAS, a recommendation has been received and accepted from the PSC to apply for a "Fourth-Year Extended Grant" under federal public law 99-457, Part H; and,

WHEREAS, a recommendation from the PSC has been received and accepted to form an Interagency Resource Management Committee (IRMC) for fiscal year 1992 to work with the State Board of Education to provide special education for certain children, ages three to five, in compliance with PL 94-142 as amended.

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware do hereby declare and order as follows:

1. All provisions of this Order shall take effect immediately.
2. Executive Order Number 90 is hereby continued in full force and effect subject to the modifications made by this Order.
3. State Policy Regarding Services to Handicapped Infants, Toddlers and their Families:

It is the policy of the State during the time of its participation in the aforesaid Extended Grant, to develop and implement a statewide, comprehensive, coordinated, interagency, multi-disciplinary system for providing early intervention service to all children eligible under PL 99-457, Part H, and their families, to incorporate in such a system all components described in Part H at 20 United States Code Section 1476, and to have said system in effect, subject to 34 Code of Federal Regulation Section 303.341(a), no later than the commencement of the State's participation, if any, in a "Fourth Year Grant" or its equivalent under said Part H.

4. Executive Order 90 Committee Membership Change:

The Governor's Deputy Chief of Staff is hereby substituted and directed to replace the Director of the Office of Planning and Coordination as a member of the PSC and as its Chair.

5. Tasks and Responsibilities of the Committee:

The tasks and responsibilities of the PSC numbered 1a, 1b, 1c, 1d, and 1e in Executive Order 90 are deemed to be completed. Those tasks numbered 2a, 2b, 2c and 2d shall become the responsibility of the IRMC during the State's fiscal year 1992.

6. Change of Lead Agency under PL 99-457, Part H:

The Delaware Department of Health and Social Services is hereby designated as the "Lead Agency" as defined under PL Law 99-457, Part H. The previous designation of the Office of Planning and Coordination is terminated.

7. Control and Administration of Federal Funds for Early Intervention Initiative under PL 99-457, Part H:

The Department of Public Instruction shall remain and perform as the fiscal agent for the use of federal funds received pursuant to the third year grant under PL 99-457, Part H until September 30, 1991.

During this time, except as is necessary to pay the current salaries of current employees, the ordinary operating expenses associated with said employees and the ordinary activities of the Interagency Coordinating Council, all expenditures of those funds shall require the written approval of the Secretary of the Delaware Department of Health and Social Services or his designee.

8. Advisory Role of the Interagency Coordinating Council:

From the effective date of this Order, the Interagency Coordinating Council shall serve as an advisory body to the Department of Health and Social Services pursuant to the provisions of PL 99-457, Part H.



APPROVED THIS 30<sup>th</sup> day  
of July, 1991.

Michael N. Castle  
Governor

ATTEST:

[Signature]  
Secretary of State