



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE
SERVICES

July 1, 2014

Honorable Cary F. Boswell
Commissioner
Alabama Department of Rehabilitation Services
602 South Lawrence Street
P.O. Box 4280
Montgomery, Alabama 36103-4280

Dear Commissioner Boswell:

We have approved your State's application for Federal fiscal year (FFY) 2014 funds, under Part C of the Individuals with Disabilities Education Act (IDEA Part C). Our approval is based on our review of the IDEA Part C application, submitted by the Alabama Department of Rehabilitation Services (ADRS) to the U.S. Department of Education, Office of Special Education Programs (OSEP), on April 15, 2014.

Our approval of the State's FFY 2014 IDEA Part C grant includes approval of policies, procedures, methods, descriptions, assurances, and certifications identified in Section II.A, II.B, and II.C, which is incorporated by reference to this grant award letter as Enclosure A. Our approval is also based on the State's certification in Section II.D of its FFY 2014 application that the State's provisions meet the requirements of IDEA Part C as found in 20 U.S.C. §§1431 through 1443 and the final regulations in 34 CFR Part 303 (as published on September 28, 2011), and that the State will operate its Part C program in accordance with all of the IDEA Part C requirements including required policies, procedures, methods, descriptions, assurances and certifications. See, 34 CFR §76.104.

OSEP's approval of the State's FFY 2014 IDEA Part C application is also based on OSEP's approval of the State's policies, procedures, descriptions and agreement submitted under Sections II.A.2 (Early Intervention Services), 3a (System of Payments), 4 (Definition of Developmental Delay), 7 (CAPTA), 8 (Geographic Equity), 9 (Public Participation), 10 (Transition Policies and Agreement), and 11 (Head Start), which were referenced in OSEP's July 1, 2013 grant letter and 3b (Methods to implement payor of last resort), 10 (Early Childhood Transition), and 12 (GEPA) which were referenced in OSEP's January 13, 2014 memo to the State.

As part of your State's IDEA Part C application for FFY 2014, your State has made an assurance, under Section II.C.2 of its FFY 2014 application and pursuant to 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect during the FFY 2014 grant period.

Enclosed is the State's FFY 2014 grant award for funds currently available under the Consolidated Appropriations Act, 2014 – P.L. 113-76 for the IDEA Part C program. These funds are available for obligation by States from July 1, 2014 through September 30, 2016 in accordance with 34 CFR §76.709.

Section IV.B of the State's FFY 2014 application for Part C funds requested updated information about each State's restricted indirect cost rate. Your State indicated in Section IV.B that ADRS has a final restricted indirect cost rate agreement that has been approved by ADRS's cognizant Federal agency and is effective until September 20, 2014. In Section IV.B, your agency indicated that it will continue to apply the currently approved restricted indirect cost rate to its IDEA Part C FFY 2014 grant funds until a new restricted indirect cost rate agreement is negotiated and approved by ADRS's cognizant Federal agency. Please forward a copy to our Indirect Cost Unit and to your OSEP State Contact of the new or revised restricted indirect cost rate agreement once it is approved by ADRS's cognizant Federal agency.

Section 604 of the IDEA provides that "[a] State shall not be immune under the 11th amendment to the Constitution of the United States from suit in Federal court for a violation of this [Act]." Section 606 provides that each recipient of assistance under IDEA make positive efforts to employ and advance in employment qualified individuals with disabilities in programs assisted under the IDEA. Therefore, by accepting this grant, your State is expressly agreeing as a condition of IDEA funding to a waiver of Eleventh Amendment immunity and to ensuring that positive efforts are made to employ and advance employment of qualified individuals with disabilities in programs assisted under the IDEA.

The enclosed grant award of FFY 2014 funds is made with the continued understanding that this Office may, from time to time, require clarification of information within your application, if necessary. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities related to IDEA Part C.

As a reminder, all prime recipients of IDEA (Part B or Part C) funds, must report subaward information as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at <http://www2.ed.gov/policy/gen/leg/recovery/rms-web-conferences.html>. Please contact your State's Fiscal Accountability Facilitator if you have further questions.

We appreciate your ongoing commitment to the provision of quality early intervention services to infants and toddlers with disabilities and their families.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a large loop at the end.

Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosure

Enclosure A

cc: State Part C Coordinator