

**35428**

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.  
Commissioner, Department of Health

DATE: August 8, 2013

RE: Authorization to enter into Agreements with Westchester County School Districts to accept the Federal IDEA Flow-through Funds for Part B, Section 611 and 619 for the contract period as specified by the school districts (7/1/13 to 8/31/14 or 9/1/13 to 8/31/14), in amounts to be determined by the respective school districts' October 1<sup>st</sup> 2012 Federal Count

Authority is requested by the Westchester County Department of Health ("WCDH") to enter into agreements with Westchester County School Districts for the 2013-2014 school year to accept Federal Individual with Disabilities Education Act ("IDEA") Flow-through Funds for Part B, Section 611 and 619 for the period specified by the School Districts (7/1/13 to 8/31/14 or 9/1/13 to 8/31/14), in amounts to be determined by the school districts' October 1<sup>st</sup> 2012 Federal Count. These amounts are being determined by the New York State Education Department depending on federal allocation.

The WCDH is an approved special education program provider under Section 4410 of the Education Laws of 1989 and its subsequent amendments. As an approved New York State special education program provider, the WCDH may access the Federal IDEA Flow-through Funds for Part B, Section 611 & 619 for said period, as specified by the school districts as listed in the Attachment. The purpose of these Federal IDEA funds is to provide funding for activities that supplement, not supplant, preschool special education services under New York State Education Law and to relieve the County of expenditures over and above prior year costs. This use of the funds is both cost efficient and a federal mandate.

The Agreements are exempt from the Westchester County Procurement Policy pursuant to Sections 3(a)viii, 3(a)ix, 3(a)xii and 3(a)xvii thereof.

Use of the funds from these agreements will promote the public health and welfare of Westchester County's children with special needs by enabling daily participation in special needs programs and other community settings that typically developing children attend. Over 4,500 children are served by the 4410 Preschool Program.

The goals and objectives of these programs are to:

- Provide appropriate educational services to children three to five years old with developmental disabilities and/or delays in accordance with their approved Individualized Education Plan ("IEP").
- Provide these services in the child's least restrictive setting.

Since this is federal funding and the County is accepting funding from New York State, there are certain reporting requirements mandated by the state with which we must comply. The use of these funds is monitored, both by the WCDH and respective school districts through monthly productivity reports.

Approval of the attached resolution is respectfully requested.

## R E S O L U T I O N

Upon a communication from the Commissioner of the Department of Health, be it hereby

**RESOLVED,** that the County of Westchester, acting by and through its Department of Health, is authorized to enter into agreements with Westchester County School Districts listed on the Attachment to accept Federal IDEA Flow-through Funds for Part B, Section 611 and 619 for the periods 7/1/13 to 8/31/14, or 9/1/13 to 8/31/14, as specified by the school districts and in amounts to be determined by the respective school districts' October 1<sup>st</sup> 2012 Federal Count; and, be it further

**RESOLVED,** that the agreements with these school districts will require that the County indemnify and defend the schools districts for claims arising out of the services provided by the County; and, be it further

**RESOLVED,** that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this Resolution in the manner prescribed by law.

|                                |      |      |  |                    |               |                  |
|--------------------------------|------|------|--|--------------------|---------------|------------------|
| Account to be Charged/Credited | Fund | Dept | Major Program, Program & Phase or Unit | Object/ Sub-Object | Trust Account | Dollars          |
|                                | 101  | 27   | 2700                                   | 9221               |               | To be determined |
|                                |      |      |  |                    |               |                  |

Budget Funding Year(s) (must match resolution) 2013-2014 Start Date July 1, 2013 End Date August 31, 2014

Funding Source

|                               |                      |
|-------------------------------|----------------------|
| Tax Dollars                   | _____                |
| State Aid                     | _____                |
| <b>To be determined</b>       | _____                |
| Federal Aid                   | 100% federal revenue |
| (must match resolution) Other | _____                |

### Attachment

**School Districts granting federal Individuals with Disabilities Education ACT (IDEA) flow-through funds for Part B, Section 611 & 619 for periods as indicated below:**

**School Districts****Period of Contract****7/1/13 – 8/31/14 or 9/1/13 – 8/31/14 as per School Districts**

Ardley UFSD  
Bedford Central School District  
Blindbrook-Rye UFSD  
Briarcliff Manor UFSD  
Bronxville UFSD  
Byram Hills Central School District  
Chappaqua Central School District  
City School District of New Rochelle  
Croton Harmon School District  
Dobbs Ferry UFSD  
Eastchester UFSD  
Edgemont UFSD  
Elmsford Union Free School District  
Greenburgh Central School District #7  
Harrison Central School District  
Hastings-On-Hudson UFSD  
Hendrick Hudson School District  
Irvington UFSD  
Katonah-Lewisboro UFSD  
Lakeland Central School District  
Mamaroneck Union Free School District  
Mt. Pleasant Central School District  
Mt. Vernon Public Schools  
North Salem Central School District  
Ossining UFSD  
Peekskill City School District  
Pelham Union Free School District  
Pleasantville UFSD  
Pocantico Hills Central School District  
Port Chester-Rye UFSD  
Putnam Valley Central School District  
Rye City School District  
Rye Neck UFSD  
Scarsdale UFSD  
Somers Central School District  
Tarrytown UFSD  
Tuckahoe UFSD  
Valhalla UFSD  
White Plains City School District  
Yonkers Public Schools