



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

October 8, 2020

Mr. Rick Lowe, Director
Office of Internal Audit Services
Office of the State Budget
George W. Romney Building
111 South Capitol, 6th Floor
Lansing, MI 48913

Dear Mr. Lowe:

In accordance with the State of Michigan, Financial Management Guide, Part VII, the following is the Michigan Department of Education's (MDE) response and corrective action plan to address the recommendation contained within the July 2020, Office of the Auditor General's Flint Emergency Expenditures Report.

Recommendations the agency agrees with and will comply:

OAG Recommendation:

We recommend that MDE seek legislative clarification or an Attorney General Opinion to support the age criteria used in charging costs for early intervention services to the Flint declaration of emergency appropriations.

MDE Response:

MDE agrees to seek legislative clarification or an Attorney General Opinion. Public Act 249 of 2016, Section 11o(2) states "...for state early intervention services provided to children less than 5 years of age as of September 1, 2015." Public Act 249 of 2016, Section 11s(4) states "...to provide state early intervention services for children....who are less than 4 years of age as of September 1, 2016." The traditional federal *Early On*[®] program serves children birth-3 who meet one of the following criteria: established medical condition or developmental delay of any type for children two months of age or less and a 20% delay in one or more areas for children 2-36 months of age. The expansion of services due to the Flint water crisis allowed *Early On* expansion services under the established condition: exposure to fetus/child. Until all the lead is removed from the areas within the boundaries of the Flint declaration of emergency, the population continues to experience health issues and children continue to be born with medical conditions and/or developmental delay. The law states that services can be provided to those less than 5 years of age as of September 1, 2015 and 4 years of age as of September 1, 2016, respectively.

MDE Corrective Action Plan:

MDE will request clarification from the Attorney General by October 30, 2020.

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Questions regarding the corrective action plan should be directed to Ann Richmond, Director, Office of Financial Management, at richmonda2@michigan.gov.

Sincerely,

Signature Redacted

Kylė L. Guerrant, Deputy Superintendent
Finance and Operations

cc: Executive Office
Office of the Auditor General
House Fiscal Agency
Senate Fiscal Agency
MDE House and Senate Appropriation Sub-committees
MDE House and Senate Standing Committees Staff
Scott Koenigsknecht, MDE, Deputy Superintendent, P-20 System and Student Transitions