

Responding to Governance Changes in Early Childhood Special Education

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<https://ectacenter.org/sec619/sec619.asp>

A state proposing or enacting a governance change might involve moving the Part B, Section 619 program—or its coordinator—outside the State Educational Agency (SEA). It might also involve moving them outside the special education unit, but still within the SEA. State staff involved in possible governance changes can consult the relevant IDEA statute, [ECTA System Framework](#), and this document to guide discussions about responding to governance changes, and planning based on individual state structures.

IDEA Statute

[20 U.S.C. §1412\(a\)](#) assigns the state education agency general supervision responsibilities for implementing IDEA Part B. This single line of responsibility for Part B includes general supervision over all special education programs to ensure federal requirements and educational standards are met. For example, even if a state moves its Part B, Section 619 program or its coordinator outside the state education agency (SEA), this single line of responsibility still lies with the SEA:

“(11) State educational agency responsible for general supervision

(A) In general

The State educational agency is responsible for ensuring that—

- (i) the requirements of this subchapter are met;
- (ii) all educational programs for children with disabilities in the State, including all such programs administered by any other State agency or local agency—
 - (I) are under the general supervision of individuals in the State who are responsible for educational programs for children with disabilities; and
 - (II) meet the educational standards of the State educational agency;”

ECTA System Framework

The [ECTA System Framework](#) helps states build and sustain high-quality early intervention and preschool special education systems under IDEA.

The Governance component addresses the general supervision responsibility in the IDEA statute and guides state staff in ensuring the establishment of an enforceable decision-making authority to effectively implement the statewide system. This authority is responsible for leveraging sufficient fiscal and human resources to support quality services throughout the state.

Responding to Governance Changes

As state staff, you might be responding to governance changes that are proposed or after changes are enacted. During a governance change process, you might:

- Explore the reason for the enacted or proposed governance changes within state governance documents. Examples of such documents are:
 - Statutes
 - Rules
 - Governor's orders
 - Agency directives
- Review the reason for the proposed governance change within draft documents or internal memos while the governance change is being considered.
- Review the alignment between the purpose of the governance change and your preschool special education program. This includes supporting IDEA and related federal and state mandates, ensuring that all children with disabilities have access to a free appropriate public education.
- Understand the scope of enacted and proposed changes, and their implementation timelines.
- Examine the impact of governance changes on personnel, such as retirement plans, pay and reporting structures.
- Determine the responsibilities for the state early childhood special education (619) coordinator.
- Identify opportunities for state staff to give input on the changes being discussed.
- Outline a memorandum of understanding (MOU) of shared agreements, plans, and key responsibilities for successful implementation. Revisit it regularly.
- Determine applicable administrative responsibilities under the governance change. These include:

- **Finance**—use of funds and oversight of funds
 - **Personnel and Workforce**—professional development (PD) and technical assistance (TA)
 - **Data System**—data collection, reporting, and sharing
 - **Accountability and Quality Improvement**—general supervision monitoring and reporting requirements
 - **Quality Standards**—collaboration with early childhood partners
- Support the development of a communication plan that provides consistent messaging and identifies the communication strategies between agencies. Examples include:
 - Requesting meetings
 - Copying both parties on formal communication
 - Providing regular updates

Requesting Technical Assistance

For questions or to request technical assistance, contact [ECTA Center's topic contact](#) for Governance.

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