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SECRETARY OF STATE
PUBLICATIONS

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 10

**AN ORDER TRANSFERRING THE TENNESSEE EARLY INTERVENTION SYSTEM
FROM THE DEPARTMENT OF EDUCATION TO THE DEPARTMENT OF
INTELLECTUAL AND DEVELOPMENTAL DISABILITIES**

WHEREAS, the Department of Education and the Department of Intellectual and Developmental Disabilities are created and established in Tennessee Code Annotated, Sections 4-3-101, 4-3-801, and 4-3-2701; and

WHEREAS, the Tennessee Early Intervention System (hereinafter "TEIS") is a voluntary educational program for infants and toddlers with disabilities and their families that is designed to support, facilitate, and encourage the child's development and participation in family and community activities, as well as assist families in encouraging and participating in the child's development; and

WHEREAS, TEIS is currently operated by the Department of Education, but its services are closely aligned with those provided by the Department of Intellectual and Developmental Disabilities; and

WHEREAS, the Commissioner of Education and Commissioner of Intellectual and Developmental Disabilities have determined that transferring the responsibilities associated with TEIS to the Department of Intellectual and Developmental Disabilities will result in a more economical, efficient, and streamlined state service.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and by Tennessee Code Annotated, Sections 4-4-102 and 4-4-117, do hereby direct and order the following:

1. Effective July 1, 2020, the management and operation of TEIS shall be transferred from the Department of Education to the Department of Intellectual and Developmental

Disabilities, which shall serve as the State lead agency under Part C of the Individuals with Disabilities Education Act under 20 U.S.C. 1435(a)(10). Notwithstanding this transfer, nine TEIS positions shall be maintained by the Department of Education to ensure implementation of IDEA's child find responsibilities and appropriate transitions for children and families into pre-K and K-12 educational settings.

2. As of July 1, 2020, the Commissioner of the Department of Intellectual and Developmental Disabilities shall control, manage, and oversee all aspects of TEIS, including statutory and regulatory functions.
3. The Commissioner of Intellectual and Developmental Disabilities, with the assistance of the Commissioner of Education, shall immediately begin implementing this Order, with such process to be completed in due time, and the Commissioners of Intellectual and Developmental Disabilities and Education shall have the authority to execute such documents and take such other actions as may be necessary, appropriate, or convenient to carry out the intent of this Order.
4. The Commissioner of Finance and Administration shall cause to be transferred to the Department of Intellectual and Developmental Disabilities from the Department of Education all appropriations and other revenues budgeted for the functions transferred by this Order, effective July 1, 2020. As needed, the Department of Finance and Administration shall revise the budgets of both departments to reflect the effect of this Order.
5. All personal property, equipment and other materials and supplies available and necessary to implement the requirements of this Order shall be transferred to the custody and control of the Department of Intellectual and Developmental Disabilities by July 1, 2020.
6. As of July 1, 2020, the Department of Intellectual and Developmental Disabilities shall have the authority to receive, administer, and oversee all grants and funds from whatever source, including but not limited to, federal, state, county, and municipal governments, related to the functions, programs, duties, and responsibilities transferred by this Order.
7. All contracts or leases entered into prior to July 1, 2020, by the Department of Education with any entity, corporation, agency, enterprise, or person with respect to the functions transferred by this Order shall continue in full force and effect as to all essential provisions in accordance with their terms and conditions in existence on July 1, 2020, to the same extent as if such contracts or leases had originally been entered into by and between such entity, corporation, agency, enterprise, or person and the Department of Intellectual and Developmental Disabilities, unless and until such contracts or leases are amended or modified by the parties thereto.
8. All current rules, regulations, orders, decisions, and policies issued before July 1, 2020, related to the functions transferred by this Order shall remain in full force and effect and shall hereafter be administered and enforced by the Department of Intellectual and

Developmental Disabilities. The Department of Intellectual and Developmental Disabilities, through its Commissioner, shall have the authority, consistent with the statutes and regulations pertaining to the functions transferred herein, to modify or rescind previously issued orders, rules and regulations, decisions, or policies and to adopt, issue, or promulgate new orders, rules and regulations, decisions, or policies, as may be necessary or appropriate for carrying out the functions transferred by this Order.

9. The Commissioners of Education and Intellectual and Developmental Disabilities shall have the authority to execute such documents and take such other actions from time to time as may be necessary, appropriate, or convenient to carry out the intent of this Order.
10. To the extent that their terms are inconsistent with the terms of this Executive Order No. 10, all previous executive orders are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 2nd day of December, 2019.


GOVERNOR

ATTEST:


SECRETARY OF STATE

