

U.S. DEPARTMENT OF EDUCATION

2019 DETERMINATION LETTERS ON STATE IMPLEMENTATION OF IDEA

Modified July 11, 2019

The U.S. Department of Education's Office of Special Education and Rehabilitative Services released State determinations on implementation of the Individuals with Disabilities Education Act (IDEA) for Part B and Part C for fiscal year 2017. The 2004 Amendments to the IDEA require each State to develop a State Performance Plan (SPP) and Annual Performance Report (APR) that evaluates the State's efforts to implement the requirements and purposes of the IDEA, and describes how the State will improve its implementation. The Part B SPP/APR and Part C SPP/APR include Indicators that measure child and family results, and other indicators that measure compliance with the requirements of the IDEA. Since 2015, the Part B SPP/APR and Part C SPP/APR have included a State Systemic Improvement Plan through which each State focuses its efforts on improving a State-selected child or family outcome.

The IDEA also requires each State to report annually to the Secretary on its performance under the SPP. Specifically, the State must report in its APR, the progress it has made in meeting the measurable and rigorous targets established in its SPP. The Secretary is required to issue an annual determination to each State on its progress in meeting the requirements of the statute. The determinations are part of the ongoing efforts to improve education for America's 7 million children with disabilities.

IDEA details four categories for the Secretary's determinations. A State's determination may be:

- **Meets** the requirements and purposes of IDEA;
- **Needs assistance** in implementing the requirements of IDEA;
- **Needs intervention** in implementing the requirements of IDEA; or
- **Needs substantial intervention** in implementing the requirements of IDEA.

For the first time in 2014, and again in 2015, 2016, 2017, 2018, and 2019, the Department made Part B determinations using both compliance and results data, giving each equal weight in making a State's determination. For the first time in 2015 and again in 2016, 2017, 2018, and 2019, the Department made Part C determinations using both compliance and results data, giving each equal weight in making a State's determination. For the first time in 2018, and again in 2019, the Department made Part B determinations for the outlying areas, freely associated States, and the Bureau of Indian Education using both compliance and results data, with a 60% weight and 40%

weight respectively. OSEP's accountability framework, called Results Driven Accountability (RDA), brings into focus the educational results and functional outcomes for children with disabilities while balancing those results with the compliance requirements of IDEA. Protecting the rights of children with disabilities and their families is a key responsibility of State educational agencies (SEAs) and local educational agencies (LEAs) for Part B, and Lead Agencies and early intervention service programs for Part C, but it is not sufficient if children are not attaining the knowledge and skills necessary to accomplish the ideals of IDEA: equality of opportunity, full participation, independent living, and economic self-sufficiency.

IDEA identifies specific technical assistance or enforcement actions that the Department must take under specific circumstances for States that are not determined to "meet requirements." If a State "needs assistance" for two consecutive years, the Department must take one or more enforcement actions, including, among others, requiring the State to access technical assistance, designating the State as a high-risk grantee, or directing the use of State set-aside funds to the area(s) where the State needs assistance. If a State "needs intervention" for three consecutive years, the Department must take one or more enforcement actions, including among others, requiring a corrective action plan or compliance agreement, or withholding further payments to the State. Any time a State "needs substantial intervention" the Department must take immediate enforcement action, such as withholding funds or referring the matter to the Department's inspector general or to the Department of Justice.

IDEA PART B DETERMINATIONS

Following is a list of each State's performance in meeting the requirements of IDEA Part B, which serves students with disabilities, ages 3 through 21:

MEETS REQUIREMENTS

Arizona	Minnesota	South Dakota
Connecticut	Missouri	Virginia
Florida	Montana	West Virginia
Indiana	North Dakota	Wisconsin
Kansas	Nebraska	Wyoming
Kentucky	New Jersey	
Maine	Ohio	
Massachusetts	Pennsylvania	

NEEDS ASSISTANCE (one year)

District of Columbia	Michigan	Oklahoma
Georgia	New Hampshire	Vermont
Republic of the Marshall Islands	North Carolina	

NEEDS ASSISTANCE (two or more consecutive years)

Alabama	Hawaii	Oregon
Alaska	Iowa	Puerto Rico
Arkansas	Idaho	Rhode Island
American Samoa	Illinois	South Carolina
California	Louisiana	Tennessee
Colorado	Maryland	Texas
Delaware	Mississippi	Utah
Federated States of Micronesia	New Mexico	Virgin Islands
Guam	Nevada	Washington
	New York	

NEEDS INTERVENTION (two years)

Palau	Commonwealth of Northern Mariana Islands
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NEEDS INTERVENTION (eight consecutive years)

Bureau of Indian Education

IDEA PART C DETERMINATIONS

Following is a list of each State's performance in meeting the requirements of IDEA Part C, which serves infants and toddlers birth through age 2:

MEETS REQUIREMENTS

Alabama	Missouri	South Dakota
Alaska	Montana	Texas
Arizona	Nebraska	Utah
Connecticut	Nevada	Virginia
District of Columbia	New Mexico	Washington
Georgia	New York	Wisconsin
Idaho	Ohio	West Virginia
Kentucky	Oklahoma	Wyoming
Louisiana	Oregon	
Minnesota	Pennsylvania	

NEEDS ASSISTANCE (one year)

Arkansas	Michigan	New Jersey
Kansas	North Carolina	Puerto Rico
Maryland	New Hampshire	Rhode Island
Maine	North Dakota	Tennessee

NEEDS ASSISTANCE (two or more consecutive years)

American Samoa	Florida	Massachusetts
California	Guam	Mississippi
Colorado	Hawaii	Maine
Commonwealth of Northern Mariana Islands	Iowa	South Carolina
Delaware	Illinois	Vermont
	Indiana	Virgin Islands