



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

FEBRUARY 2, 2018

Honorable Jeffrey R. Wulfson
Acting Commissioner
Massachusetts Department of
Elementary and Secondary Education
75 Pleasant Street
Malden, Massachusetts 02148

Dear Acting Commissioner Wulfson:

The purpose of this letter is to provide you a summary of the results of the differentiated monitoring and support (DMS) activities conducted by the United States Department of Education's Office of Special Education Programs (OSEP) during an on-site visit to the Massachusetts Department of Elementary and Secondary Education May 8-10, 2017¹. In 2016, OSEP began engaging in DMS activities with States as part of its Results Driven Accountability (RDA) framework. Under RDA, OSEP made a shift from monitoring based solely on compliance to monitoring and support focused on both compliance and improving results for students with disabilities. OSEP differentiates its approach for each State based on the State's unique strengths, progress, challenges, and needs.

With the DMS process, OSEP conducts an organizational assessment (OA) of risk factors to identify States' progress in meeting performance standards and complying with the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) and its implementing regulations, the Education Department General Administrative Regulations and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. OSEP uses the information from the OA and an Engagement Decision Tree to make decisions about how it will engage with States over the course of the federal fiscal year (FFY). The FFY 2016 DMS areas were: 1) Results; 2) Compliance; 3) SSIP; 4) Fiscal; and 5) Correctional Education (FFY 2016 Special Focus Area).

For FFY 2016, Massachusetts was assigned a "Targeted" level of engagement in the area of Compliance due, in part, to the State having 10 or more fully adjudicated hearings with at least 75 percent of decisions issued within an extended timeline during the reporting periods 2012-2013 and 2013-2014. Massachusetts reported that one hundred percent of its fully adjudicated hearings held in Federal fiscal year 2013 (2013-2014) were conducted within an extended timeline. As part of its engagement, OSEP is providing targeted monitoring and support to assist Massachusetts in improving its dispute resolution system.

¹ For FFY 2016, Massachusetts was assigned a "Targeted" Level of Engagement in the area of Compliance; and an "Intensive" Level of Engagement in the area of Fiscal. This DMS letter pertains only to the results of the DMS engagement activities that were conducted related to the area of Compliance. The results of the DMS engagement activity related to the area of Fiscal will be provided under a separate cover.

The enclosed *Monitoring and Support Visit Summary and Next Steps* document describes the: 1) Background; 2) Purpose of Monitoring Activity; 3) Visit Summary; and 4) Next Steps and Required Actions. If OSEP identified findings of noncompliance with the IDEA requirements, you will find specific details pertaining to the finding of noncompliance, along with the respective citation(s); and the corrective action required to address the identified finding of noncompliance. If you have any questions, please contact Dwight R. Thomas II, your OSEP State Lead, at 202-245-6238.

Sincerely,

/s/

Ruth E. Ryder

Acting Director

Office of Special Education Programs

cc: State Director of Special Education

Enclosure