



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

JAN 27 2010

Honorable Denise Juneau
Superintendent of Public Instruction
Montana Office of Public Instruction
P.O. Box 202501
Helena, Montana 59620-2501

Dear Superintendent Juneau:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Montana Office of Public Instruction (OPI) during the week of August 30, 2009. As indicated in our letter to you dated July 2, 2009, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Part B of the Individuals with Disabilities Education Act (IDEA). CIFMS is designed to ensure compliance and improve performance with Parts B and C¹ of the IDEA in accordance with 20 U.S.C. 1416 and 1442. Sections 616 and 642 of the IDEA require the Department to monitor States with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States meet the program requirements, particularly those most closely related to improving early intervention and educational results for children with disabilities.

The purpose of the verification visit is to verify the effectiveness of the State's systems for general supervision, collection of State-reported data, and fiscal management, as well as the State's systems for improving child and family outcomes and protecting child and family rights. During the verification visit, OSEP: (1) analyzed the components of the State's general supervision, data and fiscal systems to determine the extent to which they are effective in ensuring compliance and improving performance; and (2) reviewed the accuracy of the data the State submitted for selected indicators in the State's FFY 2006 Annual Performance Report (APR)/State Performance Plan (SPP).

As part of the verification visit to Montana, OSEP staff met with Mr. Tim Harris, State Director of Special Education and State personnel responsible for implementing the general supervision, data or fiscal systems, and local agency staff. Prior to and during the visit, OSEP staff reviewed a number of documents, including the following: (1) Montana's Federal Fiscal Year (FFY) 2007 APR submitted to OSEP in February 2009; (2) Montana's State Performance Plan submitted to OSEP in December 2005 and updated in 2007, 2008, and 2009; (3) Montana's eligibility document submissions under Part B of the IDEA for FFY 2009; (4) OSEP's Verification Visit letter to Montana dated November 16, 2006; (5) Montana's Office of Public Instruction's website; and (6) other

¹ During the week of August 30, OSEP also conducted its Part C verification visit to the Montana.

pertinent information². OSEP also collected and reviewed stakeholder input from the State's Parent Training and Information Center (PTI) and the State Advisory Panel (SAP).

OSEP developed critical elements that were used to guide its evaluation of Montana's general supervision, data, and fiscal systems. OSEP's analysis of each critical element and any required actions are provided in the Enclosure to this letter. As further detailed in that Enclosure, OSEP found noncompliance, and has required corrective action related to the State's standard for verifying correction of noncompliance and the State's method of calculating its maintenance of State financial support for special education and related services.

OSEP appreciates the cooperation and assistance provided by OPI staff throughout the process, and PTI staff, SAP members and parents in providing feedback and input on the State's systems for special education. We look forward to collaborating with all stakeholders and actively working with the State to improve results for infants, toddlers, and children with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call your OSEP State Contact, Dr. Ken Kienas, at (202) 245-7621.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexa Posny". The signature is written in a cursive style and is positioned above the typed name and title.

Alexa Posny, Ph.D.
Acting Director
Office of Special Education Programs

cc: Mr. Tim Harris
Director of Special Education

² Documents reviewed as part of the verification process were not reviewed for legal sufficiency, but rather to inform OSEP's understanding of your State's systems.