



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

MAR - 9 2012

Honorable Tom Luna  
Superintendent of Public Instruction  
Idaho State Department of Education  
650 West State Street  
P.O. Box 83720  
Boise, Idaho 83720-0027

Dear Superintendent Luna:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) Continuous Improvement Visit (CIV) to the Idaho State Department of Education (ISDE) during the week of December 6, 2011. As indicated in our letter to you dated March 29, 2011, the visit consisted of two components: (1) the verification of State systems for implementing key requirements of the Individuals with Disabilities Education Act (IDEA); and (2) a collaborative focus on improving results.<sup>1</sup> CIVs are designed to ensure compliance and improve performance with Part B of the IDEA in accordance with 20 U.S.C. 1416.

The purpose of the verification component of the visit is to review the State's systems for general supervision and fiscal management, as well as the State's systems for improving child and family outcomes. OSEP developed critical elements that were used to guide its evaluation of Idaho's general supervision (including data) and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the State's systems and briefly outlines relevant statutory and regulatory requirements for each critical element.

OSEP is currently in the process of conducting a comprehensive review of States' systems for implementing the fiscal requirements of the IDEA and related statutes and regulations, through the CIVs and other mechanisms, including the desk audits that OSEP's Recovery Act Facilitators are conducting with all States. In order to provide each State with an integrated response based on its review of States' fiscal systems, OSEP will respond to the State separately to address fiscal issues and has not included a fiscal section in the Enclosure. The fiscal information gathered during the verification component of the CIV will also be addressed in that separate letter.

OSEP found noncompliance, and has required corrective action in the following areas: (1) the timely identification of noncompliance, as required by 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E); (2) the timely correction of noncompliance, as required by 34 CFR §§300.149 and 300.600, 20 U.S.C. 1232d(b)(3)(E) and OSEP Memorandum 09-02, *Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act*, dated October 17, 2008 (OSEP Memo 09-02); (3) ensuring that local educational agencies (LEAs) comply with the resolution period requirements in 34 CFR §300.510; and (4) consideration of LEA-specific audit findings when making annual determinations on the performance of LEAs, as required by 34 CFR §300.600, section 616(b)(2)(c).

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<sup>1</sup> During the week of December 6, 2011 OSEP also conducted its Part C CIV to the Idaho Department of Health and Welfare.

Generally, the Enclosure to this letter does not include descriptions of the State's systems because this information is available on the State's Web site in its State Performance Plan. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the visit, are provided in the Enclosure to this letter.

During the CIV, Idaho also focused on improving educational results and functional outcomes for children and youth with disabilities. Prior to the visit Idaho participated in a process with OSEP to concentrate its efforts on increasing the reading and math proficiency of students with disabilities. With OSEP's participation, the ISDE and stakeholders, which included participants from the Idaho State Department of Education Offices of Statewide Student Support and Title I, the Idaho Special Education Advisory Panel, the Lee Pesky Center, and the Western Regional Resource Center, engaged in facilitated process to examine the data, as well as current and past efforts to improve results, in the area of assessment, and formulate strategies that Idaho will employ to improve results for children with disabilities in its selected area. Idaho is developing a plan that includes specific benchmarks for improvement, as well as timelines, resources, and measurements for the ISDE to improve results. Idaho will publish this plan with updates on the State's Web site at <https://www.sde.idaho.gov>.

OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the Idaho Parent Training and Information Center, the Idaho Special Education Advisory Panel, the Idaho Protection and Advocacy Agency, and parents of children and youth with disabilities in providing feedback and input on the State's systems for providing educational services to children and youth with disabilities. We look forward to collaborating with all stakeholders and actively working with the State to improve results and compliance for children and youth 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, Angela Tanner-Dean at 202-245-6320.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a large loop at the end.

Melody Musgrove, Ed.D.  
Director  
Office of Special Education Programs

Enclosure

cc: Rich Henderson  
State Director of Special Education