



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
FEB -8 2012

Honorable Janet Barresi
Superintendent of Public Instruction
Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599

Dear Superintendent Barresi:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) Continuous Improvement Visit (CIV) to the Oklahoma State Department of Education (OSDE) during the week of September 29, 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.¹ The CIV is 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 its systems for improving child and family outcomes. OSEP developed critical elements that were used to guide its evaluation of Oklahoma'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 for general supervision 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 visit will also be addressed in that separate letter.

OSEP found noncompliance, and has required corrective action in the following areas: (1) identification of noncompliance based on data in the State's database, as required by 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E); (2) timely correction of noncompliance by local education agencies (LEAs), as required by IDEA sections 612(a)(11) and 616, 34 CFR §§300.149 and 300.600, 20 U.S.C. 1232d(b)(3)(E) and OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02); (3) the State's procedures for ensuring that State complaints filed at the LEA level are investigated and a written decision issued consistent with the requirements of 34 CFR §§300.151 through 300.153; and (4) the grant requirement related to significant disproportionality/Coordinated Early Intervening Services (CEIS) as required by IDEA section 613(f) of the IDEA and OSEP Memorandum 08-09, dated July 28, 2008.

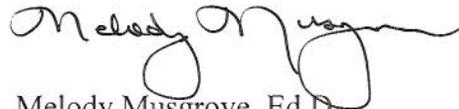
¹ During the week of September 26, 2011, OSEP also conducted its Part C CIV to OSDE.

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 CIVs, OSDE also focused on improving educational results and functional outcomes for children and youth with disabilities. Prior to the visit, OSDE participated in a process with OSEP to concentrate its efforts on improving outcomes of children with disabilities. With OSEP's participation, OSDE and stakeholders, including parent representatives, service providers, and State education staff, engaged in a facilitated process to examine the data, as well as current and past efforts to improve results in the early childhood outcome area, and formulate strategies that OSDE will employ to improve results for children with disabilities in its selected area. OSDE has developed a plan that includes specific benchmarks for improvement, as well as timelines, resources, and measurements for OSDE to improve results. OSDE will publish this plan with updates on the State's Web site at <http://sde.state.ok.us>.

OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the Oklahoma Parent Center and parents of children and youth with disabilities, the Oklahoma's State Advisory Panel and the Oklahoma Disability Law Center 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, Genee C. Norbert, at 202-245-7326.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

Enclosure

cc: Malissa Cook
Acting State Director of Special Education