



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

Honorable Jesús Rivera Sánchez
Secretary of Education
Puerto Rico Department of Education
Post Office Box 190759
San Juan, Puerto Rico 00919-0759

Dear Secretary Rivera Sánchez:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) Continuous Improvement Visit (CIV) to the Puerto Rico Department of Education (PRDE) during the week of October 3, 2011. As indicated in our letter to you dated March 29, 2011, the visit consisted of two components: (1) the verification of Commonwealth 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 Commonwealth's systems for general supervision and fiscal management, as well as the Commonwealth's systems for improving child and family outcomes. OSEP developed critical elements that were used to guide its evaluation of Puerto Rico's general supervision (including data) and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the Commonwealth'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' and entities' 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 and entities. In order to provide each State and entity with an integrated response based on its review of States' and entities' fiscal systems, OSEP will respond to the Commonwealth 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.

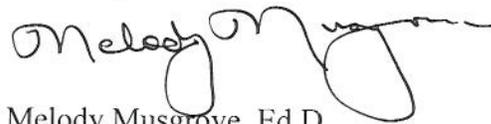
Generally, the Enclosure to this letter does not include descriptions of the Commonwealth's systems because this information is available on the Commonwealth's Web site in the Commonwealth's State Performance Plan. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the visit, are provided in the Enclosure to this letter. OSEP found noncompliance, and has required corrective action in the following areas: the Commonwealth has not, as required by IDEA sections 612(a)(11) and 616, 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E), made findings of noncompliance when data from its database or information from a self-assessment showed noncompliance, and when the district or region with noncompliance was not subject to an on-site monitoring visit.

¹ During the week of October 3, 2011 OSEP also conducted its Part C CIV to the Puerto Rico Department of Health.

During the continuous improvement visits, Puerto Rico also focused on improving educational results and functional outcomes for children and youth with disabilities. Prior to the visit Puerto Rico participated in a process with OSEP to concentrate its efforts on improving postsecondary outcomes (Indicator 14) in the Ponce Region. With OSEP's participation, the Puerto Rico Department of Education and stakeholders, which included participants from APNI (the Parent Training and Information Center), the Comité Consultivo, Comité de Timon, university representatives, parents of students with disabilities, and staff from the Southeast and Mountain Plains Regional Resource Centers and the Data Accountability Center, engaged in a facilitated process to examine the data, as well as current and past efforts to improve results in the postsecondary outcomes area, and formulate strategies that Puerto Rico will employ to improve results for children with disabilities in its selected area. Puerto Rico is developing a plan that includes specific benchmarks for improvement, as well as, timelines, resources, and measurements for PRDE to improve results. PRDE will publish this plan with updates on the Commonwealth's Web site at <http://www.de.gobierno.pr/tags/educacion-especial>.

OSEP appreciates the cooperation and assistance provided by your Commonwealth staff and others, including staff from APNI and parents of children and youth with disabilities in providing feedback and input on the Commonwealth'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 Commonwealth 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, Diana Chang, at (202) 245-6061.

Sincerely,

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

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

Enclosure

cc: Johan Serrano
Associate Secretary of Special Education
Puerto Rico Department of Education