



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

**JUNE 19, 2017**

Honorable Rafael Rodriguez-Mercado  
Secretary  
Puerto Rico Department of Health  
P.O. Box 70184  
San Juan, Puerto Rico 00936

Dear Dr. Rodriguez-Mercado:

The purpose of this correspondence is to provide a summary of the monitoring and support activities conducted by the Office of Special Education Programs (OSEP) for the IDEA Part C Early Childhood Intervention Program within the Puerto Rico Department of Health (PRDH) in Puerto Rico (PR) March 14-17, 2017. In 2016, OSEP began providing differentiated monitoring and support (DMS) to 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 infants and toddlers 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 compliance with the legal requirements of the Individuals with Disabilities Education Act, 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 designations of universal, targeted, or intensive monitoring and support (DMS) for the fiscal year. The 2016-2017 DMS areas were: 1) results; 2) compliance; 3) State Systemic Improvement Plan (SSIP); 4) child find; and 5) fiscal.

On October 31, 2016, OSEP sent Abraham Rivera-Alvarado, PRDH's IDEA Part C Coordinator, the DMS notice for Puerto Rico. That notice provided a designation of universal, targeted, or intensive engagement in each of five areas: results, compliance, SSIP, child find, and fiscal. The information in the notice was based on FFY 2014 data in the five areas, along with information about the factors contributing to elevated needs, the support the Commonwealth has accessed, the Commonwealth's capacity to improve results and compliance, and additional contextual information. We have attached a copy of the DMS notice for your convenience.

As part of the engagement, OSEP discussed issues related to results, SSIP and fiscal. Attached is a summary, for areas designated as intensive, of the engagement provided by OSEP during the monitoring and support activity. Although OSEP also discussed child find and early childhood transition with your staff, this was a more informal discussion, and we are not including a written summary of these discussions. If OSEP identified findings of noncompliance with IDEA

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requirements, you will find specific instructions, within the attachments for each DMS area, regarding corrective actions the Commonwealth must take to address the noncompliance.

Finally, on May 3, 2017 Governor Rossello announced that he had requested that the Federal oversight board authorized under the Promesa Act invoke provisions under Title III of the Act, allowing for a court-supervised debt restructuring similar to bankruptcy. OSEP will monitor any potential impact of the ongoing fiscal issues on PRDH's ability to meet its obligations under Part C of the IDEA, and remains available for technical assistance as needed.

We appreciate your efforts to improve results for infants and toddlers with disabilities. If you have any questions, please contact Leslie Fox, your OSEP State Lead, at 202-245-6439.

Sincerely,

/s/

Ruth E. Ryder

Acting Director

Office of Special Education Programs

cc: Abraham Rivera-Alvarado

Attachments