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

JUN 3 2010

Honorable Anna Whiting Sorrell
Director
Department of Public Health and Human Services
111 N. Sander St., P.O. Box 4210
Helena, Montana 59604-4210

Dear Director Sorrell:

Thank you for the timely submission of Montana's Federal fiscal year (FFY) 2008 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part C of the Individuals with Disabilities Education Act (IDEA).

The Department has determined that, under IDEA sections 616(d)(2)(A)(i) and 642, Montana meets the requirements of Part C of IDEA. The Department's determination is based on the totality of the State's data and information, including the State's FFY 2008 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) and 642 of the IDEA in 2010: Part C" for further details.

Specific factors affecting the determination made by the Office of Special Education Programs (OSEP) that Montana meets requirements under IDEA sections 616(d) and 642 include: (1) Montana provided valid and reliable FFY 2008 data reflecting the measurement for each indicator; and (2) Montana reported high levels of compliance or correction of previously identified findings of noncompliance for Indicators 1, 7, 8A, 8B, 8C, 9, 10, 11, and 14. We commend Montana for its performance.

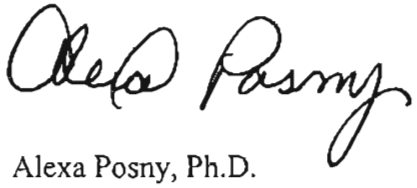
The enclosed table provides OSEP's analysis of the State's FFY 2008 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions the State made to its targets, improvement activities (timelines and resources), and baseline data in the State's SPP. The table also identifies, by indicator: (1) the State's reported FFY 2008 data; (2) whether such data met the State's FFY 2008 targets and reflect progress or slippage from prior year's data; and (3) whether the State corrected findings of noncompliance.

As you know, pursuant to IDEA sections 616(b)(2)(C)(ii)(I) and 642, your State must report annually to the public on the performance of each early intervention services program (EIS program) located in the State on the targets in the SPP. In addition, your State must: (1) review EIS program performance against targets in the State's SPP; (2) determine if each EIS program "meets requirements" of Part C, or "needs assistance," "needs intervention," or "needs substantial intervention" in implementing Part C of the IDEA; (3) take appropriate enforcement action; and (4) inform each EIS program of its determination. For further information regarding these requirements, see the SPP/APR Calendar at: http://spp-apr-calendar.rrfcnetwork.org/explorer/view/id/656. Finally, if your State included revisions to baseline, targets or improvement activities in its APR submission, and OSEP accepted those revisions, please ensure that your SPP is updated accordingly and that the updated SPP is posted

on the State's website and made available to the public, consistent with IDEA sections 616(d)(2)(C)(ii)(I) and 642.

OSEP is committed to supporting Montana's efforts to improve results for children and youth with disabilities and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please contact Bob MacGillivray, your OSEP State Contact, at 202-245-7433.

Sincerely,



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

Enclosures

cc: Part C Coordinator