



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

FEB - 4 2009

Honorable C. Earl Hunter
Commissioner
Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Dear Commissioner Hunter:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP) verification visit to the South Carolina Department of Health and Environmental Control (DHEC) during the week of September 15, 2008. As indicated in my letter to you of August 7, 2008, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS). CIFMS is designed to ensure compliance and improve performance with Parts B¹ and C of the Individuals with Disabilities Education Act (IDEA). Sections 616 and 642 of the IDEA require the Department to monitor States with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States meet the program requirements, particularly those most closely related to improving results for infants, toddlers and children with disabilities.

The purpose of the verification visit is to review the State's systems for general supervision, collection of State-reported data, and fiscal management, as well as the State's systems for improving child and family outcomes and protecting child and family rights. During the verification visit, OSEP: (1) analyzed the components of the State's general supervision, data and fiscal systems to determine whether they are reasonably designed to ensure compliance and improve performance; and (2) reviewed data the State submitted for selected indicators in the State's Federal Fiscal Year (FFY) 2006 Annual Performance Report (APR)/State Performance Plan (SPP).

As part of the verification visit to South Carolina, OSEP staff met with Cheryl Waller, Part C Coordinator, and State personnel responsible for implementing the general supervision, data or fiscal systems. OSEP also participated in a joint meeting with Part C staff and representatives of the South Carolina Department of Education (SCDE) to discuss issues regarding the transition of children with disabilities from Part C to Part B. Prior to and during the visit, OSEP staff reviewed a number of documents, including the following: (1) South Carolina's FFY 2006 APR submitted to OSEP in February 2008; (2) South Carolina's SPP submitted to OSEP in December 2005; (3) South Carolina's eligibility document submissions under Part C of the IDEA for FFY

¹ During the week of September 15, 2008, OSEP also conducted its Part B verification visit to the South Carolina Department of Education (SCDE), and has issued a letter describing the results of that visit under separate cover.

2008; (4) OSEP's Verification Visit letter to South Carolina dated December 24, 2003; (5) the DHEC website; and (6) other pertinent information.²

OSEP developed critical elements that were used to guide its evaluation of South Carolina's general supervision, data, and fiscal systems. OSEP's analysis of each critical element is set out in the enclosure to this letter. If OSEP identified noncompliance during the verification visit, the enclosure also includes an explanation of the noncompliance with applicable Part C requirements and the required actions the State must take to address the noncompliance. As further detailed in the enclosure to this letter, OSEP found noncompliance, and is requiring the State to take corrective action in the following areas: (1) timely correction of noncompliance, and (2) publicly reporting on local early intervention service program performance against State SPP/APR targets and making local determinations.

We appreciate the cooperation and assistance provided by your staff during our visit. We look forward to collaborating with the State as you continue to work to improve results for infants, toddlers and children 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, Rhonda Spence, at 202-245-7382.

Sincerely,



Patricia J. Guard
Acting Director
Office of Special Education Programs

Enclosure

cc: Cheryl Waller, Part C Coordinator

² This information was reviewed not for legal sufficiency, but to provide background information for the verification visit.