



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Kerri L. Briggs
Superintendent
Office of the State Superintendent of Education
Government of the District of Columbia
810 First Street, N.E.
9th Floor
Washington, DC 20002

MAY 12 2010

Dear Superintendent Briggs:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the District of Columbia, Office of the State Superintendent of Education (OSSE) conducted on November 12, 2009 through November 20, 2009. OSEP's verification visit included a focused monitoring component in the following areas: (1) provision of a free appropriate public education in the least restrictive environment for Individuals with Disabilities Education Act (IDEA) Part B; and (2) transition from IDEA Part C services to IDEA Part B services for both IDEA Parts B and C.

As indicated in OSEP's letter to you dated July 2, 2009, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Parts B and C of the IDEA. CIFMS is designed to ensure compliance and improve performance with Parts B and C of the IDEA in accordance with 20 U.S.C. 1416 and 1442. Those sections of the IDEA require the United States Department of Education 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 early intervention and educational results for children with disabilities.

The purpose of OSEP's visit was 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. This review included gathering information about the actions OSSE has taken, since assuming its State Educational Agency and Lead Agency responsibilities, to ensure the appropriate implementation of IDEA Part B and Part C requirements. During the verification visit, OSEP: (1) analyzed the components of the State's general supervision, data, and fiscal systems to determine the extent to which they are reasonably designed to ensure compliance and improve performance; and (2) reviewed the accuracy of the data the State submitted for selected indicators in the State's Federal fiscal year (FFY) 2007 Part B and Part C Annual Performance Reports (APRs)/State Performance Plans (SPPs).

The primary purpose of the focused monitoring was to identify the factors that are contributing to the State's relatively low level of performance in the specific focused monitoring areas (least restrictive environment under Part B and early childhood transition), as reflected in the State's APR data for FFYs 2005, 2006, and 2007, and to develop an effective plan for improving performance and correcting any noncompliance. During the focused monitoring component of

the verification visit, OSEP: (1) collaborated with the State in collecting data at the State and local levels to determine what factors are contributing to the State's relatively low level of compliance in the specific focused monitoring areas; (2) identified what barriers (including resource issues, system structures, and current policies, procedures and practices) may be impeding the State's progress in improving compliance; and (3) engaged in problem-solving with the State and other stakeholders to help the State ensure compliance with the least restrictive environment and early childhood transition requirements.

As part of the verification visit to the District of Columbia, OSEP staff met with Ms. Tameria Lewis, Assistant Superintendent of Special Education, Ms. Jerri Johnston-Stewart, Part C Coordinator, and State personnel responsible for implementing the general supervision, data or fiscal systems, and local agency staff. Prior to and during the visit, OSEP staff reviewed a number of documents, including the following: (1) District of Columbia's FFY 2007 Part B and Part C APRs submitted to OSEP in February 2009; (2) District of Columbia's Part B and Part C SPPs submitted to OSEP in December 2005 and updated in 2007 and 2008; (3) District of Columbia's eligibility document submissions under Parts B and C of the IDEA for FFY 2009; (4) OSEP's verification visit letter to District of Columbia Public Schools dated June 8, 2004 and OSEP's verification visit letter to the District's Department of Human Services dated December 12, 2003;¹ (5) documents posted on OSSE's website; and (6) other pertinent information.² OSEP also collected and reviewed stakeholder input from the State's Parent Training and Information Center (PTI), the State's Advisory Panel (SAP) and the State Interagency Coordinating Council (SICC).

OSEP developed critical elements that it used to guide its evaluation of the District of Columbia's general supervision, data, and fiscal systems. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosures to this letter. As further detailed in the Enclosures, OSEP identified noncompliance related to the State's general supervision, data, and fiscal systems for Parts B and C. The findings of noncompliance and corrective actions, including timelines for reporting on the correction of the noncompliance, are described in the Enclosures.

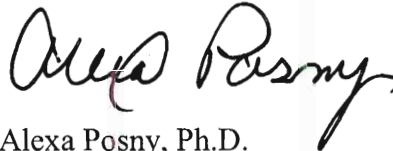
OSEP appreciates the time you spent meeting with the verification visit team. We wish to acknowledge the efforts of Ms. Lewis, Ms. Johnston-Stewart, William Knudsen, and Amy Maisterra in collaborating with OSEP to coordinate and carry out the verification visit, including the focused monitoring activities conducted with local educational agencies and early intervention services programs. We also appreciate the cooperation and assistance provided by PTI staff, SAP members, and SICC members and parents in providing feedback and input on the State's systems for special education and early intervention services.

¹ Prior to October 7, 2007, the District of Columbia Public Schools (DCPS) was responsible for both State-level oversight and local-level operation of educational programs for children with disabilities ages 3 through 21 in the District. The District of Columbia Public Education Reform Act of 2007 signed into law by Mayor Adrian Fenty on April 23, 2007, transferred authority to the Mayor's Office for the purpose of administering Federal grants, the functions of the State Educational Agency (SEA). In October 2007, OSSE assumed full responsibility for the administration and general supervision of educational programs for children with disabilities, ages 3 through 21, in the District of Columbia. In April 2008, the State lead agency responsibilities for the District's IDEA Part C program, which serves infants and toddlers with disabilities birth to age 3, were transferred from the District's Department of Human Services to OSSE.

² Documents reviewed as part of the verification process were not reviewed for legal sufficiency, but rather to inform OSEP's understanding of your State's systems.

We look forward to collaborating with all stakeholders and actively working with the State 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 Part C State Contact Jill Harris, at (202) 245-7372 and your OSEP Part B State Contact Lisa Pagano, at (202) 245-7413.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny". The signature is written in a cursive style with a large, looping initial "A".

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

Enclosures

cc: Tameria Lewis, Assistant State Superintendent of Special Education

Jerri Johnston-Stewart, Part C Coordinator