



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

FEB 18 2010

Honorable Chris Nicastro
Commissioner of Education
Missouri Department of Elementary and Secondary Education
P.O. Box 480
205 Jefferson St.
Jefferson City, Missouri 65102

Dear Dr. Nicastro:

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 Missouri Department of Education (DESE) during the week of September 28, 2009. As indicated in our 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 Part C and Part B of the Individuals with Disabilities Education Act (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. 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 early intervention and educational results for 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 the accuracy of the data the State submitted for selected indicators in the State's FFY 2007 Annual Performance Report (APR)/State Performance Plan (SPP).

As part of the verification visit to Missouri, OSEP staff met with Heidi Atkins Lieberman, Assistant Commissioner of Education for the Division of Special Education and State personnel responsible for implementing the general supervision, data or fiscal systems. DESE serves as the lead agency for the IDEA Part C program which serves eligible children birth through age two years as well as Part B services which serves children ages 3 years to 21 years. OSEP met with Parts C and B State personnel at the State offices in Jefferson City, Missouri. Prior to and during the visit, OSEP staff reviewed a number of documents, including the following: (1) Missouri's Federal Fiscal Year (FFY) 2007 APR submitted to OSEP in February 2009; (2) Missouri's SPP submitted to OSEP in December 2005 and updated in 2007, 2008, and 2009; (3) Missouri's eligibility document submissions under Part B of the IDEA for FFY 2009; (4) OSEP's Verification Visit letter to Missouri dated May 27, 2004; (5) DESE's website;

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and (6) other pertinent information¹. OSEP also collected and reviewed stakeholder input from the State's Parent Training and Information Center (PTI), the State Advisory Panel known as the Special Education Advisory Panel (SEAP) in Missouri and the State Interagency Coordinating Council (SICC).

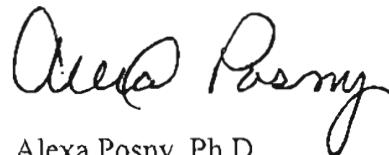
OSEP developed critical elements that were used to guide its evaluation of Missouri's general supervision, data, and fiscal systems. OSEP's analysis of each critical element and any required actions are provided in the Enclosure to this letter.

As further detailed in the Part B Enclosure, OSEP requires the following action from the State, within 60 days of the date of this letter: (1) provide an assurance that it has finalized and is implementing its new procedures for ensuring correction of noncompliance identified through hearing officer decisions (HODs) and tracking correction of any noncompliance identified in HODs for purposes of Indicator 15 reporting; and (2) clarify how it ensures that the files selected by the LEA to demonstrate correction of noncompliance are representative of all student files with prior noncompliance.

As further detailed in the Part C Enclosure, OSEP requires the following action from the State, within 60 days of the date of this letter: provide an assurance that it will give prior written notice, including information about procedural safeguards and the State's procedures for reviewing the parents' ability to pay in the event of changed circumstances, to parents, as required under 34 CFR §303.403, when a suspension of early intervention services occurs due to non-payment of fees.

OSEP appreciates the cooperation and assistance provided by the SICC members, PTI staff, SEAP and parents in providing feedback and input on the State's systems for special education and early intervention. 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, Susan Kauffman, at 202-245-6432 and Part B State Contact, Marion Crayton, at 202-245-6474.

Sincerely,



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

Enclosures

cc: Part C Coordinator
Assistant Commissioner of Education

¹ 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.