



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

Honorable Chiyome Leinalla Fukino
Director
Hawaii Department of Health
1250 Punchbowl Street, 3rd Floor
P.O. Box 3378
Honolulu, Hawaii 96801

FEB - 7 2011

Dear Director Fukino:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Hawaii Department of Health (HDOH) during the week of October 25, 2010. As indicated in our letter to you dated July 22, 2010, 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 of the Individuals with Disabilities Education Act (IDEA).¹ 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 infants, toddlers, children, and youth 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. OSEP developed critical elements that were used to guide its evaluation of Hawaii's general supervision, data, and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the State's systems and briefly outlines relevant statutory and regulatory requirements for each critical element. Generally, the Enclosure to this letter does not include descriptions of the State's systems because this information is available on the State's Web site in the State's State Performance Plan. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosure to this letter.

OSEP found noncompliance, and has required corrective action in the following areas: (1) the State does not have procedures and practices that are reasonably designed to implement selected grant application requirements for making local determinations because it does not include all of the applicable enforcement actions in IDEA sections 616(e)(1)(A) and (C) (for "needs assistance" for two or more consecutive years (NA-2)), 616(e)(2)(B)(i) and (v) (for "needs intervention" for three or more consecutive years (NI-3)), and (e)(3)(B) (for "needs substantial intervention" in any year (NSI)); and (2) the State does not have procedures to: (a) calculate "State and local expenditures" to determine compliance with the maintenance of effort requirement in 34 CFR §303.124(b); and (b) document time-and-effort (including Personnel

¹ During the week of October 25, 2010, OSEP also conducted its Part B verification visit to the Hawaii Department of Education.

Activity Reports and bi-annual payroll certifications) to ensure compliance with the Office of Management and Budget Circular A-87, Appendix B, Paragraphs 8(h)(3) and (4).

OSEP would like to recognize HDOH's interagency coordination as an effective practice that improves results for infants and toddlers with disabilities and their families. HDOH's interagency coordination promotes and facilitates ongoing understanding and implementation of Part C services at the State and local levels. On a monthly basis, State and local providers share best practices to: (1) increase performance toward meeting quality assurance objectives; (2) identify improvement activities to correct noncompliance; and (3) promote special projects and programs that facilitate partnerships with parents.

OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the Hawaii Parent Training and Information Center and parents of infants and toddlers with disabilities in providing feedback and input on the State's systems for special education. We look forward to collaborating with all stakeholders and actively working with the State to improve results for infants and toddlers 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, Debra Jennings, at 202-245-7389.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove", with a long horizontal flourish extending to the right.

Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosure

cc: Sue Brown
Part C Coordinator