



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

Honorable David Sundwall
Executive Director
Utah State Department of Health
P. O. Box 142802
Salt Lake City, Utah 84114-2802

FEB - 8 2011

Dear Director Sundwall:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Utah Department of Health's Baby Watch Early Intervention Program (BWEIP) during the week of October 11, 2010. As indicated in our letter to you dated July 16, 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 Utah'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 issue written findings when it identifies noncompliance through its general supervision system as required by IDEA sections 616, 635(a)(10)(A), and 642 and 34 CFR §§303.500 and 303.501; and (2) the State does not include all of the applicable enforcement actions consistent with OSEP's guidance and IDEA sections 616(e) and 642 when making local determinations for, and publicly reporting on EIS program performance.

OSEP would like to recognize several effective practices being implemented in the State that are designed to improve results for infants and toddlers with disabilities and their families. The State told OSEP that The P.L.A.Y. Project (Play and Language for Autistic Youngsters), an in-home training and support program for children with Autism Spectrum Disorder (ASD) and their families has increased parent involvement in communicating the needs of their children and

¹ During the week of October 11, 2010, OSEP also conducted its Part B verification visit to the Utah Department of Education.

participation in the development of functional goals during the Individualized Family Services Plan (IFSP) process. In addition, BWEIP staff told OSEP that as a result of ongoing training for staff and support to parents in understanding the concept of natural environments, one EIS programs' data for Federal fiscal year (FFY) 2009 regarding services in the natural environment increased 40% from FFY 2008.

OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the Utah Parent Training 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, Jennifer Miley, at 202-245-6049.

Sincerely,



Melody Musgrove, Ed.D.

Director

Office of Special Education Programs

Enclosure

cc: Susan Ord
Part C Coordinator