



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

DIRECTOR

**September 10, 2025**

By Email

Honorable Susie Hedalen  
Superintendent of Public Instruction  
Montana Office of Public Instruction  
P.O. Box 202501  
Helena, Montana 56920

Email: [Susie.Hedalen@mt.gov](mailto:Susie.Hedalen@mt.gov)

Dear Superintendent Hedalen:

The purpose of this letter is to provide an update on the status of the required actions identified by the U.S. Department of Education's (the Department's) Office of Special Education Program's (OSEP's) May 16, 2024, Differentiated Monitoring and Support (DMS) monitoring report.

This letter is in response to the Montana Office of Public Instruction documents submitted to OSEP on April 29, May 15, and July 28, 2025, to address the corrective actions required in the May 16, 2024, monitoring report. These findings and corrective actions were identified as a result of the DMS activities conducted by OSEP during the monitoring visit to the State which occurred in May and June 2023.

The summary of monitoring priorities and outcomes chart below includes the monitoring component, finding, required actions, OSEP analysis, and status of correction based on the evidence received by OSEP to date. OSEP has determined that the State has satisfied all of the original required actions identified in OSEP's May 16, 2024, monitoring report. As a result, no further corrective action is required, and we are closing out all findings.

OSEP appreciates the State's ongoing efforts to improve the implementation of the Individuals with Disabilities Education Act (IDEA) Part B and the development and implementation of a reasonably designed general supervision system that ensures compliance and improving results for students with disabilities. OSEP emphasizes that having a consistent and transparent system for identifying and correcting noncompliance, particularly noncompliance that impacts the delivery of special education and related services, in accordance with individualized education programs (IEPs), and dispute resolution systems that protect the rights of parents, are essential elements to ensuring improved results for children with disabilities and their families. If you have any questions, please contact your OSEP State Lead.

Sincerely,

David J. Cantrell, PhD  
Deputy Director

cc: Part B Director

**MONTANA PART B | MAY 16, 2024, FINAL MONITORING REPORT REQUIRED ACTION STATUS**

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
<p><b>Monitoring and Improvement: Identification of Noncompliance</b></p> <p>1.1 OSEP found that the State did not have a reasonably designed general supervision system to ensure the identification of noncompliance and that each educational program for children with disabilities met the IDEA Part B requirements in 34 C.F.R. §§ 300.149, and 300.600 through 300.602.</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by August 14, 2024:</p> <ol style="list-style-type: none"> <li>Updated policies and procedures, documenting the State’s process for identifying noncompliance. The policies and procedures must ensure that the State’s monitoring process is reasonably designed.</li> </ol>	<p>On August 16, 2024, the State submitted to OSEP updated policies and procedures documenting the State’s process for identifying noncompliance.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State’s updated policies and procedures for identifying noncompliance were consistent with the relevant IDEA requirements. This required action was resolved.</p>	<p><b>CLOSED</b> <i>April 10, 2025</i></p>
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>Evidence that the State has policies and procedures in effect and being implemented in compliance with the monitoring and enforcement requirements, as described under the corrective action above.</li> </ol> <p>Examples of evidence of implementation, including monitoring beyond the State Performance Plans/Annual Performance Reports indicators, could include completed monitoring reports, checklists or other tools developed by the State to document monitoring activities, and any letters of findings and documentation to verify the correction of any noncompliance that the State has developed and implemented.</p>	<p>On April 29, May 15, and July 28, 2025, the State submitted monitoring tools, checklists, monitoring reports and close out letters demonstrating that the approved monitoring policies and procedures have been implemented consistent with the IDEA requirements.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP has determined that the State’s general supervision system is reasonably designed to identify noncompliance and is consistent with the relevant IDEA requirements. This required action has been resolved and is closed.</p> <p>This finding is closed because the</p>	<p><b>CLOSED</b> <i>September 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
		State provided the required policies and evidence of implementation.	
<p><b>Monitoring and Improvement: Correction of Noncompliance</b></p> <p>1.2 OSEP found that the State did not have a general supervision system that was reasonably designed to verify correction of noncompliance in a timely manner, as required by 34 C.F.R. §§ 300.149, and 300.600 through 300.602.</p> <p>Specifically, OSEP’s review found that:</p> <ul style="list-style-type: none"> <li>a. The State’s policies and procedures for closing findings of noncompliance based upon a lack of opportunity is not consistent with the requirement to ensure correction of all noncompliance; and</li> <li>b. The State’s procedure of allowing LEAs to select files for review of updated data is not consistent with the requirement to ensure</li> </ul>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by August 14, 2024:</p> <ol style="list-style-type: none"> <li>1. Updated policies and procedures outlining the State’s process to: <ul style="list-style-type: none"> <li>a. Determine systemic compliance when an LEA does not have sufficient updated data to demonstrate compliance; and</li> <li>b. Review updated data and obtain information from LEAs consistent with the requirements in 34 C.F.R. §§ 300.149 and 300.600 through 300.602.</li> </ul> </li> </ol>	<p>On August 16, 2024, the State submitted to OSEP updated policies and procedures outlining the State’s process to determine systemic compliance when a local educational agency (LEA) does not have sufficient updated data to demonstrate compliance, and the State’s process to review updated data and obtain information from LEAs consistent with the requirements in 34 C.F.R. §§ 300.149, and 300.600 through 300.602.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State’s updated policies and procedures for determining systemic compliance was consistent with the relevant IDEA requirements. This required action was resolved.</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. Documentation that the State, at a minimum, examined relevant policies and procedures for LEAs with a <i>lack of opportunity</i> in verifying correction.</li> <li>2. Documentation that the State, in verifying the correction of noncompliance, selects the</li> </ol>	<p>On April 29, 2025, the State submitted monitoring tools, checklists, monitoring reports, and close out letters demonstrating that the approved monitoring policies and procedures have been implemented consistent with the IDEA requirements.</p>	<p><b>CLOSED</b></p> <p><i>September 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
correction of all noncompliance.	updated data to be reviewed in a manner that ensures the data represents the population served within a given LEA.	<p>Based on OSEP’s review of the documents submitted by the State, OSEP has determined that the State’s general supervision system is reasonably designed to verify correction of noncompliance in a timely manner, consistent with the relevant IDEA requirements. This required action has been resolved and is closed.</p> <p>This finding is closed because the State provided the required policies and evidence of implementation.</p>	
<p><b>Monitoring and Improvement: Child Find and Evaluation</b></p> <p>1.3 OSEP found that the State had policies, procedures, and practices that were inconsistent with 34 C.F.R. §§ 300.111, 300.122, and 300.301.</p> <p>Specifically, the State’s use of Response to Intervention (RTI) strategies was being used to delay or deny the provision of a full and individual evaluation to a child suspected of having a disability under 34 C.F.R. § 300.8.</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by August 14, 2024:</p> <ol style="list-style-type: none"> <li>Updated policies and procedures that are consistent with the requirements in 34 C.F.R. §§ 300.111, 300.122, and 300.301.</li> <li>A copy of the State educational agency’s (SEA’s) updated monitoring activities to evaluate LEAs use of RTI and ensuring that the use of RTI strategies or any prereferral processes are not used to delay or deny the provision of a full and individual evaluation of a child suspected of having a disability as required under 34 C.F.R. §§ 300.111, 300.122, and 300.301.</li> <li>A specific written assurance from the State that shows— <ol style="list-style-type: none"> <li>The State will revise the policies and procedures so that RTI is not used to delay or deny the provision of a full and</li> </ol> </li> </ol>	<p>On May 21 and August 16, 2024, the State submitted to OSEP updated policies and procedures that are that are consistent with the requirements in 34 C.F.R. §§ 300.111, 300.122, and 300.301 and demonstrated that the State’s use of RTI does not delay or deny the provision of a full and individual evaluation to a child suspected of having a disability under 34 C.F.R. § 300.8.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State’s updated policies and procedures for child find and evaluation were consistent with the relevant IDEA requirements. This required action was resolved.</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
	<p>individual evaluation to a child suspected of having a disability, as soon as possible but in no case later than one year from the date of OSEP's 2024 Differentiated Monitoring and Support (DMS) report to be consistent with the requirements in 34 C.F.R. §§ 300.111, 300.122, and 300.301.</p> <p>(2) The State will issue a memorandum or other directive to all LEAs, parent advocacy groups, and other interested parties advising that the State will be revising the policies and procedures regarding the use of RTI and provide a copy to OSEP; and</p> <p>(3) The State will comply with 34 C.F.R. § 300.600(3) throughout the remainder of the Federal fiscal year (FFY) 2023 grant period and the entire FFY 2024 grant period.</p>		
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. Evidence of the State's review of LEA policies, procedures, and guidance which ensures that RTI is not a prerequisite for making a referral to special education.</li> <li>2. Documentation of the State's monitoring of LEAs, and review of student files, specifically for students who were previously in RTI.</li> </ol>	<p>On April 29 and May 15, 2025, the State submitted documents demonstrating the State's review of LEA policies, procedures, and guidance related to RTI and monitoring of LEAs to ensure that the use of RTI is not a prerequisite for making a referral to special education, including a review of student files, specifically for students who were previously in RTI.</p> <p>Based on OSEP's review of the documents submitted by the State,</p>	<p><b>CLOSED</b> <i>September 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
		<p>OSEP has determined that the State’s policies and procedures for child find and evaluation, including the State’s RTI monitoring activities, are consistent with the relevant IDEA requirements. This required action has been resolved and is closed.</p> <p>This finding is closed because the State provided the required policies and evidence of implementation.</p>	
<p><b>Fiscal: Grant Award Notifications (GAN)</b></p> <p>2.1 OSEP found that the State was unable to ensure that every subaward was clearly identified to the subrecipient and included the required information consistent with 2 C.F.R. § 200.332(a).</p> <p>Specifically, the State inaccurately identified grant awards and omitted pertinent information in the State GANs.</p> <p>Subsequent to OSEP’s monitoring visit, the State submitted an amended GAN: Billings 611 and 619 GANs correcting all four noncompliant parts of the GAN. The revised GANs submitted to OSEP</p>	<p><b>Evidence of Implementation</b>—OSEP acknowledged the State’s amendment and correction of all four noncompliant parts of the GAN. Based on those revisions, OSEP required the State to submit evidence of implementation by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. Examples of revised IDEA GANs for FFY 2024 that include the required information in 2 C.F.R. § 200.332(a), specifically the correct period of performance; the name of the Federal awarding agency; subrecipient grant status as a subaward; and correct identification of whether the award is Research and Development.</li> </ol>	<p>On April 1, 2025, the State provided examples of revised IDEA GANs for FFY 2024 that include the required information in 2 C.F.R. § 200.332(a).</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State took the necessary steps to address and resolve the findings of noncompliance and the required corrective actions outlined in OSEP’s May 16, 2024, monitoring report. This required action had been resolved and was closed.</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
subsequent to the visit reflect compliance with the requirements in 2 C.F.R. § 200.332(a).			
<p><b>Fiscal: Subrecipient Monitoring</b></p> <p>2.2 OSEP found that the State did not have a reasonably designed system, policies and procedures, and internal controls for the State's subrecipient monitoring process consistent with 2 C.F.R. §§ 200.332, 200.339, 200.303, and 34 C.F.R. §§ 300.149, 300.600, and 300.604.</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by October 1, 2024:</p> <ol style="list-style-type: none"> <li>Updated policies and procedures for fiscal monitoring consistent with the requirements of IDEA and the Office of Management and Budget (OMB) Uniform Guidance at 2 C.F.R. §§ 200.332, and 200.339, and 34 C.F.R. §§ 300.149 and 300.600. The following requirements are examples of topics that could be included in fiscal monitoring policies and procedures: <ol style="list-style-type: none"> <li>Allowable costs consistent with 2 C.F.R. § 200.403(a) and (g);</li> <li>Time and Effort charges for personnel duties consistent with 2 C.F.R. § 200.430(b);</li> <li>Records and Information management to ensure fiscal records are maintained in compliance with 2 C.F.R. §§ 200.303(e), 200.334, and 200.336;</li> <li>Equipment and inventory of items purchased using Federal IDEA Part B funds consistent with 2 C.F.R. §§ 200.313 and 200.314; and</li> <li>The activities carried out in implementing Comprehensive Coordinated Early Intervening Services (CCEIS) under</li> </ol> </li> </ol>	<p>At the State's request, OSEP granted an extension of the deadline to submit these policies and procedures to October 1, 2024. On October 1, 2024, the State submitted to OSEP updated policies and procedures for fiscal monitoring consistent with the IDEA requirements and the OMB Uniform Guidance at 2 C.F.R. §§ 200.332 and 200.339, and 34 C.F.R. §§ 300.149 and 300.600.</p> <p>Based on OSEP's review of the documents submitted by the State, OSEP determined that the State's updated policies and procedures for fiscal monitoring were consistent with the relevant IDEA requirements. This required action was resolved.</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
	34 C.F.R. § 300.226.		
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. Evidence that the State has implemented the fiscal monitoring procedures as described under the first corrective action. Evidence should include completed fiscal monitoring reports, checklists or other tools developed by the State to document fiscal monitoring activities, and any letters of findings and documentation to verify the correction of any noncompliance that the State has developed and implemented.</li> </ol>	<p>On April 29, 2025, the State submitted monitoring tools, risk assessments, and monitoring reports demonstrating that the approved fiscal monitoring policies and procedures have been implemented consistent with the requirements of IDEA.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP has determined that the State’s fiscal monitoring procedures are consistent with the relevant IDEA requirements. This required action has been resolved and is closed.</p> <p>This finding is closed because the State provided the required policies and evidence of implementation.</p>	<p><b>CLOSED</b> <i>September 10, 2025</i></p>
<p><b>Fiscal: Parentally-placed Private School Children with Disabilities Proportionate Share Calculation</b></p> <p>2.3 OSEP found that the State did not ensure that LEAs were correctly calculating the proportionate share for parentally-placed private school children with disabilities aged three through five for IDEA Section 619 and three</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by October 1, 2024:</p> <ol style="list-style-type: none"> <li>1. Establish a count of parentally-placed private school children with disabilities that includes children with disabilities aged three through 21, as well as a count of parentally-placed private school children with disabilities aged three through five: Using the best data available and in consultation with private school representatives and representatives of parents of parentally-placed private school children with disabilities, each LEA in the State must determine the number of children</li> </ol>	<p>At the State’s request, OSEP granted an extension of the deadline to submit these policies and procedures to October 1, 2024. On October 1, 2024, the State submitted to OSEP documentation demonstrating that the State was ensuring that LEAs were correctly calculating the proportionate share for parentally-placed private school children with disabilities aged three through five for IDEA Section 619 and three through 21 for IDEA</p>	<p><b>CLOSED</b> <i>April 10, 2025</i></p>



MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
<p>through 21 for IDEA Section 611 in accordance with 34 C.F.R. §§ 300.133(a)(1) and (2).</p> <p>Specifically, the State only included children aged five through 21 in the State's calculation for proportionate share for IDEA Section 611, rather than children aged three through 21, and only included children aged five in the State's calculation for proportionate share for IDEA Section 619, rather than children aged three through five, as required by 34 C.F.R. § 300.133(a).</p>	<p>with disabilities enrolled by their parents in private elementary and secondary schools that are physically located in the LEA. Consistent with State law, children with disabilities who are homeschooled in the LEA for FFYs 2019, 2020, 2021, 2022, and 2023 must be included in this count. The State must also ensure that nonresident children with disabilities who attend private schools located in the LEA for FFYs 2019, 2020, 2021, 2022, and 2023 are included in this count.</p> <p>2. Recalculate the proportionate share: Using the revised child counts established above, each LEA in the State must properly calculate the proportionate share of IDEA Part B funds, including funds from both IDEA Sections 611 and 619 grants, required for the provision of equitable services under 34 C.F.R. § 300.133 for FFYs 2019, 2020, 2021, 2022, and 2023.</p> <p>3. Determine the amount of State, local, and IDEA Part B funds, including from both IDEA Sections 611 and 619 grants actually expended: Each LEA in the State must determine the amount of State, local, and IDEA Part B funds, including funds from both IDEA Sections 611 and 619 grants that the LEA expended in FFYs 2019, 2020, 2021, 2022, and 2023 to provide special education and related services to parentally-placed private school children with disabilities (including homeschooled children to the extent that it is consistent with State law, as noted above). The amount of State and local funds and the amount of IDEA Part B funds,</p>	<p>Section 611 in accordance with 34 C.F.R. §§ 300.133(a)(1) and (2). Further, the State determined that the issue identified by OSEP was confined to the State's grants management system and did not reflect the actual proportionate share calculations.</p> <p>Based on OSEP's review of the documents submitted by the State, OSEP determined that the State's proportionate share calculation policies and procedures for parentally-placed private school children with disabilities was consistent with the relevant IDEA requirements. This required action was resolved.</p>	

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
	<p>including funds from both IDEA Sections 611 and 619 grants must be determined and calculated separately for each fiscal year. The expenditures must be verifiable by the SEA or State and/or local auditors.</p> <p>4. Determine the amount of the shortfall in funds, if any, spent to provide services to parentally-placed private school children with disabilities: By subtracting the result calculated in #2 from the result determined in #3 above, each LEA must identify the amount of the shortfall, if any, in funds spent to provide services to parentally-placed private school children with disabilities. The LEA must perform this calculation separately and include IDEA Part B funds, from both IDEA Sections 611 and 619 grants for FFYs 2019, 2020, 2021, 2022, and 2023.</p> <p>5. Remedy any shortfall by using available State and local funds, and IDEA Part B funds from both IDEA Sections 611 and 619 grants, where available, to make up the difference: When remedying any shortfall, an LEA may use State and local funds and/or IDEA Part B funds from both IDEA Sections 611 and 619 grants to the extent the LEA has not already used an amount of such funds equal to the required proportionate share for the FFY. In addition, the State has the discretion to use a portion of the IDEA Part B funds from both IDEA Sections 611 and 619 grants reserved for State level activities to support LEAs in remedying any shortfall.</p>		

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. The results of the LEA's recalculation of the proportionate share (i.e., revised child count data, amount of IDEA Part B funds used in the calculation with evidence that both IDEA Sections 611 and 619 funds were included, as appropriate, and the amount of proportionate share).</li> <li>2. The total amount of expenditures the LEA previously made with State, local, and IDEA Part B funds from both IDEA Sections 611 and 619 grants for FFYs 2019, 2020, 2021, 2022, and 2023 to provide services to parentally-placed private school children with disabilities.</li> <li>3. Evidence that the LEAs have conducted meaningful and timely consultation with private school representatives and representatives of parents of parentally-placed private school children with disabilities on matters including, but not limited to, discussions of the child find process and the decisions reached concerning the use of any shortfall amount for equitable services.</li> </ol>	<p>On October 1, 2024, the State submitted to OSEP documentation demonstrating that the State was ensuring that LEAs were correctly calculating the proportionate share for parentally-placed private school children with disabilities aged three through five for IDEA Section 619 and three through 21 for IDEA Section 611 in accordance with 34 C.F.R. §§ 300.133(a)(1) and (2). Further, the State determined that the issue identified by OSEP was confined to the State's grants management system and did not reflect the actual proportionate share calculations.</p> <p>Based on OSEP's review of the documents submitted by the State, OSEP has determined that the State's proportionate share calculation for parentally-placed private school children with disabilities is consistent with the relevant IDEA requirements. This required action had been resolved and was closed.</p> <p>This finding was closed because the State provided the required policies and evidence of implementation.</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>
<p><b>Dispute Resolution: Adoption of State Complaint</b></p>	<p><b>Evidence of Implementation</b>—OSEP acknowledged the revisions the State made to the</p>	<p>On August 16, 2024, the State submitted to OSEP a copy of the</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
<p><b>Procedures</b></p> <p>3.1 OSEP found that the State’s model form for filing a State complaint was inconsistent with 34 C.F.R. § 300.153.</p> <p>Specifically, the language in the State’s model form for filing a State complaint indicated that families must agree to engage in the State’s informal complaint process before the State conducts a formal investigation of the complaint.</p> <p>In October 2023, during a subsequent review of the State’s procedural safeguards and model form, OSEP found that the State revised both documents to accurately reflect that the Early Assistance Program (EAP) is a voluntary process.</p>	<p>procedural safeguards and model form. Based on those revisions, OSEP required the State to submit evidence of implementation by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. A copy of the memo sent to all LEAs explaining the revised model form and procedural safeguards notice.</li> </ol>	<p>memo sent to all LEAs explaining the revised model form and procedural safeguards notice.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State’s revised model form and procedural safeguards notice were consistent with the relevant IDEA requirements. This required action had been resolved and was closed.</p> <p>This finding was closed because the State provided the required evidence of implementation.</p>	
<p><b>Dispute Resolution: Impartial Hearing Officer Knowledge</b></p> <p>3.2 OSEP found that the State did not have a mechanism to ensure that hearing officers contracted by the State met the minimum qualifications</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by August 14, 2024:</p> <ol style="list-style-type: none"> <li>1. Policies and procedures consistent with 34 C.F.R. § 300.511(c)(1)(ii) through (iv) that demonstrate how the State ensures that the hearing officers used by the State possess knowledge of, and the ability to understand,</li> </ol>	<p>On August 16, 2024, the State submitted to OSEP policies and procedures consistent with 34 C.F.R. § 300.511(c)(1)(ii) through (iv) that demonstrated how the State ensures that the hearing officers used by the State possess knowledge of, and the ability to understand, the</p>	<p><b>CLOSED</b></p> <p><i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
<p>as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv), that hearing officers:</p> <p>1) possess knowledge of, and the ability to understand, the provisions of the IDEA, Federal and State regulations pertaining to the IDEA, and legal interpretations of the IDEA by Federal and State courts;</p> <p>2) possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and</p> <p>3) possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.</p>	<p>the provisions of the IDEA Part B, Federal and State regulations pertaining to IDEA Part B, and legal interpretations of the IDEA Part B by Federal and State courts.</p> <p>2. Policies and procedures that demonstrate that the hearing officers used by the State possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv).</p> <p>3. Policies and procedures that demonstrate how the State ensures that the hearing officers used by the State possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv).</p>	<p>provisions of the IDEA Part B, Federal and State regulations pertaining to IDEA Part B, and legal interpretations of the IDEA Part B by Federal and State courts; that demonstrated that the hearing officers used by the State possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv); and that demonstrated how the State ensures that the hearing officers used by the State possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv).</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP determined that the State’s updated policies and procedures for impartial hearing officer knowledge are consistent with the relevant IDEA requirements. This required action was resolved.</p>	
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <p>1. Documentation and participation logs of annual, or more frequent, trainings the State</p>	<p>On August 16, 2024, and January 24, 2025, the State submitted to OSEP evidence that demonstrated how impartial hearing officers were</p>	<p><b>CLOSED</b> <i>April 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
	<p>held with the hearing officers on:</p> <ol style="list-style-type: none"> <li>the provisions of IDEA Part B as required under 34 C.F.R. § 300.511(c)(1)(ii) through (iv), Federal and State regulations pertaining to IDEA Part B, and legal interpretations of the IDEA Part B by Federal and State courts;</li> <li>the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and</li> <li>the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.</li> </ol>	<p>trained in the State. The State's evidence included memorandums issued to all hearing officers in the State, participation logs from the State's annual special education law conference, and materials from the annual hearing officer conference.</p> <p>Based on OSEP's review of the documents submitted by the State, OSEP determined that the State's process to ensure that hearing officers contracted by the State met the minimum qualifications consistent with the relevant IDEA requirements. This required action had been resolved and was closed.</p> <p>This finding was closed because the State provided the required policies and evidence of implementation.</p>	
<p><b>Significant Disproportionality: Overidentification and Disproportionality</b></p> <p>4.1 OSEP found that the State did not have complete, written policies and procedures in place, consistent with the purposes of IDEA Part B and with IDEA Section 618(d) designed to prevent the inappropriate overidentification or</p>	<p><b>Policies and Procedures</b>—the State was required to submit to OSEP by August 14, 2024:</p> <ol style="list-style-type: none"> <li>The State's process for ensuring that each LEA identified with significant disproportionality identifies and addresses the factors contributing to the significant disproportionality, as required in 34 C.F.R. § 300.173; and</li> <li>The State's oversight of the expenditure and use of CCEIS funds by districts identified with significant disproportionality, consistent with 34 C.F.R. § 300.646(d)(1)(ii).</li> </ol>	<p>On May 15 and July 28, 2025, the State submitted an updated manual, demonstrating the State's process for ensuring that each LEA identified with significant disproportionality identifies and addresses the factors contributing to the significant disproportionality, as required in 34 C.F.R. § 300.173, and the State's oversight of the expenditure and use of CCEIS funds by districts identified with significant disproportionality, consistent with 34 C.F.R. § 300.646(d)(1)(ii).</p>	<p><b>CLOSED</b></p> <p><i>September 10, 2025</i></p>

MONITORING COMPONENT AND ORIGINAL FINDING	ORIGINAL REQUIRED ACTIONS	STATE RESPONSE AND REQUIRED NEXT STEPS	STATUS
<p>disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment, as required in 34 C.F.R. § 300.173.</p> <p>Specifically, the State did not have written policies and procedures consistent with 34 C.F.R. § 300.646(d)(1)(ii) addressing how the State ensures that each LEA with significant disproportionality identifies and addresses the factors contributing to the significant disproportionality when implementing the required CCEIS.</p>		Based on OSEP’s review of the documents submitted by the State, OSEP has determined that the State’s updated policies and procedures for disproportionate representation are consistent with the relevant IDEA requirements. This required action has been resolved.	
	<p><b>Evidence of Implementation</b>—the State was required to submit to OSEP by May 16, 2025:</p> <ol style="list-style-type: none"> <li>1. Examples of notifications to LEAs regarding the revised significant disproportionality policies and procedures;</li> <li>2. Evidence of training to relevant State and LEA staff regarding the revised significant disproportionality policies and procedures including the factors contributing to significant disproportionality and the oversight of CCEIS funds; and</li> <li>3. If available, evidence or documentation of the implementation of the revised policies and procedures.</li> </ol>	<p>On May 15 and July 28, 2025, the State submitted notification letters and training materials demonstrating that the approved significant disproportionality policies and procedures were implemented consistent with the requirements of IDEA.</p> <p>Based on OSEP’s review of the documents submitted by the State, OSEP has determined that the State’s implementation of the updated policies and procedures for disproportionate representation are consistent with the relevant IDEA requirements. This required action has been resolved.</p> <p>This finding is closed because the State provided the required policies and evidence of implementation.</p>	<p><b>CLOSED</b></p> <p><i>September 10, 2025</i></p>