

Differentiated Monitoring and Support

OSEP's Monitoring Responsibilities

DMS operationalizes the Department's monitoring authority under IDEA and fulfills OSEP's responsibility to ensure that every State maintains a robust and effective general supervision system.

As part of its monitoring, OSEP gathers public input from State Protection and Advocacy Systems, State Advisory Panels (SAPs), State Interagency Coordinating Councils (SICC), Parent Training and Information Centers (PTIs), and Community Parent Resource Centers (CPRCs), as well as through focus groups with parents of children with disabilities and local program and district personnel, to inform its assessment of each State's general supervision system.

State Preparation for Monitoring

Engaging key stakeholders—such as the SAPs and SICC, parent and family organizations, including parents and families who have engaged in the State's dispute resolution system, and local programs—helps ensure a shared understanding of the State's general supervision system and prepares participants for their roles in OSEP's interviews and discussions.

Monitoring Scope and Focus

Four Priority Areas: Monitoring and Improvement, Data, Fiscal Management, and Dispute Resolution.

Monitoring Priority Areas

1. Monitoring and Improvement
2. Data
3. Fiscal Management
4. Dispute Resolution
 - a. OSEP examines and evaluates each State's dispute resolution system required under IDEA (i.e., State complaints, mediation, due process, including the resolution process required under Part B). Specifically, OSEP evaluates each State's procedures and practices in place to implement:

Monitoring Phases

Phase 1: Discovery

The Discovery phase serves as OSEP's initial review period for understanding the State's systems and begins at least five months before more structured monitoring activities. During this phase, OSEP reviews information, identifies areas for deeper examination, and determines which aspects of the State's system require further attention.

Phase 2: Engagement

The Engagement phase centers on OSEP verifying, analyzing, and validating the State's implementation of IDEA, consistent with OSEP's monitoring and enforcement authority.

Phase 3: Report Development

At the conclusion of the Engagement phase, after reviewing the State-submitted documentation¹¹ and any other relevant information, OSEP prepares a Monitoring Report that summarizes the monitoring activities, identifies any findings of noncompliance, and explains the basis for each finding. OSEP shares a draft of the Monitoring Report within 120 calendar days.

Phase 4: Close-out

During the Close-out phase, States submit evidence to OSEP demonstrating that any identified noncompliance has been fully corrected. The Close-out phase lasts up to one year from the date the Monitoring Report is issued, consistent with IDEA's requirement that all identified noncompliance be corrected as soon as possible and, in no case, later than one year.