

A. STATE GENERAL SUPERVISION RESPONSIBILITIES

Question A-1: What is general supervision?

Answer: As a condition of receiving IDEA funds, the State agency (which is the SEA under IDEA Part B Section 611 and Section 619 and the LA under IDEA Part C) must have a general supervision system. This system includes multiple components such as monitoring to — (1) improve educational results and functional outcomes for infants and toddlers with disabilities and their families and children with disabilities; and (2) ensure that LEAs and EIS programs and providers meet the requirements under IDEA. 20 U.S.C. §§ 1412(a)(11), 1416(a), 1435(a)(10) and 1442; 34 C.F.R. §§ 300.149, 300.600 through 300.604, and 300.608; 34 C.F.R. §§ 303.120, and 303.700 through 303.708.

A State's general supervision responsibility over its local programs is a longstanding IDEA requirement and broader than its monitoring responsibilities under IDEA Sections 616 and 642.¹¹ IDEA's general supervision responsibility must also be read with other Federal monitoring requirements, including those under the Office of Management and Budget (OMB) Uniform Guidance,¹² the General Education Provisions Act (GEPA) in 20 U.S.C. § 1232d(b)(3)(A), and the Education Department General Administrative Regulations (EDGAR) in 34 C.F.R. Part 76.

Under Part B, SEAs must carry out their general supervisory responsibilities to ensure that Part B requirements are implemented and that each educational program for children with disabilities meets the SEA's educational standards (including the Part B requirements). See 34 C.F.R. §§ 300.149, 300.600 through 300.604, and 300.608. Generally, these responsibilities are all assigned to the SEA. However, IDEA permits the Governor, or another individual pursuant to State law, to assign to any public agency in the State the responsibility to ensure that Part B requirements are met for students with disabilities who are convicted as adults under State law and incarcerated in adult prisons. 34 C.F.R. § 300.149(d).

The SEA must monitor implementation of IDEA Part B requirements, with a primary focus on improving educational results and functional outcomes for all children with disabilities and ensuring LEAs meet the Part B program requirements. 34 C.F.R. § 300.600(b). Further, SEAs must make annual determinations about the performance of each of its LEAs and enforce Part B requirements. 34 C.F.R. §§ 300.600(a)(2)-(a)(3).

Similarly, under Part C, LAs must carry out their general supervisory responsibilities, which are set forth in 34 C.F.R. §§ 303.120, and 303.700 through 303.708. The LA is responsible for the general administration and supervision of all EIS programs and providers as well as activities to

¹¹ IDEA Sections 612(a)(11) and 635(a)(10) codified at 20 U.S.C. §§ 1412(a)(11) and 1435(a)(10)(A); 34 C.F.R. §§ 300.149 and 303.120(a).

¹² The OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called "OMB Uniform Guidance") is codified in 2 C.F.R. Part 200 and applies to all Federal grant recipients, including States receiving IDEA funds.

ensure the State complies with the requirements of IDEA Part C. This includes monitoring the implementation of IDEA Part C requirements by each agency, institution, organization, and EIS program or provider located in the State used to carry out Part C. The primary focus of the State's monitoring activities must be on improving early intervention results and functional outcomes for infants and toddlers with disabilities. 34 C.F.R. § 303.700(b). Additionally, LAs must make annual determinations about the performance of each EIS program and enforce Part C requirements. 34 C.F.R. § 303.700(a)(2) and (3).

Question A-2: What does OSEP consider to be the necessary components of a reasonably designed State general supervision system?

Answer: A reasonably designed State general supervision system should include eight integrated components.¹³ These components include the following:

- 1) Integrated monitoring activities;
- 2) Data on processes and results;
- 3) The SPP/APR;
- 4) Fiscal management;
- 5) Effective dispute resolution;
- 6) Targeted TA and professional development;
- 7) Policies, procedures, and practices resulting in effective implementation; and
- 8) Improvement, correction, incentives, and sanctions.

While each State has the flexibility to develop its own model of general supervision and may elect to address the underlying Federal requirements in other ways, it is OSEP's longstanding presumption that an effective system of general supervision, used to monitor LEAs and EIS programs and providers, would at a minimum include these eight components.

To be effective, these components should operate as an integrated system to connect, interact, articulate, and inform one another. The overall goal is for the State's general supervision system to effectively address —

- 1) Improving early intervention and educational results and functional outcomes for infants and toddlers with disabilities and their families, and children with disabilities;

¹³ OSEP first presented the concept of an integrated system of general supervision at its 2004 National Accountability Conference. [Developing and Implementing an Effective System of General Supervision, National Center for Special Education Accountability Monitoring](#) (Jan. 2007). See also [Resources for Grantees — DMS](#) and the [DMS 2.0 Framework with Evidence and Intended Outcomes](#) (2021).

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- 2) Ensuring that LEAs or EIS programs or providers meet the program requirements of the IDEA, with a particular emphasis on those requirements and data that are most closely related to improving educational results and functional outcomes for children with disabilities, and early intervention results and functional outcomes for infants and toddlers with disabilities; and
- 3) Ensuring that the State has a system that collects and reports valid and reliable data.¹⁴