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Five State Strategies to Effectively Communicate and Reinforce IDEA Compliance Requirements



One of the most important responsibilities of a state education agency (SEA) under the Individuals with Disabilities Education Act (IDEA) is to ensure that each local education agency (LEA) provides students with disabilities a free appropriate public education (FAPE) that responds to their unique needs and supports them to be successful in future educational, employment, and/or independent living pursuits (34 C.F.R. § 300.1). States must have in place a system of general supervision that monitors LEAs' implementation of IDEA and provision of FAPE (34 C.F.R. § 300.600).

A key mechanism by which SEAs ensure LEA compliance with IDEA is through state-level monitoring activities. These monitoring activities may include a review of LEA data, desk audits, on-site visits to LEAs (including staff and stakeholder interviews or focus groups, individualized education program (IEP) file reviews, classroom

observations, etc.) or various other ways of assessing local compliance with IDEA. State monitoring activities can also encompass technical assistance and guidance to support LEA implementation of the law's requirements, as outlined in the Uniform Grant Guidance (UGG) (2 C.F.R. § 200.332(e)). These monitoring activities serve to support implementation of IDEA, to identify incidents of noncompliance (i.e., when LEAs are not providing FAPE in accordance with the law), to ensure that LEAs correct any identified noncompliance in a timely fashion, and to verify that correction.

However, as the adage goes, "An ounce of prevention is worth a pound of cure." In addition to monitoring activities that identify noncompliance that has *already occurred*, SEAs should also take a proactive approach to reducing instances of noncompliance before they happen by helping LEAs clearly understand IDEA requirements and the SEA's expectation of compliance. Again, as outlined in the UGG, monitoring

activities include guidance, training, and technical assistance in addition to reviews of LEA implementation of the law. As such, the state's role in ensuring that LEAs provide FAPE for children with disabilities includes communication and capacity-building *prior to a virtual or on-site monitoring review* as well as the review itself.

This brief outlines five strategies SEAs can take to effectively communicate and reinforce IDEA requirements for LEAs and other stakeholders. These strategies highlight how policies and procedures, technical assistance, and professional learning are critical components of state monitoring activities. We sincerely thank the states in NCSI's Results-Based Accountability and Support (RBAS) cross-state learning collaborative for contributing their ideas and insights to this resource.



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1. Provide clear guidance, through written policies and procedures, about IDEA and state requirements to build shared understanding.

States can support LEAs' and other education partners' understanding of IDEA and state requirements by clearly documenting them and making that documentation widely available. States should communicate IDEA and state requirements clearly, frequently, and in a variety of formats and venues to ensure that LEAs, families, and other education stakeholders have ample opportunities to learn about them and their role in ensuring compliance. Written documents, including policies, procedures, and LEA guidance (e.g., practice guides, frequently asked questions, etc.), should be updated on a regular basis and be easily accessible (e.g., on the state's website). States can turn to community partners, like State Advisory Panels, to help review existing guidance and identify gaps. States should also regularly review monitoring, program implementation, and dispute resolution data to pinpoint areas where additional technical assistance or written guidance is needed (e.g., if a particular requirement emerges as an area of noncompliance in many LEAs across the state).

2. Intentionally build the capacity of SEA staff to provide LEAs and other stakeholders consistent guidance and support.

It is critical that SEA staff engaged in special education policy, school improvement planning and support, and monitoring activities fully understand IDEA requirements and can communicate them effectively to LEAs and other stakeholders. Providing inconsistent or incomplete guidance to LEAs will jeopardize a state's efforts to ensure compliance with IDEA. Committing to IDEA capacity-building activities at the state level before bringing professional learning, training, guidance, and resources to LEAs is a reliable way to guarantee that the field receives the same message regardless of the SEA staff member with whom they communicate.

3. Offer LEAs high-quality technical assistance and professional development (PD) opportunities focused on compliance expectations.

Once all SEA staff involved in special education are "on the same page" about the IDEA requirements to which LEAs must adhere, it is important that those expectations be shared broadly across the state. States should also share with LEAs how their compliance with IDEA will be monitored. In addition to offering TA to LEAs (and other relevant stakeholders), SEAs should

consider providing targeted capacity-building opportunities to specific LEAs based on data indicating need. Helpful information sources may include monitoring data, program implementation measures, dispute resolution data, or input from parent centers. Similarly, states may choose to provide intensive TA (e.g., on-site coaching for special education administrators) to certain LEAs whose data demonstrate they are most at risk of not meeting IDEA requirements. Regardless of the nature of a state's monitoring or LEA review activities, there is value in providing TA and training to LEAs prior to a review to ensure local understanding of compliance requirements. This TA should also emphasize LEAs' role in ensuring compliance to increase local ownership for implementing effective practices.

States should also check to be sure their PD, TA, and monitoring activities are helping LEAs improve compliance rates by intentionally evaluating their efforts. Evaluations can take many forms (pre/post-tests for training participants, fidelity checks of specific adult skills, etc.) and should include ways to measure changes in both increased knowledge and application of new skills by LEA staff. This continuous improvement feedback loop will help SEAs determine what TA and PD is most effective at helping LEAs improve compliance.



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4. Develop templates and tools that promote compliant practices at the LEA level.

A concrete way for SEAs to clearly communicate expectations for LEA compliance and decrease inconsistent practices across and within LEAs is to offer templates and tools that align with IDEA and state requirements. For example, many states use a statewide IEP system, and nearly all states have published a recommended or required IEP template that, when used, ensures that each IEP includes all required components. Statewide IEP systems and agreed-upon procedures for entering data into statewide student information systems can offer the added benefit of including safeguards to ensure that LEAs meet timelines for annual reviews and triennial eligibility. States can craft templates for LEA policies and procedures manuals that specifically outline IDEA compliance expectations

and provide space for each LEA to describe its implementation efforts. States have also developed self-assessment tools, aligned with state and federal requirements, to help LEAs review their own policies and practices and identify priorities for improvement. Encouraging LEAs to reflect on their own practices with the support of self-assessments can also help to deepen local ownership for compliance.

5. Promote and disseminate LEA best practices to scale success.

Another strategy for reinforcing the state's expectation of compliant practices is to share and scale local successes in implementing IDEA. States can regularly analyze LEA data to identify LEAs with high rates of effective implementation and then explore what practices and approaches are contributing to that success. Are there trainings or PD successful LEAs offer educators that could be scaled up statewide? Do successful LEAs have systems in place to monitor timelines and

other IEP requirements that could be adopted by other sites? Through newsletters, statewide conferences, or ongoing communities of practice, SEAs can elevate examples of successful, compliant practices at the LEA level that can be adopted or used by other LEAs. Learning about the specific approaches and practices of LEAs with high levels of compliance and then sharing them broadly is an important role SEAs can play in reinforcing the expectation of LEA compliance. It is also powerful for SEAs to publicly recognize high-performing LEAs and amplify their success through a statewide platform. Rewarding successful local practices can deepen LEA ownership over compliant practices, build shared understanding of requirements, and contribute to an overall statewide culture of valuing and celebrating the implementation of IDEA.

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