

MEMORANDUM

To: Glenna Gallo, Director of Special Education Services

From: Utah Special Education Advisory Panel

Subject: Appeal to OSEP Regarding FFY 2010 APR Determination

Date: September 20, 2012

As members of Utah State Special Education Advisory Panel (USEAP) we have been an integral part of the Utah State Performance Plan (SPP) and Annual Performance Report (APR) since its inception in 2005. We represent a wide variety of student, parent, and community populations, and consider the needs of those groups during our on-going meetings and collaborative sessions. We are privileged to participate and take seriously our responsibility to provide advice and input to the USOE on issues affecting students within special education programs. We have been informed and involved in this FFY 2010 OSEP determination decision, the concern with Utah's school to post-school transition plan compliance, and the tremendous progress made on Indicator 13 in the last seven months.

School to post-school transition planning was a priority of the USEAP for the last two years based upon the state data results showing the need for intervention. We are proud of the progress and improvement in student school to post-school transition plans, as well as the ongoing progress in post-school outcomes. We are impressed by the coordinated efforts of the Utah State Office of Education (USOE) and Local Education Agencies (LEA) to improve post-school transition planning compliance, including the provision of ongoing training for parents and professionals from schools and agencies. State special education leadership and LEAs have developed ongoing collaboration to develop transition resources with outside agencies to help ensure school to post-school transition plans are not only in compliance with the requirements of the Individuals with Disabilities Education Improvement Act (IDEA), but more importantly, continue to improve the post-school outcomes of students with disabilities, as reflected in our excellent and improving Indicator 14 (post-school outcomes) data. All of these efforts have been developed planned and implemented in a timely manner without any assistance from OSEP.

This committee supports the USOE's appeal of the FFY 2010 determination of "needs intervention" and commends the USOE for the complete and thorough investigation of the reasons and needs demonstrated by the Indicator 13 data. This investigation went beyond determining the reason for the lowered compliance and also addressed the

changes needed to improve the compliance, while maintaining a focus on the needs of students with disabilities and their entitlement to receive a free appropriate public education (FAPE). As a group we strongly support the USOE in their efforts to change the determination of “needs intervention” in regards to Indicator 13.