

July 30, 2020

Dear Superintendent/Administrator:

ACTION REQUIRED

Federal regulations implementing Part B of the Individuals with Disabilities Education Act (IDEA) require responsible public agencies providing for the education of children with disabilities within their jurisdiction to have in effect policies, procedures, and programs that are consistent with the state policies established under applicable federal regulations. At this time, the Office of Special Education has published an updated model Local Plan for Compliance which is consistent with the provisions in the Missouri State Plan for Special Education which became effective July 30, 2020. This document is available on our website at <http://dese.mo.gov/special-education/compliance/local-compliance-plan>. This letter contains instructions for the completion of compliance requirements regarding the adoption of your agency's Local Compliance Plan for Special Education.

Please note: Even if your agency does not receive any IDEA Part B funds, your agency is still required to have a local compliance plan and submit annual assurances to DESE regarding the provision of services to students with disabilities under the IDEA.

If you have any questions regarding the procedures for adopting/adapting the Local Compliance Plan, please contact the Compliance Section at 573-751-0699 or via email to secompliance@dese.mo.gov.

Sincerely,



Beverly Luetkemeyer, Director
Special Education Compliance

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Enclosures

c: Director of Special Education

**Instructions for Adopting/Adapting the Local Compliance Plan
for the Office of Special Education
Due Date—October 1, 2020**

In order to assist the responsible public agencies in meeting the requirement to have a Local Compliance Plan, the Office of Special Education has made available a model plan which can be found on our website at <http://dese.mo.gov/special-education/compliance/local-compliance-plan>.

Public agencies must have adopted or adapted a Local Compliance Plan and by October 1, 2020, must complete the enclosed certification statement in accordance with the instructions below:

Step 1. Your agency must choose one of the following options for their local compliance plan:

- Option A.** Adopt the model plan provided by the Department of Elementary and Secondary Education (DESE). If the agency adopts the state's model plan, it is automatically approved by DESE. You do not need to submit a copy of your plan to DESE, but a certification statement must be submitted.

- Option B.** Adopt the model plan with local revisions. The agency must submit a copy of the pages on which revisions have been made with the revisions highlighted. These revisions must be approved by DESE before the agency's compliance becomes final. (Note: Simply placing your agency's name into the model plan does not constitute a revision. Revisions are substantive changes to the content of the plan.)

- Option C.** Write your own compliance plan. The agency must submit a copy of the plan for approval by DESE. The agency's plan will not become final until receipt of approval from DESE.

Step 2. Your agency's governing board must approve the Local Compliance Plan and complete the enclosed certification statement. (see notes 1-4) If your agency's governing board chooses Option B or C please contact DESE for documents needed at lori.abercrombie@dese.mo.gov

Step 3. For all options listed above, submit the certification statement to the address below. The certification can be found at: <https://dese.mo.gov/sites/default/files/Local%20Compliance%20Plan%20Certification%20Statement%201.pdf>. Also, submit the model compliance plan to DESE only if required in accordance with the instructions in Step 1, option B or C.

All required documentation is to be submitted to:

MO Department of Elementary and Secondary Education
Office of Special Education-Compliance
Attn: Lori Abercrombie
P.O. Box 480
Jefferson City, MO 65102
Fax: 573-751-3910

Instructions for Adopting/Adapting the Local Compliance Plan and Completing the Required Assurance for the Office of Special Education, *continued*

Note 1: All plans (options A, B, or C) must be approved by the agency's governing board prior to its submission to DESE even though under Options B and C the plan has not had final approval from DESE. Also, any future revisions must go back to your governing board for approval and likewise for approval by DESE.

Note 2: This communication does not apply to component districts of the Special School District of Pemiscot County or those component districts of St. Louis County in which services for all students (ages 3 to 21) are provided by the Special School District of St. Louis County. For those districts, the Special School District will be responsible for adopting the local compliance plan and submitting all necessary documentation to DESE. The SSD and the component districts will need to develop an Assurance Document based upon the SSD compliance plan and Section XV of the Missouri State Plan by October 1, 2020, and submit that Assurance Document to DESE.

Note 3: This communication **does** apply to those component districts in St. Louis County that provide services to Early Childhood children ages 3 to 5 (not kindergarten eligible) with disabilities. Those districts must have a local compliance plan for their Early Childhood Special Education program and submit all required documentation to DESE.

Note 4: Page 34 of the Local Compliance Plan requires each agency to make a decision concerning Determination of Eligibility for Young Children, ages 3 through 5. Likewise, page 93 requires a decision concerning Purchase of Instructional Materials. Please ensure these decisions have been made and noted in your plan prior to submitting the attached certification statement.

The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 5th Floor, 205 Jefferson Street, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or Relay Missouri 800-735-2966.