



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: May 12, 2022

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Dr. Scott M. Koenigsknecht, Deputy Superintendent
P-20 System and Student Transitions *sm*

SUBJECT: Determination Requirements under Part C of the federal Individuals with Disabilities Education Act

The U.S. Department of Education's Office of Special Education Programs (OSEP), under the Individuals with Disabilities Education Act (IDEA) Sections 616(a)(1)(C), 616(d), 642, and 34 CFR 303.700(a)(2), requires states to make determinations annually about the performance for each *Early On*® [\(Part C of IDEA\)](#) local service area.

States are required to use one of the [four determination categories](#) outlined in Part C of IDEA to evaluate each local service area:

- meets the requirements and purposes of Part C;
- needs assistance in implementing the requirements of Part C;
- needs intervention in implementing the requirements of Part C; or
- needs substantial intervention in implementing the requirements of Part C.

The data used to calculate each local service area's determination category include:

- State Performance Plan/Annual Performance Report (SPP/APR) compliance indicator data as required by OSEP and aligned with the [Michigan Part C of IDEA State Plan](#);
- correction of non-compliance/uncorrected non-compliance; and
- multiple years with a determination less than "meets requirements."

A more detailed letter from Dr. Noel Kelty, director of the Michigan Department of Education's office of early childhood development and family education, will be posted in the May 15, 2022 release of Catamaran that will provide information on the local service area's determination category.

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We truly appreciate your efforts to improve results for young children with disabilities and their families and look forward to continuing our work with you. Please feel free to contact Janet Timbs, manager of birth-to-five early childhood special education at timbsj@michigan.gov or 517-241-7004 if you have questions.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Departments