

# OSEP LEADERSHIP CONFERENCE DMS 2.0

**DMS PROCESS CONSIDERATIONS AND TIPS**

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# OSEP Presenters



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# Agenda

- ▶ Review of DMS 2.0 Basics
  - [DMS 2.0 Overview](#)
- ▶ Phase 1:
  - Phase 1 Overview
  - Component Considerations
- ▶ Phase 2:
  - Phase 2 Overview
  - Component Consideration
- ▶ Phase 3:
  - Next Steps



# Overview of OSEP's DMS System

## ▶ What?

- OSEP will monitor all States and Entities on their general supervision systems.

## ▶ How?

- OSEP's monitoring of each State or Entity will be conducted in three (3) phases:
  - Phase 1: Document Request and Protocol Interviews
  - Phase 2: On-site/Virtual Visit through issuing of the Monitoring Report
  - Phase 3: Close-out and Follow-up



# DMS 2.0 Protocols and Resources

<https://sites.ed.gov/idea/grantees/#DMS,DMS-2>

**Resources for Grantees**

The U.S. Department of Education's Office of Special Education Programs (OSEP) provides leadership and financial support to assist states, local districts, institutions of higher education, and families.

The Individuals with Disabilities Education Act (IDEA) authorizes [formula grants](#) to states and [discretionary grants](#) to higher-education institutions and other nonprofit organizations to support research, demonstrations, technical assistance and dissemination, technology and personnel development, and parent-training and information centers.

Visit our [IDEA Statute/Regulations](#) and [Policy Support](#) pages for more specific, searchable IDEA law and policy information.

**State Formula Grants**

[Overview](#) [SPP/APR](#) [Grants](#) [DMS](#) [Fiscal](#)

**Differentiated Monitoring and Support**

OSEP provides [differentiated monitoring and support](#) to states as part of its results driven accountability system.

Under the results driven accountability system, OSEP's differentiated monitoring and support focuses on both compliance and improving results for children with disabilities.

OSEP differentiates its approach for each state based on the state's unique strengths, progress, challenges, and needs.

**Prior Monitoring Systems**

- [DMS 2.0](#)
- [DMS 2.0 Framework with Evidence and Intended Outcomes \(PDF\)](#)
- [Fiscal Part C SLOR Introduction \(PDF\)](#)
- [Fiscal Part C SLOR Protocol \(Word\)](#)
- [Fiscal Part B Subrecipient Monitoring Protocol \(PDF\)](#)
- [Parts B and C — Integrated Monitoring Protocol \(Word\)](#)
- [Part B and C — Sustaining Compliance and Improvement Protocol \(Word\)](#)
- [Part B and C — Data and SPP/APR Protocol \(Word\)](#)

**DMS 2.0**

**General Resources**

- [DMS 2.0 Framework with Evidence and Intended Outcomes \(PDF\)](#)
- [Overview of the Differentiated Monitoring and Support \(DMS\) System \(PDF\)](#)
- [DMS 2.0 Document Review & Request Template \(Word\)](#)

**Fiscal**

- [Fiscal Part C SLOR Introduction \(PDF\)](#)
- [Fiscal Part C SLOR Protocol \(Word\)](#)
- [Fiscal Part B Subrecipient Monitoring Protocol \(PDF\)](#)
- [Fiscal Management for State Agencies with Primary Fiscal Responsibility \(Word\)](#)

**General Supervision**

- [Parts B and C — Integrated Monitoring Protocol \(Word\)](#)
- [Parts B and C — Sustaining Compliance and Improvement Protocol \(Word\)](#)
- [Parts B and C — Data and SPP/APR Protocol \(Word\)](#)

**Dispute Resolution**

- [Parts B and C — Dispute Resolution — State Complaint \(Word\)](#)
- [Parts B and C — Dispute Resolution — Due Process \(Word\)](#)
- [Parts B and C — Dispute Resolution — Mediation \(Word\)](#)

**Monitoring Schedule**

Phase 2 engagement month/year identified for each Cohort in the table below.

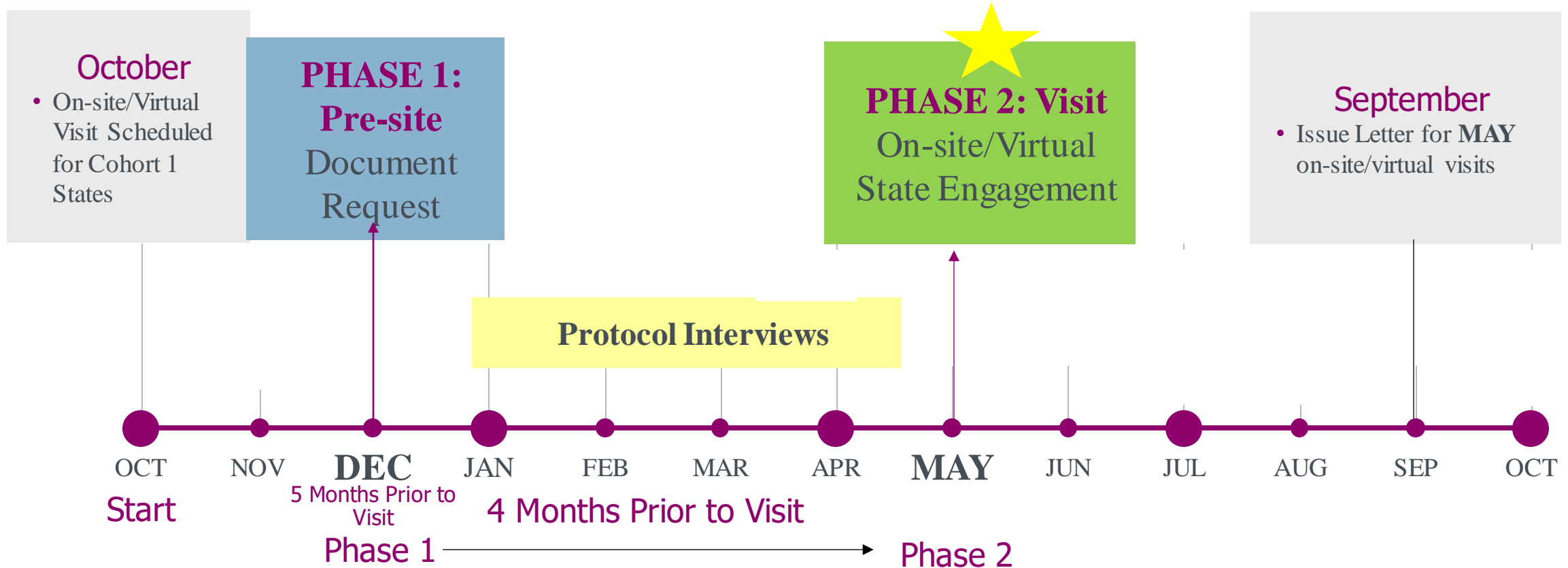
	TEAM A		TEAM B		TEAM C		TEAM D	
	KY-B	KY-C	SC-B	MI-C	AK-B	NY-C	CO-B	CO-C
<b>Cohort 1 2021</b>	11/2023	05/2023	11/2022	05/2022	06/2022	12/2022	12/2023	12/2022
	AR-B	AR-C	NV-B	NV-C	ID-B	ID-C	MT-B	MT-C
	11/2022	05/2022	11/2023	05/2023	06/2023	12/2023	06/2023	06/2022
<b>Cohort 2 2022</b>	ND-B	ND-C	ME-B	ME-C	KS-B	KS-C	IN-B	IN-C
	AL-B	DC-C	AS-B	AS-C	NE-B	NE-C	GA-B	GA-C
	IA-B	IA-C	TN-B	TN-C	UT-B	UT-C	IL-B	IL-C





# DMS 2.0 Timeline SAMPLE May Visit

## Cohort 1 Example



**Phase 1** will occur during the 5 months prior to the visit (one month for document request, 4 months for protocol interviews)

**Phase 2** will occur from the on-site/virtual visit through the issuance of the monitoring report (120 days after visit)

**Phase 3** will occur up to one year after the issuance of the monitoring report.

# Phase 1 Document Request and Protocol Interviews

- ▶ The OSEP monitoring team will begin working with the State or Entity to prepare for the Phase 2 visit. The OSEP monitoring team will review all publicly available information prior to working with the State or Entity.
  - **5 months prior to the Phase 2** visit OSEP will send a document request for relevant information we have not found in our initial research. Please refer to the suggested documents listed below for an initial list of the information we are seeking.
  - **4 months prior to the Phase 2** visit OSEP will conduct targeted interviews with State/Entity staff on the component-specific protocols.



# Phase 1 General Supervision Considerations

- ▶ States should be able to clearly articulate to OSEP their:
  - LEA/EIS provider monitoring cycle or schedule
  - Components included in their general supervision system (i.e. data systems, onsite monitoring, virtual monitoring, file reviews, dispute resolution, etc.)





# Phase 1 General Supervision Continued

- ▶ States should be able to describe and articulate:
  - How they identify LEA/EIS provider noncompliance
  - The mechanism used to communicate the identification of noncompliance
  - The timeline they provide their LEA/EIS providers to correct identified noncompliance
  - The evidence they review to verify the correction of the noncompliance and how they manage longstanding noncompliance



# Phase 1 Data Considerations

- ▶ States should be able to clearly articulate to OSEP their data system:
  1. How their data system is utilized for different purposes, including APR data, monitoring, and general system improvements.
  2. How they inform LEA/EIS programs of data collection requirements (including timelines, definitions, calculation methods, data sources) communicated to State and local personnel.



# Phase 1 Dispute Resolution Consideration

- ▶ States should be able to clearly describe and articulate to OSEP:
  - Processes, if any, the State uses to identify and resolve informal complaints (i.e. IFSP/IEP Facilitation, or any other way parents/stakeholders communicate concerns outside the State Complaint process)
  - How they train and inform LEA/EIS programs and Parents about Dispute Resolution
  - Procedures for tracking and monitoring all State Complaints, Due Process and Mediation requests



# Phase 1 Dispute Resolution Continued

- ▶ States should be able to clearly describe and articulate to OSEP:
  - How State Complaints and Due Process decisions impact the State's training and technical assistance to local programs
  - Policy and procedures on how to file a State Complaint, Due Process, or Mediation request



# Phase 1 Fiscal

- ▶ States should be able to describe and articulate:
  - How they conduct fiscal monitoring of their local programs
  - The components of fiscal monitoring: onsite reviews, desk reviews, grant systems, audits and self-assessments etc.
- ▶ Additionally, Part B programs should be able to describe and articulate
  - Risk Assessments
  - Process for resolving audits



# Phase 1 Fiscal Continued

- ▶ Additionally, Part C programs should be able to describe and articulate
  - How they ensure Single Line of Responsibility
  - How they ensure compliance with Systems of Payments policy, payor of last resort provisions and Insurance consent provisions



# Phase 2 On-site/Virtual Visit through Report

- ▶ Based on information collected during the Phase 1 work, OSEP will develop an agenda for the on-site/virtual visit focusing on:
  - Implementation of monitoring procedures, programmatic and fiscal, dispute resolution, including examination of logs and files
  - Stakeholder Input Process
  - Local Component
  
- ▶ 120 Days after the Phase 2 on-site/virtual activities OSEP will issue a DMS Monitoring Report/Letter



# Phase 2 General Supervision Considerations

- ▶ The State should be able to provide actual documentation of their monitoring activities with their LEA/EIS providers, from start to finish, and explain to the Monitoring Team each activity.
- ▶ Provide MSIP with an actual example of how they are using their data system and/or monitoring to identify and verify correction.
- ▶ Providing specific examples and documentation of what the State reviews to verify the correction of noncompliance.





# Phase 2 Data

- ▶ The State should explain how they utilize their data system in terms of their SPP/APR, in addition to related requirements
- ▶ Explain how often the State reviews their data for monitoring or system improvements
- ▶ Clearly articulate their data cycles and how they train LEA/EIS providers
- ▶ Show a sample data set and demonstrate how they utilize the data to identify noncompliance and issuing findings.



# Phase 2 Dispute Resolution

- ▶ The State should be able to demonstrate and describe:
  - Their system for tracking Dispute Resolution cases, including who and how often the information is tracked
  - Procedures for ensuring compliance and implementation of Dispute Resolution hearing officers' decisions at the local level
  - Examples, if any, of how Dispute Resolution has impacted their General Supervision system
  - Examples of tracking hearing officers training



# Phase 2 Fiscal Considerations

- ▶ The State should be able to provide evidence of the implementation of fiscal monitoring.
- ▶ Evidence should include monitoring reports, audit management decision and close out letters.
- ▶ The State should be prepared to walk through examples of fiscal monitoring or audit findings from notification of the monitoring visit through close out of any findings made.



# Phase 3 Closeout and Follow-up

- ▶ In the year following the Phase 2 visit, the OSEP State Lead will work with the State/Entity:
  - to ensure correction of any remaining outstanding findings,
  - provide technical assistance, and support,
  - and discuss progress in improving identified results areas.
- ▶ All evidence and materials received for close-out will be reviewed by the Monitoring Teams and OGC prior to issuance of a close-out letter of any findings that have been verified as corrected.



# DMS State Panel Discussion

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# OSEP

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