



Guidance

Area of Concern

**Michigan Department of Education Office of Special Education
May 2024**

Area of Concern Introduction

This document focuses on the Michigan Department of Education Office of Special Education (MDE OSE) general supervision system policies, procedures, and practices to address areas of concern in a timely manner.

The U.S. Department of Education’s Office of Special Education and Rehabilitative Services (OSERS) released [State General Supervision Responsibilities under Parts B and C of the IDEA](#) during July 2023. The OSERS document updated and consolidated guidance interpreting the general supervision requirement of States under the Individuals with Disabilities Education Act (IDEA). The Office of Special Education Programs (OSEP) directs States to ensure its general supervision system includes policies, procedures, and practices reasonably designed to consider and address areas of concern in a timely manner 34 CFR §§300.149 and 303.120.

OSEP’s long-standing practice states “area of concern” means “a credible allegation regarding an IDEA policy, procedure, practice, or other requirements that raises one or more potential implementation or compliance issues, if confirmed true.” OSEP continues to state, “credible allegations such as information and awareness may come from integrated monitoring activities, data reviews, grant reviews, stakeholder calls, media reports, dispute resolution systems or other mechanisms related to IDEA implementation.”

MDE OSE’s System to Consider and Address Areas of Concern

MDE OSE, as part of the general supervision system, developed policies, procedures, and practices that are reasonably designed to consider and address areas of concern in a timely manner. The policies, procedures, and practices ensure when MDE OSE is made

aware of an area of concern regarding the implementation of IDEA within a member district and/or an Intermediate School District (ISD), MDE OSE will conduct due diligence in a timely manner to address the area of concern and reach a conclusion in a reasonable amount of time.

MDE Actions to Address Areas of Concern

Determining if an Area of Concern is a Credible Allegation

MDE OSE will implement the following and determine when an area of concern is a credible allegation. MDE OSE will consider the source of information or a combination of the sources to triangulate the best evidence to determine the credibility of an allegation. Triangulation is the use of multiple sources of information to examine how numerous factors in combination intersect or come together and how multiple factors validate each other. Triangulation involves using a variety of data collection methods, such as surveys, interviews, observations, and document analysis to gain a more comprehensive understanding of the question. Additional examples of data or information MDE OSE may analyze include but is not limited to:

- data,
- public entities,
- fiscal contracts or other relevant financial information,
- customer service information,
- administrative or judicial decisions,
- media reports,
- reputable news outlets,
- previous ISD or LEA program or provider self-reviews or self-assessments,
- document submissions,
- information line inquiries,
- ISD plan review findings,
- state complaints and/or
- results of monitoring activities.

Addressing the Area of Concern

MDE OSE will proceed with due diligence to confirm or refute the area of concern. The MDE OSE will begin the process with a conversation with the relevant ISD Director of Special Education.

In collaboration with the ISD, additional action may include but is not limited to:

- A conversation with ISD Superintendent.
- An individualized plan will be developed with the ISD to address the area of concern to include additional research and/or monitoring and/or information gathering.
- The ISD works collaboratively with the member district(s) to address the area of concern.
- When the area of concern has been addressed and/or corrected the ISD will notify MDE OSE for verification.
- A written report will be issued to the ISD closing out the activities related to the area of concern.