



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 6 2008

Honorable Tim Webb
Acting Commissioner
Tennessee Department of Education
Andrew Johnson Building, 6th Floor
710 James Robertson Parkway
Nashville, TN 37243-0375

Dear Dr. Webb:

Thank you for the timely submission of Tennessee's FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to Tennessee's SPP and APR received on April 14, 2008. We appreciate the State's efforts in preparing these documents.

The Department has determined that, under IDEA section 616(d), Tennessee needs assistance in meeting the requirements of Part B of the IDEA. The Department's determination is based on the totality of the State's data and information including the State's FFY 2006 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2008" for further details.

Specific factors affecting OSEP's determination of needs assistance for Tennessee included that the State reported: (1) 16.91% noncompliance for Indicator 10 in the disability category of emotional disturbance, 14.71% in mental retardation, 13.24% in other health impairment, 8.82% in specific learning disabilities, 6.62% in speech and language impairment, and 5.88% in autism, with progress from having no FFY 2005 data; and (2) 47.1% compliance for Indicator 12, with slippage from 99%. The State reported that for Indicator 12 it provided more complete compliance data compared to FFY 2005 data, because it reported based on census data rather than monitoring data. For these reasons, we were unable to determine that your State met requirements under section 616(d). OSEP notes that the State reported high levels of compliance for Indicators 9, 15, 16, and 17 and the correction of noncompliance for Indicators 11 and 13. We hope that the State will be able to demonstrate that it meets requirements in its next APR.

The enclosed table provides OSEP's analysis of the State's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the State to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. It also identifies, by indicator, the State's status in meeting its targets, whether the State's data reflect progress or slippage, and whether the State corrected noncompliance and provided valid and reliable data.

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Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

Your State may want to consider taking advantage of available sources of technical assistance. A list of sources of technical assistance related to the SPP/APR indicators is available by clicking on the “Technical Assistance Related to Determinations” box on the opening page of the SPP/APR Planning Calendar website at <http://spp-apr-calendar.rfcnetwork.org/>. You will be directed to a list of indicators. Click on specific indicators for a list of centers, documents, web seminars and other sources of relevant technical assistance for that indicator.

As you know, your State must report annually to the public on the performance of each local educational agency (LEA) located in the State on the targets in the SPP under IDEA section 616(b)(2)(C)(ii)(I). In addition, your State must review LEA performance against targets in the State’s SPP, determine if each LEA meets the requirements of the IDEA and inform each LEA of its determination. For further information regarding these requirements, see the SPP/APR Calendar at <http://spp-apr-calendar.rfcnetwork.org/>. Finally, if you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

OSEP is committed to supporting Tennessee’s efforts to improve results for children with disabilities and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call Daniel Schreier, your OSEP State Contact, at 202-245-6552.

Sincerely,



William W. Knudsen

Acting Director

Office of Special Education Programs

Enclosures

cc: State Director of Special Education