



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUL 4 2008

Honorable Terry Bergeson
Superintendent of Public Instruction
Washington Department of Public Instruction
P.O. Box 47200
Olympia, Washington 98504-7200

Dear Superintendent Bergeson:

Thank you for the timely submission of Washington'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 Washington 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), Washington 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 information obtained through on-site verification and focused monitoring visits, audits and related activities, 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 Washington included that the State reported: (1) 93% compliance for Indicator 16, with slippage from 98%; (2) 71% compliance for Indicator 12 with progress from no data in FFY 2005; and (3) in Indicator 4A, that it did not conduct the review required by 34 CFR §300.170(b) for districts identified in FFY 2005 with significant discrepancies. For these reasons, we were unable to determine that Washington met requirements under section 616(d). OSEP notes that there were other areas reflecting a high level of performance, including that the State reported correction of noncompliance related to Indicators 11 and 13, and 100% compliance in Indicators 9, 10, 15 and 17. We hope that Washington 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.

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->

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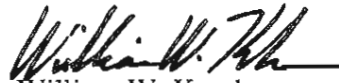
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calendar.rrfcnetwork.org/. You will be directed to a list of indicators. Click on specific indicators for a list of centers, documents, web seminars and other sources of relevant technical assistance for that indicator.

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)(1). 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 Planning Calendar website at <http://spp-apr-calendar.rrfcnetwork.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 Washington'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 Dr. Al Jones your OSEP State Contact, at 202-245-7394.

Sincerely,



William W. Knudsen

Acting Director

Office of Special Education Programs

Enclosures

cc: State Director of Special Education