



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

Honorable Kathy Cox
Superintendent of Education
Georgia Department of Education
2066 Twin Towers East
Jesse Hill Jr. Drive, SE
Atlanta, GA 30334

OCT 13 2005

Dear Superintendent Cox:

The purpose of this letter is to respond to Georgia's March 31, 2005 submission of its Federal Fiscal Year (FFY) 2003 Annual Performance Report (APR) under the Individuals with Disabilities Education Act (IDEA) Part B for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that the State made during the reporting period, compared to established objectives. The Office of Special Education Programs (OSEP) has designed the APR under the IDEA to provide uniform reporting from States and result in high-quality information across States. The APR is a significant data source for OSEP in the Continuous Improvement and Focused Monitoring System (CIFMS).

The State's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to the Georgia Department of Education's (GDOE's) FFY 2003 APR and the November 1, 2004 Progress Report. OSEP has set out its comments, analysis and determinations by cluster area.

Background

The conclusion of OSEP's September 15, 2004 FFY 2002 APR response letter required the State to take the following actions:

1. Within 60 days of the date of the letter, submit a plan to address identified noncompliance in the following areas: (a) timely resolution of complaints (34 CFR §§300.661(a) and (b)(1)); (b) individualized education program (IEP) teams' consideration of behavior plans for children with disabilities (34 CFR §300.346(a)(2)(i) and (c)); and (c) secondary transition requirements of 34 CFR §§300.347(b), 300.29, 300.344(b), 300.345(b)(2) and (3), and 300.348.
2. In the FFY 2003 APR, include data, information and analysis regarding the following: (a) current and anticipated vacancies and shortages for personnel to serve children with disabilities (34 CFR §§300.380(a) and 300.381(b)); (b) status of noncompliance related to early childhood transition and timely initial evaluations; (c) compliance with 34 CFR §§300.347(a)(5) and 300.138 related to statewide assessments; (d) significant

disproportionality in placement in particular settings (34 CFR §300.755); (e) discrepancies in the rate of long-term suspensions and expulsions of children with disabilities; (f) identification of children with disabilities; and (g) accuracy of section 618 data.

On November 1, 2004, Georgia submitted data and analysis to OSEP, demonstrating correction of noncompliance. Further analysis of this submission is included in the appropriate sections below.

General Supervision

Identification and timely correction of noncompliance

In its September 2004 letter, OSEP required GDOE to report on the status of correction of all previously identified noncompliance. On page 4 of the FFY 2003 APR, GDOE reported that their “post monitoring data indicates that LSSs [local school systems] corrected their systemic issues within one year.” On page 8 of the FFY 2003 APR, GDOE reported that “[s]ince record reviews are completed as technical assistance, corrections will be made.” However, correction plans are determined “when thirty percent of the records reviewed contain the same findings.” Under 20 U.S.C.1232d (b)(3) and 34 CFR §300.600, GDOE must ensure that public agencies correct noncompliance including noncompliance identified through monitoring. OSEP cannot determine whether GDOE, by establishing these thresholds, has established a standard that is inconsistent with the requirements of 20 U.S.C. 1232d(b)(3) and 34 CFR §300.600. With the State Performance Plan (SPP), GDOE must submit clarification that it is ensuring correction of all noncompliance identified through its record review process. OSEP appreciates the State’s efforts in this area and looks forward to reviewing data and information in the SPP.

Dispute Resolution

GDOE submitted data and information in its November 2004 Progress Report for 2003-2004 demonstrating that 100% of complaints were resolved in accordance with the requirements of 34 CFR §300.661(a) and (b)(1). On page 10, Attachment 1, and Table 7 of the FFY 2003 APR, the State reported data that demonstrated 100% compliance with those timelines for 2004-2005. OSEP appreciates the State’s efforts in completing correction regarding the requirements of 34 CFR §300.661(a) and (b)(1).

On page 10, Attachment 1, and Table 7 of the FFY 2003 APR, the State also included data and information showing that all due process hearing decisions were rendered within 45 days or agreed-upon extensions. Mediations were conducted in a timely manner and no due process hearings were delayed because of mediations. OSEP appreciates the State’s efforts in this area and looks forward to reviewing data and information in the SPP.

Personnel

In its September 2004 letter, OSEP required GDOE to: (1) report on its progress toward compliance with the requirement of 34 CFR §300.135; and (2) not later than 30 days after one

year from the date of OSEP's letter, provide a report to OSEP, with data and analysis demonstrating compliance with the requirement that the State develop and implement a comprehensive system of personnel development, that includes an analysis of relevant information on current and anticipated vacancies and shortages for personnel to serve children with disabilities (34 CFR §§300.380(a) and 300.381(b)).

On pages 11 and 12 and Tables 8-10 of the General Supervision section of the FFY 2003 APR, the State reported data and information indicating a more than 2% increase in the percentage of fully certified teachers and a 4.9% increase in paraprofessionals in Georgia schools from fiscal year (FY) 2003 to FY 2004, but further reported that it did not meet its target of 80%. GDOE also reported that, at the end of the 2003-2004 school year, 180 LSSs reported 87 teaching and 17 related service vacancies. GDOE reported that it was working closely with the Professional Standards Commission in an effort to meet the requirements of the highly qualified provisions. In addition, the State reported a number of strategies and activities it has undertaken to address the supply of personnel to meet the needs of all children with disabilities. OSEP appreciates the State's efforts in this area.

Collection and timely reporting of accurate data

In its September 2004 letter, OSEP required GDOE to report on its analysis of the accuracy of section 618 data. On pages 15-17 of the FFY 2003 APR, GDOE included information on the procedures it requires of its LSSs in reporting accurate and timely data to the State. GDOE further reported that it was developing a comprehensive database for the collection and analyses of all data related to the Georgia Continuous Improvement Monitoring Process (GCIMP) scheduled for full implementation during FY 2006. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information demonstrating continued improvement in this area in the SPP.

Early Childhood Transition

In its September 2004 letter, OSEP required GDOE to report on the status of correction of all previously identified noncompliance, including any noncompliance related to early childhood transition and timely initial evaluations.

On page 24 and Table 3 of the Early Childhood Transition section of the FFY 2003 APR, GDOE reported that all the noncompliance related to early childhood transition identified in the FFY 2002 APR had been corrected through post-monitoring activities. In Table 1, GDOE reported that 22% of Part C-eligible children with disabilities did not have an eligibility determination under Part B by their third birthday. GDOE indicated that this number included Part C-eligible children whose parents did not consent to transition planning. In Table 2, the State reported data indicating that all 1,050 children transitioning to Part B from Part C from December 2, 2002 to December 1, 2003 were receiving all of the services required by their IEPs. However, on page 21 GDOE acknowledged that data on referral and initial placement with respect to the child's third birthday is not presently collected. GDOE included strategies and activities to address this area, including the addition of the necessary data elements for date of referral and date of initial placement in special education to its Student Information System for FY 2006.

This is an indicator in the SPP for which baseline data is due December 2, 2005. In preparation for this submission, the State should carefully consider its current data collection against the requirements related to this indicator in the SPP packet to ensure that data will be responsive to those requirements. The State must submit responsive baseline data regarding the percentage of children referred by Part C prior to age three, who are found eligible for Part B, and have an IEP developed and implemented by their third birthdays, in the SPP. The absence of baseline data in this area will be considered in OSEP's decision about approval of the State's SPP.

Parent Involvement

On pages 28-32 of the FFY 2003 APR, the State included data and information regarding parent involvement indicating that Georgia developed and implemented a variety of activities to increase parent involvement. Some of these include: (1) collaborative activities with the National Center for Special Education Accountability Monitoring and the Southeastern Regional Resource Center; (2) posting a user- and reader-friendly parent's rights guide on its website; and (3) training activities. GDOE also reported that, "the parent participation requirement was met in 100% of the LSSs and the number of parent mentors increased from 24 in FY 2003 to 45 in FY 2004."

The SPP instructions establish a new indicator in this area, for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

Free Appropriate Public Education in the Least Restrictive Environment

Disproportionality

In its September 2004 letter responding to the FFY 2002 APR, OSEP indicated that the State had established goals: "1) requiring that the percentage of children with disabilities receiving special education, disaggregated by race, be comparable to the percentage of children, by race, in the State's general student enrollment when further disaggregated by area of disability and educational setting; and 2) *to decrease the disproportionate representation of students with disabilities to reflect the demographics of the general population.*" OSEP concluded that these goals were not appropriate because numerical goals based upon comparable numbers in the general population raise serious concerns under Federal civil rights laws and the United States Constitution. OSEP also raised concerns that the State was requiring "each LSS to self-assess their performance related to disproportionality, and- if the performance is poor- to develop an improvement plan that includes targets to address the poor performance." On pages 6 and 43 of the FFY 2003 APR, GDOE again stated that LSSs with reported disproportionality would be required to address the State's performance goal on disproportionality in their improvement plans. Attachment 4 sets out the performance goal once again as "Decrease the disproportionate representation of students with disabilities to reflect the demographics of the general population." This is the same numerical goal that OSEP previously determined was inappropriate. GDOE must immediately desist from enforcing this numerical performance goal regarding disproportionality on LSSs and instead focus its performance measures on the required review, and if appropriate, required revision of policies, procedures and practices.

The State may want to consider the following strategies and activities as part of the review for significant disproportionality: (1) data and the resulting analysis identifying significant disproportionality, whether statewide or by district; (2) a description of the procedures for conducting a review of policies, procedures and practices; (3) a description of the decision-making process for determining whether existing policies, procedures and practices contributed to, or were the cause of, the identified disproportionality; (4) a description of steps taken to revise any policies, procedures and practices determined to contribute to the disproportionality; (5) a description of other steps taken if it is determined that policies, procedures or practices did not cause, or contribute to, the identified disproportionality to identify the causes; (6) the results of implementation of those steps; and (7) the resulting explanation for the causes of existing disproportionality.

On page 38 and Attachment 2 of the FFY 2003 APR, GDOE indicated that it has focused on the Hispanic, Black, and White populations when analyzing disproportionality. GDOE reported data indicating elevated risk ratios for Black children in two areas, intellectual disabilities (MR) and emotional/behavioral disorders (ED), when disaggregated by race and area of disability, but most significantly in the area of MR. GDOE also reported an elevated risk ratio for White children in the area of other health impairments (OHI) and under-representation for Hispanic children in all categories except speech and language impairments (SLI) and specific learning disabilities (SLD). GDOE further reported that, when ethnic representation was analyzed for all disabilities, “neither Black nor White children were over- or under-represented.”

On page 39 GDOE reported that, “of the 180 LSSs, 146 had disproportional over-representation of Black children in MR programs and were required to address disproportionality in their improvement plans.” GDOE further reported that the State has been under an agreement with the Office of Civil Rights to address the disproportionality of Black children in this category. GDOE identified four systems that triggered targeted monitoring by a multidisciplinary team during the 2003-2004 school term. GDOE did not provide OSEP with the resulting data and analysis of the State’s review of the policies, procedures and practices for these four LSSs. With the SPP submission, GDOE must report, for LSSs with significant disproportionality in identification, the results of the State’s review of the policies, procedures and practices.

As part of its FFY 2002 APR response, OSEP also required GDOE to report on its analysis of significant disproportionality in placement in particular settings based upon race, thereby triggering a review of the policies, procedures and practices and, if appropriate, the revisions that resulted from any such reviews. On page 63 of the FFY 2003 APR, GDOE reported that LRE risk ratios indicated an elevated risk of disproportional representation for Black children removed from the general education setting for more than 60% of the day and in separate schools. The State indicated that, “all LSSs with disproportional representation will be required to address disproportionality in their Continuous Improvement Monitoring Plans.” This raises the same concerns noted above and does not address the required review and, if appropriate, revision, of policies, procedures and practices. With the SPP submission, GDOE must report, for LSSs with significant disproportionality in placement in particular settings, the results of the State’s review and, if appropriate, revisions of the policies, procedures and practices.

The SPP instructions establish two new indicators in this area (Indicators #9 and #10), for which States must provide baseline data in the FFY 2005 APR, due February 1, 2007. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

Graduation and drop-out rates

On pages 46-48 and Tables 6 and 7 of the FFY 2003 APR, GDOE reported that in FY 2004: (1) the regular high school diploma rate for children without disabilities was 69.4% as compared to 38% for children with disabilities; and (2) the completion rate for children with disabilities was 72.97%. GDOE further reported that, "the completion rate for children with disabilities in all disability groups, except Emotional/Behavioral Disorders, exceeded the Georgia diploma rate for children without disabilities" in FY 2004.

On pages 43-45 and Tables 2 and 3 of the FFY 2003 APR, GDOE indicated a 6.7% drop-out rate for children with disabilities, compared to 5.4% drop-out rate for children in general education grades 9-12, as reported by the FY 2003¹ State Report Card. GDOE further reported data indicating a decrease in the "drop-out to exiter ratio" (defined as the percentage of children with disabilities between the ages of 14-21 who exited special education by dropping out of school) for children with disabilities aged 14-21 from 40% in FY 2003 to 26.67% for FY 2004. GDOE also provided disaggregated data by both disability and ethnicity for drop-out to exiter ratios for FY 2003 and FY 2004 indicating that the data fell below Georgia's targets. The State also included strategies to improve performance. OSEP looks forward to reviewing updated information in the SPP, including the implementation of strategies to improve performance and resulting data and analysis.

Suspension and expulsion

GDOE submitted data and information in its November 2004 Progress Report, that demonstrated correction of all the noncompliance related to IEP teams' considerations of behavior plans for children with disabilities from the systems monitored in FY 2001, FY 2002, and FY 2003. OSEP appreciates the State's efforts in completing correction with the requirements of 34 CFR §300.346(a)(2)(i) and (c).

The Part B regulations, at 34 CFR §300.146, require that the State examine data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities: (1) among LEAs in the State; or (2) compared to the rates for children without disabilities within the agencies. If discrepancies are occurring, the SEA must review and, if appropriate, revise (or requires the affected State agency or LEA to revise) its policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions and procedural safeguards, to ensure that these policies, procedures and practices comply with IDEA. (See also 20 USC §§1412(a)(22) and 1418(d) (2004).) In its September 2004 letter, OSEP required GDOE to report on the outcome of Georgia's review of the policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards for LSSs where significant

¹ GDOE reported that FFY 2003 data would not be available until Fall 2005.

discrepancies existed in the rate of long-term suspensions and expulsions of children with disabilities.

On pages 51-54 and Tables 8-12 of the FAPE/LRE section of the FFY 2003 APR, GDOE reported that the State average long-term suspension/expulsion rate for children with disabilities in FY 2003 was 1.06 times greater than that for nondisabled children. The State reported that, “LSSs were determined to have an excessive suspension rate when the comparison ratio of suspension/expulsion for children with disabilities was 1.2 times that of nondisabled children.” Using this criterion and based on the data disaggregated by LSSs, GDOE reported that 61 of 180 LSSs (33.89%) exceeded the allowable variance for the rate of long-term suspensions/expulsions for children with disabilities. GDOE provided further disaggregated data on the 61 LSSs exceeding the allowable variance.

GDOE also noted that all LSSs exceeding the allowable variance and where more than ten children were expelled or suspended for more than 10 days in a school year “were contacted to validate their data and asked to review their policies and practices for the suspension and expulsion of children with disabilities.” GDOE also reported that it utilizes suspension and expulsion rates in its monitoring system during its focused monitoring visits and those policies and practices are reviewed and, if necessary, changes are “recommended.”

Based upon this submission, OSEP has determined that the State has not met the requirements of 34 CFR §300.146 and 20 USC §1412(a)(22). GDOE reports that it “asks” LSSs to review their own policies and practices, and only reviews the policies and practices of an LSS when it is selected for focused monitoring as part of its monitoring system, not, as the Federal requirement sets out, whenever the SEA determines that there is a significant discrepancy. Moreover, it does not require revisions to policies and practices, but merely recommends them. With the SPP, GDOE must submit a plan to meet the requirements of 34 CFR §300.146 and 20 USC §1412(a)(22) within a reasonable period of time not to exceed one year from the date that OSEP accepts the plan. The State also included strategies to improve performance in this area. GDOE may wish to incorporate these strategies into its proposed plan, but these are insufficient by themselves because they do not provide for meeting the requirements of 34 CFR §300.146 and 20 USC §1412(a)(22).

The SPP instructions establish a new indicator in this area (Indicator 4B), for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State’s plan for collecting this data, in the SPP.

Statewide and districtwide assessment

In its September 2004 letter, OSEP required GDOE to provide an analysis of Georgia’s compliance with 34 CFR §§300.347(a)(5) and 300.138 related to statewide assessments.

As noted above, GDOE reported correction of all previously identified systemic noncompliance. On pages 58-60, Attachment 3, and Tables 13, 17-19, and 26 of the FAPE/LRE section of the FFY 2003 APR, GDOE reported that the participation rate for children with disabilities on the

State-level assessments (English/Language Arts, Math, and Reading) for all grades assessed exceeded the 95% participation rate criteria. GDOE acknowledged that, “there is a pattern indicating that more children with disabilities participate in the Georgia Alternate Assessment (GAA) at the higher grades.” In light of this, the State reported that “the implementation of the new Georgia Performance Standards and increased access to the general education curriculum are expected to increase achievement and likely to decrease GAA participation over time.”

GDOE also reported data for FY 2004 indicating an increase in the percentage of children with disabilities meeting and exceeding the minimum standard score on the Criterion Referenced Competency Test (CRCT) and the Georgia High School Graduation Test (GHSGT). GDOE provided data to indicate improvement in closing the gap between children with and without disabilities on both the CRCT and GHSGT. The State reported that, “the gap between general education children and children with disabilities meeting and exceeding the minimum standard score remained consistent or decreased in all areas except for grade 8 mathematics, grade 11 English/Language Arts, and grade 11 mathematics.” More specifically, on the CRCT, Georgia reported that, “the gap in reading continued to decrease at grades 4 and 8 while remaining steady at grade 6. The gap in math decreased in grade 4, remained steady at grade 6 and increased by 2% at grade 8. The scores in English/Language Arts indicated reductions in the gap at each grade level in FY 2004.”

GDOE also reported that the State Advisory Panel “selected the target goal for focused monitoring during the 2004-2005 school year as decreasing the gap between the achievement of children with and without disabilities on statewide achievement tests.” The panel noted that sixteen LSSs would be selected for onsite visits from the pool of LSSs whose data ranked them in the lowest quartile of comparably sized LSSs and those selected LSSs would receive additional funds to implement their revised Continuous Improvement Monitoring Plans. The State also included strategies to improve performance and participation. OSEP looks forward to reviewing updated information in the SPP, including the implementation of strategies to improve performance and resulting data and analysis.

Least restrictive environment (LRE)

On pages 61-63, Attachment 2, and Tables 20-23 of the FAPE/LRE section of the FFY 2003 APR, GDOE reported trend data indicating significant gains in serving children in the LRE for the last three years (2001-2002 to 2003-2004) and noted significant gains in all areas but most notably in the less than 21% removed category. More specifically, the State reported that it “met and exceeded the target of 42% set by the State stakeholders’ committee by serving 48% of children with disabilities outside the general education setting for less than 21% of the day.” In addition, Georgia reported that trend data over the last three years indicated improvement in serving young children (aged 3-5) in the LRE. GDOE also included a target to decrease the percentage of children with disabilities removed from the general education class greater than 21% of the day to receive special education services and strategies to improve performance in this area.

Page 64 of the FFY 2003 APR contained a numerical goal of 51% for FY 2005 for children with disabilities who are removed from the regular education class less than 21% of the time to

receive special education. While it is not inconsistent with Part B of the IDEA to include a numerical goal to increase the percentage of children with disabilities educated in regular education settings, the State must continue to monitor to ensure that placement decisions for all children are made in conformity with the requirements of Part B of IDEA at 34 CFR §§300.550-300.553 and not based upon a numerical goal. On page 64, the State reports, “in all instances, GADOE monitors LSSs to ensure the IEP team determines the least restrictive environment for each student based upon student needs.” OSEP looks forward to reviewing updated information in the SPP, including implementation of strategies to improve performance and resulting data and analysis.

Preschool performance outcomes

Under the Government Performance and Results Act of 1993, 31 U.S.C. 1116, the effectiveness of the IDEA section 619 program is being measured based on the extent to which early language/communication, pre-reading, and social-emotional skills of preschool children with disabilities receiving special education and related services are improving. On page 67 of the FAPE/LRE section of the FFY 2003 APR, GDOE reported that the Georgia Kindergarten Assessment Program-Revised (GKAP-R) was administered to general and special education children; however, the results were not reported at the State level. The State also reported that, “children are assessed in the domain areas of literacy, mathematics, and social/emotional development in a variety of one-on-one, small group, and large group instructional settings throughout the kindergarten year.” While the State did provide baseline data for the percentage of all children scoring at proficient or advanced levels on the CRCT at grades one, two, and three, the submitted data do not meet the requirements for preschool outcome data that address the domain areas of early language/communication, pre-reading, and social-emotional skills.

The SPP instructions establish a new indicator in this area, for which States must provide entry data in the FFY 2005 APR due February 1, 2007. Absence of this information at that time will be considered in OSEP’s annual determination on the status of the State’s performance and compliance required under section 616(d) of the IDEA. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State’s plan for collecting this data, in the SPP.

Secondary Transition

GDOE submitted data and information on November 1, 2004, for 2003-2004 that demonstrated the correction of the noncompliance related to secondary transition. GDOE reported that, “compliance has been documented for each system that was previously identified as out of compliance.” OSEP appreciates the State’s efforts in completing correction regarding the requirements of 34 CFR §§300.347(b), 300.29, 300.344(b), 300.345(b)(2) and (3), and 300.348.

On pages 78-79 and Tables 2 and 3 of the Secondary Transition section of the FFY 2003 APR, the State included data and information regarding secondary transition reflecting the State’s first collection of post-school activities from all LSSs in Georgia for children with disabilities who graduated beginning in May 2001.

The SPP instructions establish two new indicators in this area (Indicators 13 and 14), for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. The State should carefully review the instructions to the SPP in developing its plans for this collection. OSEP looks forward to reviewing the State's plan for collecting this data, in the SPP.

Conclusion

GDOE must immediately desist from enforcing the numerical performance goal regarding disproportionality on LSSs and, instead, focus its performance measures on the required review, and, if appropriate, required revision of policies, procedures and practices.

In the SPP, due December 2, 2005, GDOE must submit to OSEP responsive baseline data regarding the percentage of children referred by Part C prior to age three, who are found eligible for Part B, and have an IEP developed and implemented by their third birthdays.

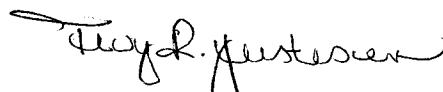
With the SPP, due December 2, 2005, GDOE must submit to OSEP:

- 1) clarification that it is ensuring correction of all noncompliance identified through its record review process;
- 2) for LSSs with significant disproportionality in identification or placement in particular settings, the results of the State's review and, if appropriate, revisions, of the policies, procedures and practices; and
- 3) a plan to meet the requirements of 34 CFR §300.146 and 20 USC §1412(a)(22) within a reasonable period of time not to exceed one year from the date that OSEP accepts the plan.

IDEA 2004, §616, requires each State to submit a SPP that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators are, for the most part, similar to clusters and probes in the APR. OSEP encourages the State to carefully consider the comments in this letter as it prepares its SPP, due December 2, 2005.

OSEP recognizes that the APR and its related activities represent only a portion of the work in your State and looks forward to collaborating with you as you continue to improve results for children and youth with disabilities and their families. If you have questions, please contact Perry Williams at (202) 245-7575.

Sincerely,



Troy R. Justesen
Acting Director
Office of Special Education Programs

cc: Marlene Bryar