



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

Honorable Rick Melmer  
Secretary  
Department of Education  
700 Governors Drive  
Pierre, South Dakota 57501-2291

OCT 18 2005

Dear Secretary Melmer:

The purpose of this letter is to respond to the South Dakota Department of Education's (SDDOE's) March 29, 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 State's FFY 2003 APR. OSEP has set out its comments, analysis and determinations by cluster area.

***Background***

OSEP's FFY 2002 response letter of July 23, 2004 directed SDDOE to submit, within 60 days of the date of the letter:

- (1) either data and analysis showing that it was ensuring correction of noncompliance identified through monitoring or a plan including strategies, proposed evidence of change, targets, and timelines to ensure correction of noncompliance within a reasonable period of time, not to exceed one year from the date OSEP accepted the plan; and
- (2) analysis of the root cause of the noncompliance related to secondary transition requirements as well as analysis of existing strategies and whether they were effective (i.e., do they need to be refined or targeted) and what additional actions or strategies would assist the State in reaching full compliance in this area as soon as possible. If the State determines additional strategies were needed or that existing strategies must be modified, it was to submit its proposed strategies, proposed evidence of change, targets and timelines to ensure compliance as soon as possible, not to exceed one year of when OSEP accepted the plan.

In the FFY 2003 APR, SDDOE was required to provide data and analysis demonstrating progress in correcting the noncompliance and provide a report to OSEP, with data and analysis demonstrating compliance as soon as possible, but no later than 30 days following one year after the July 23, 2004 APR letter (August 22, 2005) in the following areas: (1) parental input into the evaluation process (34 CFR §300.532(b)); and (2) parental consent to conduct an evaluation (34 CFR §300.505).

Also in the FFY 2003 APR, the State was required to include: (1) the results of its review of the policies, procedures and practices used by local educational agencies (LEAs) in the identification and placement of children with disabilities to ensure they are consistent with the requirements of Part B, and race-neutral, when the State identifies significant disproportionality on the basis of race in the identification or placement of children with disabilities; (2) progress in ensuring full compliance with the qualified personnel, extended school year, and early childhood transition requirements; and (3) include either data (whether collected through sampling, monitoring, individual IEP review, or other methods), targets for improved performance and strategies to achieve those targets for the area of preschool outcomes, or a plan to collect the data, including a detailed timeline of the activities necessary to implement that plan.

On September 24, 2004, SDDOE submitted a letter to OSEP including data, analysis, and improvement strategies in response to OSEP's July 23, 2004 letter regarding the State's FFY 2002 APR for Part B of the IDEA. In OSEP's January 10, 2005 letter to the State, OSEP accepted SDDOE's data, analysis, and verification of corrective actions. These are addressed in the appropriate sections below.

### ***General Supervision***

#### Identification and timely correction of noncompliance

Within 60 days of the July 23, 2004 APR letter, SDDOE was required to submit to OSEP data and analysis showing that it was ensuring correction of noncompliance identified through monitoring or a plan including strategies, proposed evidence of change, targets, and timelines to ensure correction of the noncompliance within a reasonable period of time, not to exceed one year from the date OSEP accepted the plan.

In its September 2004 letter, SDDOE submitted data and analysis showing that the State was ensuring correction of noncompliance identified through monitoring. In the letter, SDDOE detailed its Continuous Improvement Monitoring Process (CIMP) that requires an in-depth self-assessment and validation process, along with the development of an improvement plan. SDDOE presented an analysis of the process used to verify that noncompliance was corrected, including types of verification, timelines for verification, and sanctions imposed for districts not implementing the mandatory components of the improvement plan or if implementation was not effective in correcting identified noncompliance within twelve months. Further, SDDOE presented data from the 33 districts monitored in FFY 2002, with the status of corrective actions throughout the process. As noted in its January 2005 letter, OSEP accepted SDDOE's data, analysis, and verification of corrective actions.

On page 2 of FFY 2003 APR, SDDOE presented an update of the process for ensuring correction of noncompliance. On page 9, SDDOE presented data on the school districts monitored during the 2003-2004 school year. SDDOE reported 98% compliance in the area of General Supervision, an increase of one percent from the 2002-2003 school year. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information demonstrating continued performance in this area in the State Performance Plan (SPP), due December 2, 2005.

#### Formal Written Complaints

On page 1 of Attachment 1 and page 11 of the FFY 2003 APR, SDDOE included data and analysis regarding formal written complaints. SDDOE reported that it received 12 complaints during the reporting period (September 1, 2003 to August 31, 2004) and all written complaint decisions within the reporting period were issued within required timelines. OSEP appreciates the State's effort in this area and looks forward to reviewing data and information demonstrating continued compliance in the area in the SPP.

#### Mediation

On page 1 of Attachment 1 and page 11 of the FFY 2003 APR, SDDOE included data and analysis regarding mediations. The State reported that five mediations were requested during the reporting period (September 1, 2003 to August 31, 2004). Four of the five resulted in mediation agreements (the fifth was pending at the end of the reporting period). OSEP appreciates the State's effort in this area and looks forward to reviewing data and information related to mediations held that resulted in mediation agreements, in the SPP.

#### Due Process Hearings

On page 1 of Attachment 1 and page 11 of the FFY 2003 APR, SDDOE included data and analysis regarding due process hearings. The State reported that five hearings were requested during the reporting period (September 1, 2003 to August 31, 2004). Only one hearing was held and it was completed within 45 days. One hearing was pending and the status of the other three hearings was not reported. In the SPP, OSEP looks forward to reviewing data on fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

#### Personnel

Regulations at 34 CFR §300.135 required that the State have in effect a comprehensive system of personnel development that is designed to ensure an adequate supply of qualified special education, regular education and related services personnel.

SDDOE was required to report in the FFY 2003 APR on its progress in ensuring full compliance with the personnel requirements, and include either data (whether collected through sampling, monitoring, individual IEP review, or other methods), targets for improved performance and strategies to achieve those targets for this area, or a plan to collect the data, including a detailed timeline of the activities necessary to implement that plan.

On pages 13, and 42-46 of the APR, SDDOE reported data and analysis that demonstrated its progress in correcting the area of noncompliance. On page 13, SDDOE stated that 6.1 full-time equivalent (FTE) vacancies were reported by schools districts at the beginning of the 2003-2004 school year. The chart on pages 45-46 indicated, for that school year, approximately 11 special education personnel were not appropriately certified for their positions. This represented improvement as compared to the 55 uncertified personnel reported for the previous year. The State identified more than 3000 FTEs involved in providing special education and related services. On page 13, SDDOE reported one issue raised through the complaint process alleging a district did not employ properly certified staff. The district was found to be in compliance. On pages 9 and 10 of the FFY 2003 APR, the State noted that 98% of the districts monitored in 2003-2004 were found in compliance regarding the provision of a free appropriate public education (FAPE), and that districts were required to correct any identified noncompliance.

On page 14 of the FFY 2003 APR, the State included strategies to improve performance in this area, including a continued partnership with the Center for Teacher Quality to ensure the systems of certifications were aligned to appropriate teacher standards and certification systems. However, as a projected target on page 13, SDDOE stated that it anticipated that the rate of special education vacancies would increase slightly, due to projected retirement numbers for current in-service teachers as well as projected numbers of new graduates. For FYY 2004, SDDOE anticipated a vacancy rate of no more than 15 FTE. OSEP appreciates the State's efforts in this area.

#### Collection and timely reporting of accurate data

On pages 14 and 15 of the FFY 2003 APR, the State provided information about its procedures for collecting and reporting accurate and timely data. The State did not identify any problems in collecting and reporting accurate and timely data, but noted that as a result of consumer feedback it had made a number of upgrades and modifications to enhance consistency of data collection. OSEP appreciates the State's effort in this area and looks forward to reviewing data and information related to accurate and timely data collection and reporting, in the SPP.

#### Other: Extended school year (ESY) services

Regulations at 34 CFR §300.309(a) require that each public agency ensure that ESY services are available as necessary to provide FAPE. SDDOE was required to report, in the FFY 2003 APR, its progress in ensuring full compliance with these requirements. In the FFY 2003 APR, SDDOE did not report progress in ensuring full compliance with the requirements of 34 CFR §300.309(a). Within 60 days from the date of this letter, the State must provide a report indicating whether the State monitoring system examined the extent to which ESY requirements were met, whether any noncompliance regarding the ESY requirements was identified through monitoring, complaint investigation, or hearings, and whether correction occurred for any noncompliance identified. OSEP will review this information and determine what further action, if any, is required.

### ***Early Childhood Transition***

OSEP's July 2004 letter required SDDOE to report, in the FFY 2003 APR, its progress in ensuring full compliance with the early childhood transition requirements at 34 CFR §300.132 (a)-(b). On page 18 of the FFY 2003 APR, SDDOE reported that 93% of the three year olds who exited Part C were evaluated in order to determine Part B eligibility. This 2003-2004 data was a decrease from the 96.5% reported for 2002-2003. SDDOE reported that 74% of the children were found eligible for preschool special education services and 19% did not qualify for special education services. Seven percent (7%) of the three-year-olds exiting Part C were not evaluated for Part B eligibility. SDDOE attributed this slippage to parents refusing a referral for preschool when the child exited Part C and/or the presence of institutional barriers to completing the evaluation in a timely manner. SDDOE stated that sometimes parents deferred the eligibility determination until the start of the school year, especially if the child's birthday fell during the summer months.

SDDOE reported that the expansion of a pilot project that extended Part B monitoring to include the verification of Part C exit data, was not an effective tool to identify potential causes of children not being determined as eligible before age three. Instead, the Part C coordinator and Part B director planned to look at the limited numbers of children who were not transitioned to a determined outcome and provide targeted assistance based on the findings.

To the extent that failure to evaluate a child referred by Part C to Part B for eligibility determination, by the child's third birthday was a function of institutional barriers at the district level, rather than parent refusal of the referral or a lack of referral because the child is not suspected to be Part B-eligible, noncompliance remains with the requirements of 34 CFR §300.132(b).

Early Childhood Transition is an indicator in the SPP under §616 that 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/IFSP developed and implemented by their third birthdays, in the SPP and account for the reasons for delays for children who do not have eligibility determined and IEPs in place, if appropriate, by their third birthdays.

### ***Parent Involvement***

OSEP's July 2004 letter required SDDOE to provide evidence of progress in correcting the noncompliance regarding parental input into the evaluation process (34 CFR §300.532(b)) and parental consent to conduct an evaluation (34 CFR §300.505), including current supporting data and its analysis, in the FFY 2003 APR and provide a report to OSEP, with data and analysis demonstrating compliance, as soon as possible, but no later than 30 days following one year after the July 2004 letter.

On pages 20 and 21 of the FFY 2003 APR, SDDOE reported an improvement in the percentage of districts compliant with the requirement to obtain parental consent to conduct an evaluation, from 74% to 94%. However, other data and information included in the FFY 2003 APR did not indicate progress in the area of parent input into the evaluation process. On page 20, SDDOE reported 47% of districts were found to comply with the requirement that parents be given an opportunity to provide information about their child as a part of the evaluation process compared with the 84% reported in the FFY 2002 APR. According to SDDOE, districts were required to address the noncompliance in their improvement plans and progress reports. SDDOE reported that the slippage in this was due to districts not documenting contacts with parents. Within 60 days of the date of this letter, SDDOE must submit data and information demonstrating correction of the identified noncompliance regarding 34 CFR §§300.505 and 300.532(b). OSEP will review the information and determine what, if any, further action is needed.

### ***Free Appropriate Public Education (FAPE) in the Least Restrictive Environment***

#### **Disproportionality**

On page 1 of Attachment 2 of the FFY 2003 APR, SDDOE reported risk ratios among racial/ethnic groups in categories for both identification and settings. SDDOE attributed any disproportionality to the ethnic composition of the State, which was significantly less diverse than the national composition. After Caucasian, American Indian was the next largest ethnic group at less than 10%. Black, Hispanic, and Asian represented from 0.64% to 1.11% of the total population. SDDOE reported that, in a sparsely populated State without much diversity, the addition or reduction of only a few children of a racial/ethnic group could significantly impact the relative differences. SDDOE reported, “the data points that are flagged [as potentially disproportionate] are the result of the small numbers being analyzed.” On page 23, SDDOE reported annual training to ensure that appropriate practices were in place and that the compliance monitoring process included review of policies and procedures governing evaluation, identification and placement procedures. Any identified problems were addressed through individualized improvement plans.

On page 23 of the FFY 2003 APR, SDDOE reported a projected target of ensuring district identification procedures were consistent with Part B requirements and race-neutral, so that children were appropriately identified for special education and related services. This was a revision of the target in the FFY 2002 APR that included a numeral goal. OSEP accepts the revised target.

OSEP’s July 2004 letter required SDDOE to include, in its FFY 2003 APR, the results of the State’s review of the policies, procedures and practices used by LEAs in the identification and placement of children with disabilities to ensure that they were consistent with the requirements of Part B, when the State identified significant disproportionality on the basis of race in the identification or placement of children with disabilities. SDDOE did not identify significant disproportionality.

The SPP instructions establish two new indicators in this area (#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 plans for collecting this data, in the SPP.

#### Graduation and drop-out rates

On page 25 of the FFY 2003 APR, SDDOE reported that 87.3% of students with disabilities graduated with a regular high school diploma, compared with 92.3% of students without disabilities. For the students with disabilities, the graduation rate was a decrease from the 94.1% reported in FFY 2002. SDDOE attributed the decrease to a change in the method of calculating the rate of graduation. In the 2002-2003, the calculation did not include 11<sup>th</sup> grade dropouts. On page 25, the State reported a 3.5% drop-out rate for students with disabilities, and a 2.6% rate for students without disabilities. SDDOE noted for the past two years the State has maintained a higher rate of graduation than the national baseline. For targets, SDDOE projected a decrease in the drop-out rate by .5% and an increase in the graduation rate by 2% for students with disabilities. To achieve the projected targets, SDDOE planned to ensure effective instructional practices and to support efforts through dissemination of practices to influence retention. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information on the percent of youth with IEPs graduating from high school and the percent of youth with IEPs dropping out of high school, in the SPP.

#### Suspension and expulsion

For the second year, SDDOE reported a rate of less than 0.1% for children with disabilities suspended for greater than 10 days or expelled. On page 28 of the FFY 2003 APR, SDDOE stated that training on the issues related to suspension and expulsion of children was consistent since the reauthorization of IDEA in 1997. For a projected target, SDDOE planned to maintain a rate of suspension for children with disabilities comparable to or less than the rate of suspensions for children without disabilities. To achieve the target, SDDOE will continue to require LEAs to address their procedures for suspension and expulsion of children with disabilities through their comprehensive plans.

Regulations at 34 CFR §300.146, and the instructions for the FFY 2003 APR require the State educational agency (SEA) to 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 the discrepancies are occurring, the SEA must review and, if appropriate, revise (or require 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.

On pages 27 and 28 of the FFY 2003 APR, the State provided State-wide data comparing the number and rate of suspension and expulsion of children with disabilities to nondisabled children. The State, however, did not compare the rates with LEAs to determine if significant discrepancies were occurring in particular LEAs.

With the SPP, due December 2, 2005, the State must provide either:

- (1) data and analysis demonstrating that it is meeting the requirements at 34 CFR §300.146(b) that SDDOE examines 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 the discrepancies are occurring, SDDOE must review and, if appropriate, revise (or require 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; or
- (2) a plan, including strategies, proposed evidence of change, targets and timelines designed to ensure correction of the noncompliance as soon as possible and not more than one year after OSEP accepts the plan. No later than six months from the date of this letter, the State must submit a Progress Report including data and analysis demonstrating progress toward compliance, and provide a report to OSEP, with data and analysis demonstrating compliance, as soon as possible, but not later than 30 days following the end of the one year timeline.

#### Statewide and districtwide assessments

Attachment 3 of the FFY 2003 APR showed consistency between the number of children enrolled and the number participating in statewide assessments. Participation data showed that SDDOE achieved the identified performance target in the FFY 2002 APR of 95% participation or higher on statewide assessments. SDDOE reported children with disabilities participated in the statewide assessments at the same level (99.3%) as children without disabilities. SDDOE tested and reported results for grades 3 through 8 and grade 12. For 2003-2004, SDDOE reported the number of children with disabilities performing at basic or below basic was reduced by 7.14% on the statewide reading assessment and by 11.5% on the statewide math assessment. The State met its identified target in the area of math, but did not meet the 10% reduction targeted for reading. As targets, the State identified the maintenance of a participation rate of 95% or higher for children with disabilities taking statewide assessments and the same targets for proficiency rates. In addition, SDDOE reported that it would establish a baseline of proficiency rates for children taking the alternate assessment. OSEP appreciates the State's efforts in this area and looks forward to reviewing data and information demonstrating continued participation and performance of children with disabilities on statewide assessments, in the SPP.

#### Least restrictive environment (LRE)

On page 33 of the FFY 2003 APR, SDDOE reported that 98% of the districts monitored for least restrictive environment (LRE) requirements were found in compliance. This is an improvement from the 95% rate reported during the previous reporting period. SDDOE set maintaining the number of children with disabilities reported as receiving special education services in the general education classroom at 55% or higher as a projected target. Also, the State will increase the number of three-year-old children with disabilities in less restrictive settings (home, early childhood). To achieve the projected targets, the State will continue to provide training and



technical assistance on ensuring placement of children with disabilities in the least restrictive environment throughout the State, both through document dissemination and the provision of technical assistance.

SDDOE reported that 55% of the children with disabilities were placed in regular classrooms, with modifications as necessary, for the majority of the school day. On page 35, the State reported that the number of children with disabilities receiving early childhood special education did not change significantly across the continuum of placements; therefore, the State did not achieve its target of a 10% decrease in of preschool children receiving special education in isolated settings. OSEP appreciates the State's efforts in this area and looks forward to reviewing LRE data in the SPP.

#### Preschool performance outcomes

During the FFY 2003 reporting period, SDDOE developed the Early Learning Guideline for Language and Literacy for ages 3-5. On page 36 of the FFY 2003 APR, the State reported that several meetings were held from Summer 2003 through Spring 2004. Public comment was received and incorporated into the language and literacy guidelines. As a projected target, SDDOE indicated that it would finalize the literacy, math, and social emotional standards, incorporate them into one document and present that document to the State Board of Education for approval. Future activities to achieve project targets included continued participation of special education staff in the development of the early learning standards.

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. 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.

#### *Secondary Transition*

OSEP's July 2004 letter required SDDOE to submit, within 60 days of the date of that letter, its analysis of existing strategies and whether they were effective (i.e., did they need to be refined or targeted) and what additional actions or strategies might assist the State in reaching full compliance in this area as soon as possible. If the State determined that additional strategies were needed or that existing strategies must be modified, it was to also submit its proposed strategies, proposed evidence of change, targets, and timelines to ensure compliance.

SDDOE's September 2004 letter included an analysis of the root cause of the noncompliance relating to secondary transition requirements, as well as an analysis of existing strategies. SDDOE evaluated the effectiveness of current strategies and made adjustments to improve outcomes in this area. SDDOE presented FFY 2002 data from the 33 districts monitored in the year. Twenty-two districts were cited in the area of secondary transition. Of those 22, 21 demonstrated correction of the noncompliance within a year of identification. One district was granted a six-month extension to complete the required corrective action. OSEP accepted SDDOE's data, analysis, and verification of corrective actions in its January 2005 letter.

On pages 38 through 40 of the FFY 2003 APR, SDDOE reported the number of districts out of compliance in all areas of secondary transition decreased during the 2003-2004 reporting period. SDDOE reported that districts identified in the FFY 2002 APR as noncompliant with secondary transition requirements, demonstrated full compliance within a year of identification. School districts identified in 2003-2004 submitted, and received approval for, improvement plans and were in the process of demonstrating compliance. SDDOE stated that it expected to demonstrate significant improvement in compliance in 2004-2005, due to the implementation of the new transition template, statewide regional training on secondary transition, and an emphasis on the legal requirements for transition services through the Continuous Improvement Monitoring Process (CIMP).

The State determined that the planned activity to collect outcomes data through the State vocational rehabilitation office was not a feasible vehicle to use to collect postsecondary student outcomes. SDDOE planned to explore the possibility of using an outside contractor to collect post-school outcome data.

The SPP instructions establish two new indicators in this area (#13 and #14), for which States must provide baseline data in the FFY 2005 APR, due February 1, 2007 (#13) and in the FFY 2006 APR, due February 1, 2008 (#14). 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 §616(d) of the IDEA. SDDOE should carefully review the instructions to the SPP in developing its plans for this collection.

### ***Conclusion***

As noted above, within 60 days of the date of this letter, SDDOE must submit:

- (1) a report indicating whether the State monitoring system examined the extent to which ESY requirements of 34 CFR §300.309 were met, whether any noncompliance regarding the ESY requirements was identified through monitoring, complaint investigation, or hearings, and whether correction occurred for any noncompliance identified; and
- (2) data and information demonstrating correction of the identified noncompliance regarding 34 CFR §§300.505 and 300.532(b) concerning parent consent and input in the evaluation process.

In addition, with the SPP, due December 2, 2005, the State must provide either:

- (1) data and analysis demonstrating that it is meeting the requirements at 34 CFR §300.146(b) that SDDOE examines 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 the discrepancies are occurring, SDDOE must review and, if appropriate, revise (or require the affected State agency or LEA to revise) its policies, procedures and practices relating to the development and

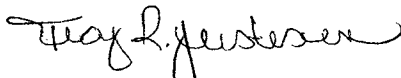
implementation of IEPs, the use of behavioral interventions and procedural safeguards, to ensure that these policies, procedures and practices comply with IDEA; or

- (2) a plan, including strategies, proposed evidence of change, targets and timelines designed to ensure correction of the noncompliance as soon as possible and not more than one year after OSEP accepts the plan. No later than six months from the date of this letter, the State must submit a Progress Report including data and analysis demonstrating progress toward compliance, and provide a report to OSEP, with data and analysis demonstrating compliance, as soon as possible, but not later than 30 days following the end of the one year timeline.

IDEA 2004, §616, requires each State to submit a State Performance Plan (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 we look 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 Tony G. Williams at (202) 245-7577.

Sincerely,



Troy R. Justesen  
Acting Director  
Office of Special Education Programs

cc: Ann Larsen