



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

Honorable Gerald L. Zahorchak
Secretary of Education
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333

JUL 27 2006

Dear Secretary Zahorchak:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP) recent verification visit to Pennsylvania. As indicated in my letter to you of March 2, 2006, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under, Part B of the Individuals with Disabilities Education Act (IDEA). We conducted our visit to Pennsylvania during the week of April 10, 2006.

The purpose of our verification reviews of States is to determine how States use their general supervision, State-reported data collection, and statewide assessment systems to assess and improve State performance, and to protect child and family rights. The purposes of the verification visits are to: (1) understand how the systems work at the State level; (2) determine how the State collects and uses data to make monitoring decisions; and (3) determine the extent to which the State's systems are designed to identify and correct noncompliance.

As part of the verification visit to the Pennsylvania Department of Education (PDE), OSEP staff met with Linda Rhen, Director, Bureau of Special Education (BSE) within PDE, and PDE staff members who are responsible for: (1) the oversight of general supervision activities (including monitoring, mediation, complaint resolution, and impartial due process hearings); (2) the collection and analysis of State-reported data; and (3) ensuring participation in, and the reporting of student performance on, statewide assessments. Prior to and during the visit, OSEP staff reviewed a number of documents¹, including the following: (1) the Pennsylvania Annual Performance Plan (APR) for FFY 2002, submitted to OSEP in March 2004; (2) the Pennsylvania APR for FFY 2003, submitted in March 2005; (3) the Pennsylvania State Performance Plan (SPP), submitted to OSEP in December 2005; (4) the Pennsylvania eligibility document submissions under Part B of IDEA for FFYs 2002 through 2005; (5) national special education data related to Pennsylvania's rankings for educational environments, drop

¹ Documents reviewed as part of the verification process were not reviewed for legal sufficiency, but rather to inform OSEP's understanding of your State's systems.

out rates, and graduation rates; (6) the Pennsylvania *Accommodations Guidelines for Students with IEPs, Students with 504 Plans, English Language Learner and All Students*; (7) the OSEP 2001 General Supervision Enhancement Grant (GSEG), awarded to PDE for the expansion of dispute resolution options; (8) the current OSEP State Improvement Grant awarded to Pennsylvania for enhanced services and data collection for post school outcomes (SPP indicator 14), improved secondary transition services (SPP indicator 13), and improved performance on statewide assessments (SPP indicator 3); (9) the PDE complaint management log for 2004-2005 from which random files were selected for on-site review; (10) the PDE Office of Dispute Resolution (ODR) electronic data base that includes the due process hearing log for 2004-2005 from which random files were selected for on-site review; (11) the 2003-2004 and 2004-2005 on-site monitoring review logs of preschool and school age programs, from which random files were selected for on-site review; (12) training and technical assistance information and data from the Pennsylvania Training and Technical Assistance Network (PaTTAN) website; (13) the PDE website; and (14) other pertinent data sources.

Additionally, OSEP reviewed the State's organizational structure that included: PDE's administrative office; 29 intermediate units (IUs), designated as the local education agencies (LEAs); 501 public school districts; 117 public charter schools; 34 mutually agreed upon written arrangements² (MAWAs) for preschool early intervention (EI) services; 11 State juvenile facilities; 65 county prisons; 19 county detention facilities; and 26 State correctional institutes. The IUs provide technical assistance and in some instances direct student services and support services to their constituent school districts and public charter schools, and may also be designated as MAWAs for the provision of EI services. OSEP also conducted a conference call on March 14, 2006, with members of the State's Special Education Advisory Committee (SEAP), to hear their perspectives on the strengths and weaknesses of the State's systems for general supervision, data collection, and statewide assessment.

The information that Linda Rhen and her staff provided during the OSEP visit, together with all of the information that OSEP staff reviewed in preparation for the visit, greatly enhanced our understanding of the PDE systems for general supervision, data collection and reporting, and statewide assessment. Linda Rhen and her staff were fully engaged and readily available throughout the duration of the visit.

General Supervision

In reviewing the State's general supervision system, OSEP collected information regarding a number of elements, including whether the State: (1) has systemic, data-based, and reasonable approaches to identifying and correcting noncompliance; (2) has identified any barriers (e.g., limitations on authority, insufficient staff or other

² The State law uses the mutually agreed upon written arrangement (MAWA) to provide locally the preschool services required under Part B of IDEA. The MAWA is a contract between PDE and intermediate units (IUs), local educational agencies (LEAs), or other public or private agencies to provide early intervention services to preschool children on behalf of PDE.

resources, etc.) that impede the State's ability to identify and correct noncompliance; (3) utilizes guidance, technical assistance, follow-up, and -- if necessary -- sanctions, to ensure timely correction of noncompliance; (4) has dispute resolution systems that ensure the timely resolution of complaints and due process hearings; and (5) has mechanisms in place to compile and integrate data across systems (e.g., 618 State-reported data, due process hearings, complaints, mediation, large-scale assessments, previous monitoring results, etc.) to identify systemic issues and problems.

OSEP believes that the PDE systems for general supervision constitute a reasonable approach to the identification and correction of noncompliance; however, OSEP cannot, without also collecting data at the local level, determine whether the systems are fully effective in identifying and correcting noncompliance.

Pennsylvania has implemented a general supervision system, for programs serving students aged three through 21, which encompasses planning, monitoring, complaint management, and dispute resolution systems, as well as a comprehensive statewide network of technical assistance. During the verification visit, OSEP reviewed the State's revised organization chart that illustrates how the administrative structure integrates the State's monitoring system with policy and planning functions, technical assistance, professional development, and support services systems.

Monitoring. The State reported that: (1) it conducts on-site monitoring of programs of school districts, public charter schools, and State and county correctional facilities on a cyclical basis; (2) the on-site monitoring encompasses both procedural requirements and performance outcomes; and (3) the monitoring teams, chaired by a BSE single point of contact³ (SPOC), use a variety of on-site review processes to gain an overall understanding of LEA programs, identify noncompliance, and assist the LEA in corrective action and improvement planning activities.

The 501 school district programs for school age students are monitored on a six-year cycle. The Philadelphia school district, which is the only school district in Pennsylvania with an average daily membership (ADM) of over 50,000, is monitored every year. Monitoring of school districts includes reviews of those school district students with disabilities receiving special education and related services provided: (1) by IU programs and/or related services staff; (2) in vocational technical centers; (3) by neighboring school districts; and (4) in approved private schools. The 117 public charter schools operating in Pennsylvania are monitored on a five-year cycle to align with the charter renewal process that includes the requirement for compliance with special education requirements, and a review of the performance of special education students. The 65 county prisons, and 19 county detention facilities are monitored every

³ The single point of contact (SPOC) is the professional special education adviser assigned to an intermediate unit (IU) area, and the MAWA agencies responsible for the preschool programs provide local oversight for the State's system of general supervision. That individual is responsible for the special education plan, compliance monitoring, corrective action follow-up, and complaint investigations for the LEAs in the geographic area, which facilitates development of regional expertise and familiarity with systemic issues identified from all available sources.

six years, or when the district responsible for education is monitored. The 26 State correctional institutions and 11 State juvenile facilities are monitored every three years. Three regional assessment support teams (RASTs) conduct the monitoring of correctional facilities throughout the State.

The cyclical monitoring review process is conducted through on-site review that includes standardized procedures for preparation of the on-site visits, conducting the monitoring, and corrective action follow-up activities. The main components of cyclical monitoring are:

- The facilitated self-assessment (FSA). The LEA assesses and reports on the status of its compliance with State and Federal regulations, policies, procedures, student outcomes, file review results, and program operations. The FSA is prepared by the LEA prior to the on-site visit of the State monitoring team, is used to facilitate discussions between the LEA and monitoring team, and is used to identify areas that need improvement. The districts self-identify areas of concern, noncompliance, and appropriate corrective actions in order to improve performance and correct noncompliance. Both the FSA and the on-site review process involve multiple stakeholders, including parents, teachers, and administrators.
- File review. The BSE on-site monitoring team reviews student records on-site to determine compliance with requirements for initial evaluation, reevaluation, individualized education programs (IEPs), placement in the least restrictive environment (LRE), secondary transition, participation in State and districtwide assessments, and procedural safeguards. A minimum of 10 and a maximum of 50 student files, based on a stratified random sample, are reviewed on-site in each district. The file review consists of 88 probes, on which the peer monitors receive training that includes inter-rater reliability criteria to accurately evaluate and record the standards for each probe. The results of the review are compared with the results of the district's FSA. Individual (non-systemic) noncompliance identified through the file review process requires individual corrective action that must be completed within 30 days. The State reported that 100 percent of the individual citations are corrected within 30 days to ensure that the child is receiving a free appropriate public education (FAPE) in the LRE. OSEP's random review of monitoring files during its on-site verification visit in PDE confirmed that individual citations of noncompliance were corrected within 30 days.
- Parent and teacher interviews. Monitoring teams interview parents and teachers of students selected by the BSE in the student sample file review to determine: (1) the involvement of parents and professionals in the required processes related to special education (e.g., IEP development); (2) the status of the provision of programs and services to children with disabilities; (3) the levels of training to parents and professionals in all relevant areas; and (4) the rates of parent and teacher satisfaction with the special education programs.

- Student interviews. Beginning with the 2004-2005 monitoring review cycle, the student interview was incorporated into the on-site review process based on recommendations from the SEAP. The student interview is conducted only on the secondary level, with the cooperation of the student, to provide information to the district regarding student participation in and perceptions of special education processes and programs.
- Focused monitoring. The focused monitoring process is modeled in part on OSEP's focused monitoring of States. LEAs are selected based on factors, including placement in the LRE. The process includes data verification and some or all of the above monitoring procedures as needed to identify noncompliance or potential noncompliance around selected priority indicators.
- Early intervention (EI) monitoring. BSE monitors the 34 Part B MAWA EI programs on a six-year cyclical basis. Monitoring for Part B eligible students encompasses both procedural requirements and performance outcomes. Monitoring teams, chaired by a BSE chairperson, review records and IEPs, conduct teacher and parent interviews to gain an overall understanding of MAWA agency programs, identify non-compliance, and assist the MAWA agency in improvement planning activities. The EI monitoring uses a web-based system that includes reporting, corrective action planning, and implementation and tracking of corrective action. The BSE historically has assigned timelines for corrective action to begin the date the report is issued to the MAWA agency. The BSE develops a corrective action verification plan (CAVP) or a monitoring action plan (MAP) for preschool as a component of the monitoring follow-up corrective action. Included in the CAVP/MAP is an improvement plan section that is followed-up by the BSE advisor assigned to that LEA. MAWA agencies are given one year to complete the required corrective action unless an extension is required for unusual circumstances with approval of the BSE division chief.

Pennsylvania Training and Technical Assistance Network (PaTTAN). Pennsylvania has a statewide program for provision of technical assistance to LEAs coordinated through IUs to constituent districts from three centers throughout the State. PaTTAN supports the efforts and initiatives of the BSE, to build the capacity of all educational agencies in the State to serve students who receive special education and related services by providing training courses, offering technical assistance, and providing resources to school personnel and families to improve student achievement and outcomes. The Pennsylvania Early Intervention Technical Assistance (EITA) system, which is part of PaTTAN, supports early intervention programs through professional development and family informational services. PaTTAN and EITA are directly linked into BSE monitoring and corrective action system in the State, by providing on-site technical assistance to MAWA agencies, LEAs, and the BSE in developing and implementing CAVPs that are relevant to the needs of the district in addressing compliance and improving achievement and outcomes for students with disabilities.

Timely correction of noncompliance. OSEP's March 13, 2006 response letter to the State's SPP submission indicated that correction of noncompliance within one year from the date of identification through on-site monitoring review was an area of State systemic noncompliance. In the verification visit the State reported that it is implementing corrective action that includes: (1) training for BSE staff; (2) pre-populating corrective action plans (CAPs) with a due date that is one year from the date of the monitoring report; (3) increased oversight by the BSE chiefs and required review of timely submissions by the SPOCS; (4) continued implementation of the Basic Education Circular (BEC) regarding the requirement that all noncompliance identified through monitoring and complaints be corrected within one year of the date it is identified; and (5) implementation of hierarchical sanctions for districts that do not comply with submitting timely corrective actions that have included administrative conferences, withholding funds, and litigation. The State reported during OSEP's verification review that: (1) 87 percent of corrective action plans have been submitted and cleared within one year from the date of identification for school age monitoring, which is 11 percent improved from the 76 percent reported in the SPP data submitted December 2, 2005; and (2) for EI programs, 100 percent of corrective action plans have been submitted and cleared within one year from the date of identification of noncompliance, which is 49 percent improved from the 51 percent reported in the SPP. OSEP's random review of monitoring files during its on-site verification visit in PDE indicated all monitoring reports required correction of noncompliance within one year of identification, and that all reports reviewed were within timelines.

One of the strengths of the school age monitoring process is the timely feedback to districts through reports coordinated through BSE. On average, such reports are issued in an average of 33 days. OSEP's on-site verification review of files noted the timely issuance of reports as reported by the State in APR and SPP submissions.

PDE's monitoring procedures represent a reasonable approach to the identification and correction of noncompliance. Additionally, the short-term trend data represent improved performance in the percent of corrective action plans that have been submitted and cleared within one year from the date of identification of noncompliance for on-site monitoring reviews. However, as noted in OSEP's March 13, 2006 response letter to the State's SPP, the State must ensure that noncompliance is corrected within one year of its identification and include data in the APR, due February 1, 2007, that demonstrate compliance with the requirement to ensure timely correction of the noncompliance that it identifies, consistent with 34 CFR §300.600 and 20 U.S.C. 1232d(b)(3)(E). The State should review and, if necessary, revise its improvement strategies included in the SPP to ensure they will enable the State to include data in the APR that demonstrate full compliance with this requirement. Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.

Complaint Management System. Pennsylvania operates a broad-based dispute resolution system for families of children with disabilities to access, which includes the complaint management system, operated within PDE, used to investigate and resolve

formal complaints concerning individual and systemic violations of Federal and State special education requirements. This system is data based, and allows for tracking of issues by LEA, as well as timelines for investigation, issuance of timely reports, and implementation of required corrective actions. The senior complaint manager in PDE reported that the State did not have a backlog of State complaints and that 100 percent of the complaints from July 1, 2005 through April 1, 2006 have been completed within timelines under 34 CFR §300.661(a). OSEP reviewed the State's complaint log and verified that the State documented extensions consistent with 34 CFR §300.661(b).

However, OSEP noted that the BSE has a complaint decision appeal process that allows a party to the complaint to submit a written request for reconsideration within 15 days of the report if there is new information that was not provided in the course of the complaint investigation, or if there are disagreements with the conclusions or corrective action set forth in the complaint decision. The secretarial review process in *The Pennsylvania Rules of Administrative Practice and Procedure* (22 Pa Code 35.20) permits the Secretary of Education to stay the corrective action in the complaint investigation report, pending the outcome of the review determination. Complaints must be resolved within 60 days unless extended for exceptional circumstances under 34 CFR §300.661(b). An appeal process, such as that permitted by PDE is not an exceptional circumstance warranting an extension of the 60 day timeframe under 34 CFR §300.661(b). The State must submit evidence within 60 days from the date of this letter indicating that policies, procedures, and practices related to this process do not extend the timelines for complaints unless there are exceptional circumstances required by 34 CFR §300.661(b).

Office for Dispute Resolution (ODR). PDE provides oversight of informal dispute resolution processes, in addition to the formal due process hearing system in conformance with regulatory requirements through the ODR. With regard to due process hearings, in the SPP and in the verification review the State reported: (1) in 2003-2004, 149 due process hearings were fully adjudicated, 42 of which were within timelines and 107 were within timeline extensions; and (2) in 2004-2005, 173 were fully adjudicated, 46 of which were within timelines and 127 were within timeline extensions.

OSEP's review of due process hearing files selected from the due process hearing log during its on-site verification visit in PDE indicated that the decisions issued under 34 CFR §300.511(c) were granted for specific extensions of time at the request of at least one party.

Collection of data under section 618 of the IDEA

In reviewing the State's system for data collection and reporting, OSEP collected information regarding a number of elements, including whether the State: (1) provides clear guidance and ongoing training to local programs/public agencies regarding requirements and procedures for reporting data under section 618 of the IDEA; (2) implements procedures to determine whether the individuals who enter and report data at the local and/or regional level do so accurately and in a manner that is consistent with

the State's procedures, OSEP guidance, and section 618; (3) implements procedures for identifying anomalies in data that are reported, and correcting any inaccuracies; and (4) has addressed barriers to the implementation of procedures for data collection and reporting data under section 618 of the IDEA.

PDE contracts with the University of Pennsylvania for its Penn Data System. During the OSEP verification visit, Penn Data staff demonstrated the system's capacity to provide edit checks and real-time technical assistance to the field (including hyperlinks to provide immediate instructions and directions to navigate the State's website for other supports and guidance).

Beginning in 2001-2002, PDE developed an individual student data collection system. The State contracts with Penn State University Data Center (PaSDC) for purposes of Federal, State, and public reporting, data collection, system development, and system management. Files are collected through each of the State's 29 IUs and the Pennsylvania Correctional Education System and imported into the PaSDC statewide database. Reliability and validity of the data are ensured through a series of back-ups; administrative reviews; and test files.

The State reported that: (1) trainings of IU and district staff are conducted annually; (2) IU staff assigned to data collection and oversight are available to support district level data input staff; (3) PDE staff responsible for data collection at PaTTAN and PDE provide continuing web-based support; (4) the *Penn Data Resource Guide* publishes the requirements for the individual student database and aggregate table submissions, in addition to the specific timelines for reporting so that the process remains timely for each level of data submission, editing, cleaning, and reporting (5) IU staff collect and clean district data for submission to PaSDC; (6) edits, checks, and cleaning occur at each level of the process including the district, IU and statewide levels; (7) draft reports with 'red flags' are identified and returned to the IU and/or district level(s) for verification and cleaning; (8) PDE verifies and reports the data to OSEP's contractor, Westat, and to the U.S. Department of Education, Education Data Exchange Network (EDEN); and (9) data are posted on-line as required for public reporting.

The State's data collection, analysis, and reporting systems should further advance the State's capacity to utilize data as a quality assurance measure to ensure educational equity and excellence. OSEP believes that PDE's system for data collection and reporting is designed in a manner that is consistent with the requirements under section 618 of the IDEA.

Statewide Assessment

In reviewing the State's system for statewide assessment, OSEP collected information regarding a number of elements, including whether the State: (1) establishes procedures for statewide assessment that meet the participation, alternate assessment, and reporting requirements of Part B, including ensuring the participation of all students, including students with disabilities, and the provision of appropriate accommodations; (2) provides clear guidance and training to public agencies regarding those procedures and

requirements; (3) monitors local implementation of those procedures and requirements; and (4) reports on the performance of children with disabilities on those assessments, in a manner consistent with those requirements. In order to better understand Pennsylvania's system for statewide assessment, your staff described for OSEP how the alternate assessment is aligned with grade-appropriate content standards.

OSEP has determined, through its review of the State's written procedures for statewide assessments and the State's reports to the public and the Secretary on the participation and performance of children with disabilities on such assessments, that those procedures, as written, and those reports are consistent with Part B requirements. OSEP cannot, however, without also collecting data at the local level, determine whether all public agencies in the State implement the State's procedures in a manner that is consistent with Part B.

During the verification visit, the University of Pittsburgh contractor presented the process for administering and scoring the Pennsylvania Alternate System of Assessment (PASA), which included samples of video-taped administration of the assessment, the process for standardized scoring, and reliability of the scoring process. The State presented data and information regarding participation in the statewide assessment system indicating that: (1) the PDE Office of Elementary/Secondary Education, housing both the Bureau of Assessment and Accountability (BAA) and BSE has the responsibility for oversight of the statewide assessment system for children with disabilities; (2) Chapter 4 of the Pennsylvania Education Code, specifies the rigorous standards and assessments to facilitate and measure student achievement; (3) section 4.28 of the Pennsylvania Education Code specifies the guidance for participation of students with disabilities in statewide assessments; (4) Chapter 14 of the Pennsylvania Education Code, the Special Education Regulations of Pennsylvania, adopt by reference Part 300 of the Code of Federal Regulations, specifically CFR §300.138, participation in assessments, and 34 CFR §300.139, reports relating to assessments; and (5) all assessments under the PASA and the Pennsylvania System of School Assessment (PSSA) are based on statewide performance standards.

All students in grades 3 through 8 and grade 11 are administered mathematics and reading assessments; and in grades 5, 8, and 11 all students are administered writing assessments. Students with disabilities may take the grade level assessments, with and without accommodations as determined by the IEP Team under the PSSA, or the PASA. All test administrators are required to provide an explanation for children with IEPs not participating in the regular or alternate assessments, for reasons such as parent exception due to religious beliefs and all exceptions must be renewed annually. Participation rates in the PASA remained at approximately 0.5 percent to 1.0 percent of children in any given district. All districts are monitored for rates of participation in the PASA, and any given district with a rate of over 2.0 percent is reviewed for its procedures, policies, and practices related to participation in alternate assessments.

The State reported that it provides professional development opportunities and continued technical assistance on issues related to statewide assessment that include:

(1) monitoring of LEA data through its cyclical monitoring process to ensure compliance for the requirements related to statewide assessment; (2) offering professional development implemented by PaTTAN in partnership with the IU special education and curriculum departments to provide an integrated approach to school improvement based on State assessment results; (3) providing statewide training on assessment administration through BAA and BSE; (4) implementing the PSSA computerized assessment review process; (5) completing the *Pennsylvania Value Added Assessment System* (PVAAS) pilots; (6) implementing progress monitoring techniques to improve achievement; (7) completing and reporting a correlation study of PSSA with curriculum based measurement (CBM) to measure improved performance based on curriculum standards; and (8) beginning in 2005-2006, requiring all districts to enter student assessment data into an online pre-enrollment/pre-coding system through Data Recognition Corporation (DRC).

Additionally, the State presented data and information regarding the performance of children with disabilities on the PSSA, indicating: (1) increased rates in achieving proficient and advanced level scores in reading and math in grades 5, 8, and 11 in 2004-2005 compared to 2003-2004 and 2002-2003; (2) decreased rates in scoring at the below proficient levels in reading and math in grades 5 and 8; and (3) increased rates in scoring at the below proficient levels in reading and math for grade 11. The State also reported information regarding the statewide reporting of assessment information indicating that: (1) participation rates and results for all statewide assessments reflect all students enrolled for any portion of the academic school year; (2) the term “all students enrolled” also encompasses students who are absent on the date of the assessment and students who do not participate in the assessment (because of religious objection, truancy or refusal); (3) the BAA-developed strategy for score and participation attribution, the *AYP Score and Participation Attribution Map for School Year 2005-2006*, attributes scores and participation for students with disabilities to a school of residence, district of residence, and to the State for reporting purposes and students with disabilities who have been court or agency placed, or residing in a correctional facility attribute their scores only to the State; (4) it makes assessment results available through the State Report Card that can be accessed at www.paayp.com; (5) for students with disabilities, school district participation and performance results are available on the *District Profile Report*; (6) assessment data are reported on the PDE website (the results for any disaggregated unit with an N equal to 10 or less is not reported publically); (7) performance results data for the PASA and PSSA are disaggregated by school level, district level intermediate unit, county and State levels; (8) performance reports from the grade level assessment (PSSA) are provided to the school district of residence and parent through the Grow Network; (9) performance reports for students participating in the PASA are provided for the district of residence, parent and provider through the University of Pittsburgh; and (10) the PASA results are also available by link from PDE and PaTTAN websites to the PASA website.

Additionally, beginning in 2006, all LEAs within the Commonwealth of Pennsylvania have subscribed to and received reports via a “value-added approach” to assessment. This tool allows schools and districts to examine performance on State assessments in order to make local decisions regarding performance, policy and initiatives. *Science*

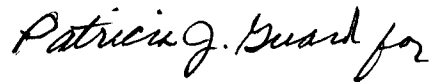
Assessment Anchors have been developed for grades 4, 8, and 11. A science assessment will be piloted during the 2007-2008 school year. An alternate science assessment will be developed to coincide with the administration of the grade level assessment.

Conclusion

As discussed in the general supervision section of this letter the State must submit evidence to OSEP within 60 days from the date of this letter, that policies, procedures, and practices related to the appeal of complaint decisions do not extend the timelines for complaints unless there are exceptional circumstances as required by 34 CFR §300.661(b). Additionally, as noted above in the discussion of the State's monitoring system, the State's February 2007 APR submission must demonstrate compliance with the State's obligation to ensure timely correction of identified deficiencies.

We appreciate the cooperation and assistance provided by your staff during our visit. As noted above, we request that you keep us informed concerning your progress in ensuring that due process hearing decision timelines are met in accordance with the due process hearing requirements. We look forward to collaborating with Pennsylvania as you continue to work to improve results for children with disabilities and their families.

Sincerely,



Alexa Posny, Ph.D.
Director
Office of Special
Education Programs

cc: Linda Rhen, Ed.D.
Director of Special Education