



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

NOV - 2 2004

Mr. Jack O'Connell  
Superintendent of Public Instruction  
California Department of Education  
1430 N Street, Suite 5602  
Sacramento, CA 95814

Dear Superintendent O'Connell:

The purpose of this letter is to respond to California's March 31, 2004, submission of its Federal Fiscal Year (FFY) 2002 Annual Performance Report (APR) for the Individuals with Disabilities Education Act (IDEA) Part B funds used during the grant period July 1, 2002 through June 30, 2003. The APR reflects actual accomplishments made by the State during the reporting period, compared to established objectives. The APR for IDEA is designed to provide uniform reporting from States and result in high-quality information across States.

The APR is a significant data source utilized in the Continuous Improvement and Focused Monitoring System (CIFMS) implemented by the Office of Special Education Programs (OSEP) within the U.S. Department of Education. The APR falls within the third component of OSEP's four-part accountability strategy (i.e., supporting States in assessing their performance and compliance, and in planning, implementing, and evaluating improvement strategies) and consolidates the self-assessing and improvement planning functions of the CIFMS into one document. OSEP's Memorandum regarding the submission of Part B APRs directed States to address five cluster areas: General Supervision; Early Childhood Transition; Parent Involvement; Free Appropriate Public Education in the Least Restrictive Environment; and Secondary Transition.

### ***Background***

OSEP's 1992 and 1996 Monitoring Reports both identified noncompliance related to timeliness of: (1) correction of identified noncompliance; (2) complaint decisions; and (3) due process hearing decisions. In June 1998, OSEP conducted a targeted follow-up monitoring review. In its April 6, 1999 Monitoring Report, OSEP again included findings showing the California Department of Education's (CDE's) continuing longstanding failure to meet its general supervision responsibility under §300.600(a). OSEP found that CDE lacked effective complaint and monitoring procedures and could not ensure that, once identified, public agencies corrected noncompliance in a timely manner. On December 21, 1999, CDE submitted to OSEP a comprehensive corrective action plan with specific steps and timelines. In the State's FFY 1999 Part B Grant Award letter, OSEP designated CDE a high-risk grantee, and imposed Special

Conditions relating to the timely resolution of all Part B formal written complaints.<sup>1</sup> The State's FFY 2000 and FFY 2001 Part B Grant Awards included Special Conditions related to the State's procedures for identifying and correcting noncompliance. As a result of OSEP's visit to California in May 2002 and documentation submitted as a requirement of the Special Conditions, OSEP concluded that the State had substantially met the 2001 Special Conditions (i.e., all of the conditions except the condition relating to the provision of FAPE to youth with disabilities in adult prisons). Therefore, the FFY 2002 Grant Award did not include Special Conditions, except for those regarding youth with disabilities in adult prisons.

The State's APR should reflect the collection, analysis, and reporting of relevant data and should document data-based determinations regarding performance and compliance in each of the cluster areas (as well as any other areas identified by the State to ensure improvement). OSEP's comments are listed by cluster area.

### ***General Supervision***

As indicated in the Background section of this letter, OSEP previously identified noncompliance in three areas of this cluster, related to the timeliness of: (1) correction of identified noncompliance; (2) complaint decisions; and (3) due process hearing decisions. California carried out activities to correct this noncompliance.

***Timely Correction of Identified Noncompliance.*** CDE must: (1) ensure that each educational program for children with disabilities administered within the State meets CDE's standards, including the requirements of Part B (34 CFR §300.600(a)(2)(ii)); and (2) implement proper methods of monitoring to identify and correct noncompliance in a timely manner (within one-year of identification) (20 U.S.C. 1232d). On page 2 of this cluster of the APR, the State: (1) indicated that, of the 262 districts reviewed in 2002-2003 through the verification and special education self-review processes, 203 corrected identified deficiencies within the timeline identified by CDE; and (2) set forth a target that 90 percent of districts would resolve identified noncompliance in a timely manner. OSEP could not determine from the APR: (1) the number of districts that did not correct noncompliance within one-year from identification; or (2) whether the 90 percent target set by the State refers to correction of noncompliance within one-year from identification, or some shorter period set by the State. In the next APR, the State must: (1) indicate the extent to which it is meeting its responsibility to ensure that noncompliance is corrected as soon as possible, but no later than one year from identification (including the districts reviewed during 2003-2004, and the 59 districts reviewed during 2002-2003 that did not, as reported in the FFY 2002 APR, complete correction within the timeline identified by CDE); and (2) ensure that any targets are consistent with the State's responsibility to ensure that all noncompliance that it identifies is corrected within one-year from identification.

Further, CDE indicated on page 5 of this cluster of the APR, that it had insufficient numbers of personnel to conduct monitoring and compliance activities. In the next APR, CDE must provide

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<sup>1</sup> Beginning in FFY 1997, each of the State's Part B Grant Awards has included special conditions related to the State's failure to make a free appropriate public education (FAPE) available to eligible youth with disabilities in adult prisons. Since June 5, 1997, the California Department of Prisons (rather than CDE) has, pursuant to 34 CFR §300.600(d), been responsible for general supervision of special education programs for eligible youth with disabilities who were convicted as adults and incarcerated in adult prisons.

information indicating how it will ensure timely correction of identified noncompliance, notwithstanding the insufficient numbers of personnel referred to in the APR.

In addition, Probe GS.II in this cluster asks States to determine whether systemic issues are identified through analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions. The September 2003 Government Accountability Office (GAO) Report “Numbers of Formal Disputes are Generally Low and States are Using Mediation and Other Strategies to Resolve Conflicts,”<sup>2</sup> identifies California as having high numbers of requests for due process hearings, based on data from 2000. CDE reported on page 2 of this cluster that currently, all monitoring processes require review of multiple data sources for development of a monitoring plan. This includes district data, parent concerns, and district compliance history (including complaints and hearings). However, the FFY 2002 APR does not include an analysis of hearing requests by issue or locality and does not indicate that CDE analyzes hearing requests across districts to identify systemic issues. CDE should examine whether there are certain districts with concentrations of requests and if there are certain issues for which hearings are most frequently requested across districts. We encourage CDE to use the FFY 2003 APR to address this matter and to identify appropriate strategies to address the results of its analysis.

***Timely Complaint Decisions.*** The Part B regulations require that CDE issue its written decisions on each Part B formal written complaint within 60 calendar days from its receipt of the complaint, unless CDE extends the timeline due to exceptional circumstances that exist with regard to a particular complaint (34 CFR §300.661(a) and (b)(i)). Under Probe GS.II page 2, the State reported that: (1) 93.6 percent of complaint reports were completed in a timely manner in 2002-2003; (2) timely completion of complaint investigation reports was once the subject of Special Conditions on the State's Part B Grant Awards; and (3) timeliness of complaint decisions was a long-standing priority issue. In the FFY 2002 APR, CDE reported that it would continue to maintain its target of at least a 90 percent rate of timely completion of complaint decisions. In the FFY 2003 APR, the State must revise its projected target to be 100 percent to ensure resolution of all Part B complaints within the timelines required by 34 CFR §300.661(a) and (b)(i), including specifying future activities to achieve this projected target, and to continue to report in the FFY 2003 APR its progress in ensuring full compliance with this requirement. Although the State indicated that it identified systemic issues as a result of its review of complaint decisions, it did not specify how it analyzed these findings across districts. OSEP suggests that the State maintain these data and include an analysis in its FFY 2003 APR. Further, as noted above, CDE indicated on page 5 of this cluster of the APR, that it had insufficient numbers of personnel to conduct monitoring and compliance activities. In the next APR, CDE must provide information indicating how it will meet its responsibilities related to the timely resolution of complaints, notwithstanding the insufficient numbers of personnel referred to in the APR.

***Timely Due Process Hearing Decisions.*** The Part B regulations require that the final decision in a due process hearing be reached and a copy mailed to the parties not later than 45 days after the receipt of a request for a hearing and that a hearing officer may grant specific extensions of time beyond that period at the request of either party (34 CFR §300.511(a) and

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<sup>2</sup> The report is available at <http://www.gao.gov/new.items/d03897.pdf>.

(c)). The data in Attachment 1 of the APR showed that the decisions in 42 of 156 hearings were not issued within the timelines required by 34 CFR §300.511(a) and (c). The State did not include strategies, proposed evidence of change, targets, and timelines that would ensure correction of the noncompliance within a reasonable period of time, not to exceed one year from the date of OSEP's acceptance of the proposed strategies. Therefore, the State must submit a plan to OSEP within 60 days of the date of this letter that includes strategies, proposed evidence of change, targets, and timelines designed to ensure correction of the noncompliance within a reasonable period of time, not to exceed one year from the date OSEP approves the plan. In the FFY 2003 APR, the State must include 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.

***Sufficient Supply of Personnel to Meet Needs of All Children with Disabilities.*** Probe GS.IV asks CDE to report on whether there are sufficient numbers of administrators, teachers, related services providers, paraprofessionals, and other providers to meet the identified educational needs of all children with disabilities. On page 2 of this cluster, CDE reported the following percentages of full-time equivalent (FTE) special education staff that were fully certified: (1) 74.4 percent in 2000-2001; (2) 73.9 percent in 2001-2002; and (3) 75.5 percent in 2002-2003. On page 5 of this cluster, the State reported that the "Special Education Division (SED) has neither the authority nor the responsibility to address issues specific to teacher certification." CDE indicated that agencies such as the Commission on Teacher Credentialing (CTC) and postsecondary institutions are assigned this responsibility. CDE also indicated that it would work collaboratively with other State agencies to support an increase in certified special education personnel. OSEP looks forward to reviewing, in the next APR, a description of specific activities to improve performance and data and analysis regarding the impact of the State's improvement efforts.

***Collection and Reporting of Accurate and Timely Data.*** CDE reported in Probe GS.V on page 2 that 98 percent of Special Education Local Plan Areas (SELPA's) submitted accurate data to CDE in a timely manner in 2002-2003. The State included a projected target, strategies, and activities to ensure the accuracy and timeliness of reporting data from all SELPA's, as required by section 618 of IDEA.

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

On page 1 of this cluster of the APR, CDE reported that, based on the data available, 4,474 of 11,680 three-year-olds (38 percent) entered the preschool program before their third birthday, and the remaining 62 percent either had their individualized education program (IEP) meetings on time or entered the preschool program after their third birthday. While CDE had no established targets for its FFY 2002 APR, it had established a target of 45 percent of children who will enter the Part B program before their third birthday for its FFY 2003 APR. CDE also indicated on page 1 of this cluster, that data are not available to determine how many children served in Part B preschool programs were previously served through Part C, but that it will be meeting with the California Department of Developmental Services, the Lead Agency for Part C, to establish an ongoing mechanism for data sharing to determine which children served in the Part B preschool program previously received services under Part C.

OSEP cannot determine whether CDE ensures that all children participating in the Part B preschool program have an IEP or an individualized family service plan (IFSP) developed and implemented by their third birthday, in accordance with 34 CFR §§300.121(c) and 300.132(b), and whether evaluations and eligibility determinations for children not previously served under Part C are conducted in a timely manner. Therefore, in the FFY 2003 APR, CDE must include data and analysis to demonstrate that all Part B eligible children, including those participating in the Part C program, have an IEP or IFSP developed and implemented by their third birthday, in accordance with 34 CFR §§300.121(c) and 300.132(b). CDE also indicated that it identified activities for the FFY 2003 APR to increase awareness of the Part B preschool program and local education agencies' (LEAs') obligations to eligible children. In the FFY 2003 APR, OSEP will look for information to show that CDE is measuring its compliance in the areas outlined above and reporting on its progress with identified strategies, evidence of proposed change, and activities designed to achieve compliance in this area.

OSEP assumes that any Part C to Part B tracking system that California develops will not involve the disclosure of personally identifiable information from student's education records or, if it will, that it is consistent with the IDEA and the Family Education Rights and Privacy Act (FERPA). OSEP has enclosed, for your information, a copy of its February 11, 2004 letter to Mary Elder, which discusses the limited disclosure of personally identifiable information for purposes of meeting IDEA's child find mandate.

#### ***Parent Involvement***

On page 1 of this cluster, CDE reported data demonstrating that the following number of parents accessed services from the Family Empowerment Center (FEC): 7,847 in 2000-2001; 7,204 in 2001-2002; and 9,969 in 2002-2003. In addition, the State reported that 8,321 parents utilized CDE's Procedural Safeguards Referral Service (PSRS) Help Line in 2002- 2003. CDE reported on page 2, that improving parent involvement has been an ongoing priority for CDE, and the State included strategies to increase parent involvement through the use of a parent webpage and the inclusion of the FEC parents on the State's listserv. Although CDE could not assess its progress or slippage in this area because it did not establish a target for this APR period, it has established a target and projected several activities for the FFY 2003 APR. CDE must report on its progress in these areas in the next APR.

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

***Disproportionality.*** In Probe BF.I on page 5 of this cluster, CDE reported that African-American children were overrepresented and Asian or Pacific Islander children were underrepresented in special education in the State-wide disproportionality calculation. CDE also reported that African-American children were overrepresented in six disability categories, Asian or Pacific Islander children were underrepresented in seven disability categories, and Hispanic children were underrepresented in three disability categories. The State reported that African-American students are overrepresented in all three of the educational environments assessed, Asian-American students are underrepresented, and white students are overrepresented in the least restrictive environment outside regular class 0-20 percent. CDE reported on page 6 of this cluster that, on average, California's 2002-2003 data for disability category and educational

environment by ethnicity were similar to national data for 2000-2001. CDE included strategies and activities to address these patterns.

The Part B regulation at 34 CFR §300.755 requires States that identify significant disproportionality on the basis of race in the identification of children with disabilities (including identification within particular categories of disability), or in placements into particular settings, to provide for the review and, if appropriate, revision of the policies, procedures, and practices used in identification or placement to ensure that they comply with Part B. California's FFY 2003 APR must include the results of the State's review of the policies, procedures, and practices used in the State in the identification and placement of children with disabilities to ensure that they are consistent with the Part B requirements of 34 CFR §300.755. If the 2003 APR does not include information indicating that the State, when it identifies significant disproportionality, has either conducted a review of policies, procedures, and practices used in identification or placement of children with disabilities or otherwise ensured that such a review was done, OSEP will conclude that the State is not complying with the regulation.

***Drop-out and Graduation Rates.*** In Probe BF.II on page 2 of this cluster, CDE reported data that demonstrated a downward trend in the dropout rates for children with disabilities, from 4.1 percent in 2000-2001, to 4.0 percent in 2001-2002, to 3.5 percent in 2002-2003. CDE also indicated an increase in the percent of children with disabilities exiting with high school diplomas from 51.6 percent in 2000-2001 to 58.8 percent in 2001-2002 with the rate remaining relatively unchanged at 58.7 percent for 2002-2003. CDE reported that it was unable to compare the drop-out and graduation rates for children with disabilities with the rates for children without disabilities because the calculations used for the two groups were different. CDE also reported that districts within the lowest quartile among a group of districts similar in size and type on measures of graduation and dropout are identified in the first stage of the process of selecting districts for verification under CDE's Quality Assurance Process (QAP). CDE did not have an established target for drop-out reduction for the 2002 APR reporting period, so it could not assess its progress or slippage in this area. For the FFY 2003 APR reporting period, CDE has established a target of 58.9 percent for graduation and maintaining a dropout rate below 4.0 percent.

***Suspension and Expulsion.*** Under Probe BF.II on page 3 of this cluster, CDE reported that the expulsion rate for children with disabilities improved over the last three years and was consistently below the rate for children without disabilities. In addition, the State reported that the suspension rate for children with disabilities for 2002-2003 was low (at 0.70 percent), but that comparisons could not be conducted because there was no equivalent figure for long-term suspension rates for nondisabled children or across agencies. 34 CFR §300.146 requires that States examine data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities either among LEAs in the State or compared to the rates for nondisabled children within the agencies. Where the State determines that significant discrepancies are occurring, it 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 the policies, procedures, and practices comply with Part B.

The instructions to the FFY 2002 APR direct States to describe which of these comparisons it did, as well as the method the State used to determine possible discrepancies, what constitutes a discrepancy, the number of agencies with significant discrepancies, and, if significant discrepancies are occurring, a description of those discrepancies and how the State plans to address them. The State's FFY 2002 APR did not, however, include any information indicating that the State had examined data from the LEAs it used in assembling the State level data to determine whether significant discrepancies were occurring in the LEAs based on either one of the comparisons described above. In the FFY 2003 APR, the State must include the information required by the instructions. If the FFY 2003 APR does not include information indicating that the State has examined all data for all LEAs to determine whether significant discrepancies are occurring in the LEAs based on either one of the comparisons described above, and that when the State identifies significant discrepancies it reviews and, if appropriate, revises (or requires the affected State agency or LEA to revise) its policies, procedures and practices consistent with 34 CFR §300.146, then OSEP will conclude that the State is not complying with the regulation.

***Participation of Children with Disabilities on State- and District-wide Assessments.***

Under Probe BF.IV on page 4 of this cluster, California reported that the participation rate for children with disabilities in the English language arts and mathematics assessment increased from 86.3 percent in 2001-2002 to 94.9 percent (English language arts) and 94.2 percent (mathematics) in 2002-2003. CDE reported that the State made significant progress in the participation rates of children with disabilities on the standards-based State-wide assessments, and the improvements may be attributed to the implementation of a new alternate assessment, improved data collection methods, additional training regarding the use of accommodations and modifications, and the revision in State law that required children with disabilities to participate in the Standardized Testing and Reporting (STAR) program.

***Performance of Children with Disabilities on State- and District-wide Assessments.***

Under Probe BF.IV on page 4 of this cluster, California reported that in 2001-2002, 9.7 percent of children with disabilities were proficient or above in English language arts and 12.1 percent were proficient or above in mathematics. In 2002-2003, 13.9 percent of children with disabilities were proficient or above in English language arts and 16.1 percent were proficient or above in mathematics. CDE reported that the State made significant progress in the performance rates of children with disabilities on the standards-based State-wide assessments, and the improvements may be attributed to the implementation of a new alternate assessment, improved data collection methods, additional training regarding the use of accommodations and modifications, the transition by California's Special Education Division from a norm-referenced to a standards-based measure of student outcomes to be implemented in 2003-04, and the revision in State law that required children with disabilities to participate in the STAR program. On page 8 of this cluster, CDE described the strategies that it implemented to improve participation and performance on assessments. OSEP looks forward to receiving data and analysis on the implementation of these strategies in the next APR.

***Education Environments for Children with Disabilities.*** Under Probe BF.V on page 4, CDE reported that it provided baseline/trend data in Attachment 2 of the FAPE section. In addition, as noted above in the disproportionality section, CDE reported that: (1) on average, California's 2002-2003 data for disability category and educational environment by ethnicity were similar to national patterns for 2000-2001; and (2) it is not clear why these patterns exist,

but CDE is engaged in activities to address them. CDE also reported on page 6 that “Establishing a target for LRE is a complex task,” but “SED is working with the Key Performance Indicator Stakeholder Group and other CDE divisions to define benchmarks and establish targets.” One of the future activities identified is that CDE’s Special Education Division will conduct research and analyze data relative to LRE, and that LRE data will continue to be used in monitoring districts. In the FFY 2003 APR, CDE must include targets and future activities to improve performance in this area.

***Performance of preschool children with disabilities on early language/communication, pre-reading, and social-emotional skills.*** Under Probe BF.VI on page 4 of this cluster, CDE reported that it tracked placement of a cohort of three- and four-year-old children with disabilities in elementary school programs in 2000-2001 and 2002-2003. In addition, the State reported data that 6,878 out of 24,868 preschoolers who were matched over three years exited special education to regular education by June 2003, and an additional 9,961 were removed from regular education classes to receive special education 20 percent or less of the time. CDE further reported that it would complete testing of the Desired Results Developmental Profile in order to begin collecting information about the extent to which preschool age children with disabilities are developing in relationship to established standards for all young children served by the State. In the FFY 2003 APR, CDE must report on its plan to collect the data mentioned above regarding the outcomes for preschool children with disabilities, including a detailed timeline of the activities necessary to implement that plan and, if available, documentation of data (whether collected through sampling, monitoring, individual IEP review, or other methods mentioned above), projected targets for improved performance, and activities to achieve its projected targets for this area.

### ***Secondary Transition***

On page 2 of this cluster, CDE presented survey data indicating that in 2002-2003, for parents and/or children responding to the survey: (1) 90.6 percent of former Workability I<sup>3</sup> parents or children responding to this item on the survey indicated that they were satisfied with the secondary transition services provided; (2) of the 12,003 children or parents who answered this item on the survey, 64.8 percent of former Workability I children were employed; (3) of the 9,658 parents or children who answered, 71.3 percent of former Workability I children were attending postsecondary institutions; and (4) of the 11,622 parents or children who answered, 11.2 percent of former Workability I children were living independently. CDE noted that, “these data only include those people who returned a follow-up survey, and represent a sample from the entire Workability population.”

CDE did not establish targets for 2002-03, but did include targets for the first three areas mentioned above for FFY 2004 and stated that it would continue to explore the “complex” issue of children with disabilities living independently. The State also identified strategies and activities to develop and improve programs and services to assist children with disabilities in

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<sup>3</sup> The Workability I program provides comprehensive pre-employment training, employment placement and follow-up for high school students in special education, who are making the transition from school to work, independent living and post-secondary education or training.



their transition to the workforce, independent living, or post-secondary schooling. In the FFY 2003 APR, OSEP looks forward to CDE's report of its continued progress in this area.

### ***Conclusion***

The State must submit a plan to OSEP within 60 days of the date of this letter, including strategies, proposed evidence of change, targets, and timelines designed to ensure, within a reasonable period of time not to exceed one year from the date OSEP accepts the plan, correction of the noncompliance identified in the General Supervision section of this letter related to the timeliness of due process hearing decisions. In the FFY 2003 APR, the State must include data and analysis demonstrating progress toward compliance in this area, 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.

Also, in the next APR, the State must: (1) indicate the extent to which it is meeting its responsibility to ensure that noncompliance is corrected as soon as possible, but no later than one year from identification (including the districts reviewed during 2003-2004, and the 59 districts reviewed during 2002-2003 that did not, as reported in the FFY 2002 APR, complete correction within the timeline identified by CDE); and (2) ensure that any targets are consistent with the State's responsibility to ensure that all noncompliance that it identifies is corrected within one-year from identification.

Further, the State must revise its projected target to resolve all Part B complaints within the timelines required by 34 CFR §300.661(a) and (b)(1), and continue to report in the FFY 2003 APR, due March 31, 2005, on its progress in ensuring full compliance with these requirements. In addition, the State must report in the FFY 2003 APR on its progress in ensuring that systemic issues are identified through analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions, and must provide an analysis of systemic issues identified across districts. CDE must also, in its FFY 2003 APR, include information indicating how it will ensure, timely correction of identified noncompliance, notwithstanding the shortages of personnel to conduct monitoring and compliance activities referred to in this APR.

In addition, OSEP could not determine from data and information in the FFY 2002 APR whether: (1) all eligible children participating in the preschool program assisted under Part B, including those children who participated in the Part C program, have an IEP or IFSP developed and implemented by their third birthday; (2) in light of California's determination of projected significant disproportionality based on race in the identification and placement of children, the State conducted a review and, if appropriate, required revision of the policies, procedures, and practices used in identification or placement to ensure that they comply with Part B; and (3) the State conducted comparisons in the rate of long-term suspensions and expulsions of children with disabilities with rates for nondisabled children and among LEAs in the State. In its FFY 2003 APR, due March 31, 2005, the State must include:

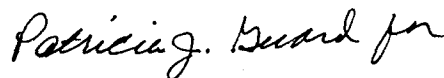
1. Data and analysis to demonstrate that all Part B eligible children, including those participating in the Part C program, have an IEP or IFSP developed and implemented by their third birthday, in accordance with 34 CFR §§300.121(c) and 300.132(b);

2. A report based on a review of the policies, procedures, and practices used in the State in the identification and placement of children with disabilities to ensure that they are consistent with the Part B requirements of 34 CFR §300.755; and
3. A report on the requested information regarding suspensions and expulsions consistent with the Part B requirements of 34 CFR §300.146.

Finally, in the FFY 2003 APR, CDE must report on the data regarding the outcomes for preschool children with disabilities, including a detailed timeline of the activities necessary to implement its plan and, if available, documentation of data (whether collected through sampling, monitoring, individual IEP review, or other methods mentioned in this cluster), projected targets for improved performance, and activities to achieve its projected targets for this area.

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 any concerns or questions, please contact Perry Williams at (202) 245-7575.

Sincerely,



Stephanie Smith Lee  
Director  
Office of Special Education Programs

Enclosure

cc: Dr. Alice D. Parker