



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

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

SEP - 1 2005

Dear Superintendent O'Connell:

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

The State's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to the State's FFY 2003 APR and the March 18, 2005 revision to the proposed plan in the FFY 2002 APR. OSEP has set out its comments, analysis and determinations by cluster area.

Background

In the November 2004 letter responding to the California Department of Education (CDE) on the FFY 2002 APR (November 2004 letter), OSEP required the State to take the following actions:

1. Within 60 days of the date of the letter, submit a plan to address identified noncompliance related to due process hearing timelines (34 CFR §300.511).
2. In the FFY 2003 APR, include data, information and analysis regarding the following:
 - a. identification and timely correction of noncompliance (34 CFR §300.600 and 20 U.S.C. 1232d(b)(3));
 - b. revision of projected target to resolve all Part B complaints within the timelines (34 CFR §300.661(a) and (b)(1));
 - c. identification of systemic issues through analysis of findings from information and data collected from all available sources;
 - d. timely correction of identified noncompliance, notwithstanding the shortages of personnel to conduct monitoring and compliance activities;

- e. individualized education programs (IEPs) developed and implemented by third birthdays as required by 34 CFR §300.132(b);
- f. disproportionality on the basis of race in identification and placement and revision of policies, practices, and procedures in accordance with (34 CFR §300.755);
- g. information regarding suspensions and expulsions (34 CFR §300.146); and
- h. status of data collection for preschool outcomes.

General Supervision

Identification of systemic issues through analysis of data from all available sources

In its November 2004 letter, OSEP required CDE to provide an analysis of systemic issues identified across local education agencies (LEAs) through analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions.

On page 2 of the FFY 2003 APR, CDE reported that all monitoring processes require review of multiple data sources to include district data, parent concerns, and district compliance history (including complaints and hearings). CDE further reported that it “utilizes information from its parent help line and complaints database, to identify districts for further investigation as well as Statewide issues.” However, CDE did not provide an analysis of specific systemic issues that are identified through multiple data sources. The State must include data and analysis identifying specific systemic issues through multiple data sources in the State Performance Plan (SPP), due December 2, 2005, to address this area.

Impact of personnel shortages on correction of noncompliance

In the FFY 2002 APR, OSEP also required CDE to indicate how it would ensure the timely correction of noncompliance, notwithstanding the shortages of personnel to conduct monitoring and compliance activities identified in the FFY 2002 APR.

On page 4 of the FFY 2003 APR, CDE included information that addressed the shortage of personnel concerns it identified in the FFY 2002 and FFY 2003 APRs. CDE reported that it underwent “division-wide skill-based training in complaint investigations to ensure” that its 100 percent target was met. In addition, CDE reported on page 4 of the APR that special education division (SED) personnel certified by the compliance complaints management (CCM) unit would conduct investigations in partnership with CCM staff to meet the requirements under 34 CFR §300.661(a) and (b)(1). In the SPP, the State must report on the outcome of the results of these strategies in addressing its concerns regarding shortages of personnel.

Timely correction of identified noncompliance

In its November 2004 letter, OSEP also required CDE to indicate the extent to which it was meeting its responsibility to ensure that: (1) noncompliance is corrected as soon as possible, but no later than one year from identification (including the LEAs reviewed during 2003-2004, and the 59 LEAs reviewed during 2002-2003 that did not, as reported in the FFY 2002 APR,

complete correction within the timeline identified by CDE); and (2) any targets developed by CDE must be consistent with the State’s responsibility to ensure that all noncompliance identified was corrected within one year from identification.

On page 2 of the FFY 2003 APR, CDE reported that in 2003-2004, of the 262 LEAs reviewed: (1) CDE found noncompliance in 16 LEAs; (2) 15 corrected the noncompliance within the specified timelines; and (3) one LEA did not complete all corrective actions within the required timeline, and CDE was continuing to work with that LEA to ensure correction. CDE also reported that 50 of the 59 LEAs monitored in 2002-2003 completed all corrective actions within one year of receiving their corrective action plan report. CDE further noted that, “of the nine LEAs that did not complete all of their corrective actions in one year, six are still working on one or more corrective actions.” These data indicate noncompliance, not previously identified by OSEP, with 34 CFR §300.600 and 20 U.S.C. 1232d(b)(3)(E), which require States to ensure correction of noncompliance within a reasonable period of time, not to exceed one year.

In the SPP, the State must provide OSEP: (1) evidence regarding the extent to which each of those six LEAs corrected the remaining noncompliance, including the time when correction has occurred; (2) evidence of sanctions that CDE has imposed, or is considering imposing, on each of those six LEAs to ensure correction; and (3) to the extent to which any of those LEAs has not yet corrected the noncompliance by the time of the SPP, the specific additional actions that CDE will impose in order to ensure compliance (e.g., additional training and/or technical assistance; the imposition of monetary sanctions, etc.), and the timeline by which CDE will provide documentation of correction.

Formal written complaints

In its November 2004 letter, OSEP required CDE to 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 on its progress in ensuring full compliance with these requirements.

Part B requires States to have procedures for ensuring that final decisions on complaints are issued within 60 calendar days from the date that the complaint was filed, unless the timeline is extended because exceptional circumstances exist with respect to a particular complaint (34 CFR §300.661(a) and (b)(1)). On page 2 of the APR and Attachment 1, the State reported data indicating it completed 92.8 percent of complaint reports in a timely manner during 2003-2004. In addition, on page 4 of the APR, CDE reported a 29 percent increase in the number of complaints from 790 in 2002-2003 to 1,118 in 2003-2004. On page 5 of the APR, CDE indicated that in accordance with OSEP’s response to the FFY 2002 APR, the State revised its projected target to 100 percent to resolve all Part B complaints within the timelines required by 34 CFR §300.661(a) and (b)(1), but stated that “continued loss of staff positions has affected CDE’s ability to meet targets for completion of reports.” CDE included strategies to improve compliance in this area, including increasing the availability of personnel through partnership with CCM staff and division-wide skill-based training in complaint investigations. OSEP accepts these strategies. In the SPP, the State must continue to report on its progress in ensuring full compliance with this requirement.

Due process hearings and reviews

OSEP’s November 2004 letter identified noncompliance with the due process hearing timeline requirements of 34 CFR §300.511(a) and (c), which require a State to ensure that a final decision is reached, and a copy mailed to the parties, within 45 days of the date of receipt of the hearing request, unless the hearing officer grants an extension of the 45-day timeline at the request of either party. In the FFY 2002 APR, OSEP directed the State to: (1) submit a plan to OSEP within 60 days from the date of the letter, including 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 accepted the plan; (2) in the FFY 2003 APR, include data and analysis demonstrating progress toward compliance in this area; and (3) 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.

On December 27, 2004, the State submitted its plan to address this noncompliance, and at OSEP’s request, submitted a revised plan on March 18, 2005, and provided additional information in an email message dated June 28, 2005. The data in Attachment 1 to the State's FFY 2003 APR show that CDE received 2,958 hearing requests between July 1, 2003 and June 30, 2004, and that hearings were held for 137 of those requests. Further, a decision was reached within required timelines for only 104 of those hearings (seven within the 45-day timeline and 97 within the extended timelines). In its June 28, 2005 email message clarifying the data provided in Attachment 1, CDE’s Special Education Hearing Office¹ (SEHO) clarified that in fiscal year (FY) 2003-2004, there were 2,958 hearing requests. During this period, 289 hearings were convened and resolved. Of those 289 hearings convened, seven were closed as a result of the petitioner withdrawing after hearing, 145 were dismissed after hearing at the request of parties, and 137 resulted in a decision being rendered by the presiding hearing officer. Of the 137 decisions rendered, seven were issued within the actual 45-day timeline, 97 were issued within the extended 45-day timeline, and 33 were issued outside of these timelines. CDE’s SEHO also clarified that although 289 matters were resolved after the hearing convened in FY 2003-2004, they do not necessarily all involve cases filed in FFY 2003-2004.

CDE’s March 18, 2005 revised plan included strategies, proposed evidence of change, targets and timelines designed to ensure compliance with 34 CFR §300.511(a) and (c), as required in OSEP’s November 2004 letter. CDE outlined the procedures it had put in place to ensure that hearing decisions are rendered in a timely manner and described steps that the SEHO had undertaken to ensure compliance (e.g., stringent monitoring of hearing officers, hiring of additional hearing officers, and training of clerks to calculate timelines). OSEP accepts the State’s plan to correct this noncompliance. The State must: (1) ensure compliance with the requirements of 34 CFR §300.511(a) and (c) regarding timely due process hearings, as soon as

¹ OSEP understands that as of July 1, 2005, the Office of Administrative Hearings (OAH) will assume the contractual responsibilities for due process hearings, previously administered by the Special Education Hearing Office (SEHO) of McGeorge School of Law. OSEP does not construe this change in responsibility as affecting CDE’s plan that OSEP has approved to enable CDE to be in full compliance with the requirements of 34 CFR §300.511(a) and (c) as soon as possible, but not later than one year from the date of this letter. OSEP expects that CDE will notify OSEP of any changes that CDE determines are necessary, in light of OAH’s new role, to ensure that the requirements of 34 CFR §300.511(a) and (c) are met within that timeline.

possible, but not later than one year from the date of this letter; (2) provide a report documenting progress toward compliance with the SPP, with data and analysis, such as copies of hearing decisions issued within the 45-day timeline or within properly-extended timelines and evidence that the timeline is extended only at the request of a party; and (3) provide a final report to OSEP, including data and analysis demonstrating compliance, no later than 30 days following one year from the date of this letter.

Personnel

On page 2 of the FFY 2003 APR, the State included data and analysis demonstrating a slight but continued improvement in the area of full-time certified employees from 75.5 percent in 2002-2003 to 75.8 percent in 2003-2004. The State also included strategies and activities to improve performance. OSEP appreciates the State’s efforts in this area.

Collection and timely reporting of accurate data

On page 3 of the FFY 2003 APR, CDE included data and analysis demonstrating continued improvement in the percentage of Special Education Local Planning Areas (SELPA) that submitted accurate and timely data from 98 percent in 2002-2003 to 99 percent in 2003-2004. OSEP appreciates the work of the State in maintaining compliance and performance in this area.

Early Childhood Transition

In its November 2004 letter, OSEP required CDE to submit data and analysis to demonstrate that all Part B-eligible children, including those participating in the Part C program, had an IEP or IFSP developed and implemented by their third birthdays, in accordance with 34 CFR §300.132(b).

On pages 7-8 of the FFY 2003 APR, CDE included data and information indicating noncompliance, not previously identified by OSEP, with the requirements of 34 CFR §300.132(b). For 2003-2004, CDE reported on page 7 that, “of 14,184 three-year-olds for whom data were available, 6,991 (49.3 percent) entered the preschool program before their third birthday; the remaining 50.7 percent entered the preschool program after their third birthday. Data from Part C indicate that there were 7,102 children who turned three during the 2003-2004 program year (including children at-risk for developmental delay). Of those children who turned three in the Part C program in 2003-2004, 4,346 could be matched to three-year old children served in Part B in 2003-2004. Of the 4,346 that were matched, 2,860 or 65 percent entered Part B programs before their third birthday.”

CDE also included a projected target to increase the percentage of three-year olds that enter preschool programs before their third birthday to 70 percent. In the SPP, CDE must revise its target to require that all children who participate in early intervention programs under Part C who are found eligible for services under Part B have an IEP or IFSP in effect by their third birthday, in accordance with 34 CFR §300.132(b). In the FFY 2003 APR, the State included strategies, proposed evidence of change, and timelines designed to ensure compliance within a reasonable period of time, not to exceed one year from the date of this letter. OSEP accepts this

plan. In the SPP, CDE must also 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.

Parent Involvement

On pages 10-11 of the FFY 2003 APR, the State included data and information regarding parent involvement indicating an increase in the cumulative number of parents accessing services from the Family Empowerment Centers (FECs) and the number of parents utilizing the Procedural Safeguards Referral Service (PSRS). 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.

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

Disproportionality

In its November 2004 letter, OSEP required CDE to report 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. OSEP further stated, “if the FFY 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.”

On pages 17 and 18 of the FFY 2003 APR, the State indicated that, “where disproportion was found, districts were required to examine and revise policies and procedures.” The State also indicated on page 18 that, “California will continue to use ethnic disproportionality through the Special Education Division’s (SED) Quality Assurance Process (QAP) and to support continued study of this critical issue and examination and revision of policies and procedures, when necessary.” The State did not, however, provide an analysis of the data submitted in Attachment 2 or report on the results of the districts’ reviews and if appropriate, revisions of the policies, procedures, and practices used in the identification and placement of students with disabilities to ensure that they are consistent with the requirements of Part B and are race-neutral, for those districts with data that illustrate significant disproportionality in the identification of children in specific disability categories and the placement of children in particular educational settings. Therefore, OSEP concludes that the State has not met the requirements of 34 CFR §300.755(b).

In addressing significant disproportionality related to identification, under 34 CFR §300.755, it is appropriate to look at policies, procedures and practices in the referral, evaluation and identification process to determine if they are educationally appropriate, consistent with the requirements of Part B and race-neutral. Such an examination generally would include a review

of the availability and use of pre-referral intervention services, the selection and use of evaluation instruments and materials, the selection and use of evaluation criteria, and the reasons for referral for special education evaluations. In addressing significant disproportionality related to placement, under 34 CFR §300.755, it is appropriate to look at policies, procedures and practices related to placement in the least restrictive environment consistent with the requirements at 34 CFR §§300.501 and 300.550-300.556 in order to determine if they are educationally appropriate, consistent with the requirements of Part B, and race-neutral.

On page 20, the State indicated that, “the SED will continue to analyze CASEMIS data and collaborate with colleagues to foster a greater understanding of disproportionality. California will also continue to pursue collaborations with technical assistance centers.” Further, when disproportionality is evident, policies, practices, and procedures would be reviewed and revised.

Within 30 days from the date of this letter, the State must either: (1) provide the results of its review of policies, procedures, and practices used in the identification and placement of students with disabilities to ensure that they are consistent with the requirements of Part B and are race-neutral, for those districts with data that illustrate significant disproportionality in the identification of children in specific disability categories and the placement of children in particular educational settings, as required by 34 CFR §300.755; or (2) specify what steps the State will take to implement its plan to report on the results of its review of policies, procedures, and practices, as outlined above, and to ensure correction of the noncompliance as soon as possible, not to exceed one year from the date of this letter.

In addition, on pages 18-19 of the FFY 2003 APR, CDE also reported that, “district-level benchmarks were established for 2004-2005,” and “the annual benchmarks require increasing performance each year to achieve a target of less than five percentage points on a measure of disparity by the end of the 2011-2012 school year.” OSEP is unable to determine the purpose of the “district-level” benchmarks; however, OSEP is concerned that these “benchmarks” appear to contain numerical goals. The proposed use of numerical goals based upon race raises serious concerns under Federal civil rights laws and the United States Constitution and is not an appropriate way to address the potential compliance problems that significant disproportionality may indicate. Any proposed use of numerical goals/targets based upon race, even where the numerical goal is based upon comparable numbers in the general population, raises the same legal concerns. Therefore, the State must not use numerical goals/targets based on race in implementing the requirements of IDEA.

Graduation and drop-out rates

On pages 13-14 of the FFY 2003 APR, the State included data and analysis demonstrating continued improvement in this area. CDE reported data that indicated a downward trend in the drop-out rates for children with disabilities, from 4.1 percent in 2000-2001, to 3.1 percent in 2003-2004. CDE’s data also indicated an increase in the percent of children with disabilities exiting high school with diplomas from 51.6 percent in 2000-2001, to 60.2 percent in 2003-2004. OSEP appreciates the State’s efforts in this area and looks forward to reviewing data and information in the SPP indicating continued progress in a decrease in drop-out rates and an increase in graduation rates for students with disabilities.

Suspension and expulsion

In its November 2004 letter, OSEP required CDE to submit information regarding suspensions and expulsions consistent with the requirements of 34 CFR §300.146.

On pages 14-15 of the FFY 2003 APR, the State reported that 96.7 percent and 99.6 percent of LEAs met the target rate (below 2.0 percent) of suspensions and expulsions, respectively. CDE reported data indicating an 11.8 percent decrease in the number of children with disabilities suspended more than 10 days from 4,722 in 2002-2003 to 4,166 in 2003-2004, but also reported an increase in the total number of children with disabilities expelled from 520 in 2002-2003 to 581 in 2003-2004. CDE further reported that there did not “appear to be discrepancies across LEAs for both suspensions and expulsions for students with disabilities.” OSEP appreciates the State’s efforts in this area and looks forward to reviewing data and information in this area in the SPP.

Statewide and districtwide assessment

On pages 16-18 and Attachment 3 of the FFY 2003 APR, the State included data and analysis indicating a need to improve performance in the percentage of children with disabilities scoring at or above proficiency with respect to the English/Language Arts and Mathematics assessment. CDE reported data indicating a slight improvement from 13.9 percent and 16.1 percent in 2002-2003 to 14.7 percent and 17.2 percent in 2003-2004 and exceeded its Annual Measurable Objectives (AMO) of 12 percent and 12.8 percent proficient or above in English/Language Arts and Mathematics, respectively. The State further reported that it “made significant progress in both the participation rate of children with disabilities in the statewide standards-based assessments and the percent scoring proficient or advanced.”

CDE also reported data on page 16 indicating an increase in the participation rates of children with disabilities in both the English/Language Arts and Mathematics assessment from 94.9 percent and 94.2 percent in 2002-2003 to 97 percent in 2003-2004 on both assessments. The State also included strategies to improve performance and participation. OSEP looks forward to reviewing information in the SPP, including the implementation of strategies and resulting data and analysis.

Least restrictive environment (LRE)

On pages 19-20 and Attachment 2 of the FFY 2003 APR, the State included data and analysis indicating a need to improve performance in the area of LRE. The State reported that, “district-level benchmarks were established for 2004-2005. The annual benchmarks require increasing performance each year to achieve the following targets no later than the end of the 2011-2012 school year on two measures: 76 percent or more of students receiving special education services will receive education outside the regular classroom 20 percent or less of the time and 5 percent or fewer of students receiving special education services will receive education outside the regular classroom 80 percent or more of the time.” While it is not inconsistent with Part B of the IDEA to include a numerical goal to increase the percentage of children with disabilities

educated in regular education settings, the State must continue to monitor to ensure that placement decisions for all children are made on an individual basis in conformity with the requirements of Part B of IDEA at 34 CFR §§300.550-300.553 and are not based upon a numerical goal.

Preschool performance outcomes

In its November 2004 letter, OSEP required CDE to report on its plan to collect data regarding the outcomes for preschool children with disabilities including a detailed timeline, documentation of data, projected targets, and activities to achieve its projected targets.

The State did not provide data on preschool outcomes; however, on pages 18-21 of the FFY 2003 APR, the State provided a plan to collect data and information in this area as follows: CDE reported that during 2003-2004, it was in the process of overhauling the Desired Results Developmental Profile because there were concerns about the overall construction of the instrument. As a result, the State reported that it would “report baseline data related to the progress of preschool age children with disabilities in the 2004-05 APR” and it would work with the Early Childhood Outcomes Center to identify other methods for reporting progress during this process. 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

On pages 22-24 of the FFY 2003 APR, the State included data and information regarding secondary transition indicating that the projected targets for three of the four performance indicators (satisfaction with transition, employment, and postsecondary attendance) were met. CDE reported that the data were based on percentages from those students who completed follow-up surveys. CDE further reported that it was difficult to establish a target for students with disabilities living independently (4th performance indicator) because of the complexity of collecting reliable follow-up data. The State included strategies to improve performance. OSEP appreciates the State’s efforts in this area and looks forward to reviewing data and information demonstrating continued improvement in this area in the SPP. In preparation for submission of the SPP on December 2, 2005, the State should carefully consider data and information collected for the APRs, along with OSEP’s responses, against the requirements related to this indicator in the SPP packet. The State must make a determination as to whether plans currently in place to collect data related to this area will be responsive to those requirements.

Conclusion

As noted above, the State must, within 30 days from the date of this letter, submit either: (1) the results of its review of policies, procedures, and practices used in the identification and placement of students with disabilities to ensure that they are consistent with the requirements of Part B and are race-neutral, for those districts with data that illustrate significant disproportionality in the identification of children in specific disability categories and the placement of children in particular educational settings, as required by 34 CFR §300.755; or (2) specify what steps the State will take to implement its plan to report on the results of its review of policies, procedures, and practices as outlined above, to ensure correction of the noncompliance as soon as possible, not to exceed one year from the date of this letter.

The State must provide the following information with the SPP: Data and analysis documenting progress toward compliance with timelines for due process hearings at 34 CFR §300.511(a) and (c), including data and analysis, such as copies of hearing decisions issued within the 45-day timeline or within properly extended timelines, and evidence that the timeline is extended only at the request of a party; and provide a report to OSEP with data and analysis demonstrating compliance as soon as possible but not later than thirty days following one year from the date of this letter.

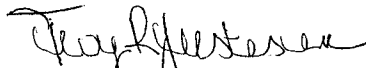
In the SPP, due December 2, 2005, CDE must also submit to OSEP:

1. Data and analysis identifying specific systemic issues based on its review of multiple data sources;
2. Regarding the six LEAs monitored in 2002-2003 that had not corrected identified noncompliance: (a) evidence regarding the extent to which each of those six LEAs has corrected the remaining noncompliance; (b) evidence of sanctions, if applicable, that CDE has imposed on each of those six LEAs to ensure correction; and (c) to the extent to which any of those LEAs has not yet corrected the noncompliance by the time of the SPP, the specific additional actions that CDE will take and the timeline by which CDE will provide documentation of correction;
3. Continue to report on progress to ensure full compliance regarding resolving formal written complaints within required timelines; and
4. A revised target to ensure that all Part B eligible children who participated in the Part C program, have an IEP developed and implemented by their third birthdays, in accordance with 34 CFR §300.132(b), and data and analysis demonstrating progress toward compliance, and a final report 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 an SPP that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators are, for the most part, the same as clusters and probes in the APR. OSEP encourages the State to carefully consider the comments in this letter as it prepares its SPP, due December 2, 2005.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Troy R. Justesen". The signature is fluid and cursive, with a prominent initial "T" and "J".

Troy R. Justesen
Acting Director
Office of Special Education Programs

cc: Dr. Alice D. Parker