

July 10, 2003

Honorable Theodore S. Sergi
Commissioner of Education
Connecticut State Department of Education
165 Capitol Avenue, Room 305
State Office Building
Hartford, CT 06106

Dear Commissioner Sergi:

This is to inform you that we have conditionally approved Connecticut's Eligibility Document Submission for Federal Fiscal Year (FFY) 2003 under Part B of the Individuals with Disabilities Education Act (IDEA). Our determination that you are eligible for a conditional approval is based on our receipt of the following documents submitted by the Connecticut State Department of Education to the U.S. Department of Education, Office of Special Education Programs (OSEP):

1. The Part B Eligibility Document Submission for FFY 2003 including the Eligibility Documents submitted June 5, 2000, and subsequent revisions to those Eligibility Documents and the Submission Statement submitted dated May 9, 2003; and
2. The July 7, 2003 letter from Connecticut to OSEP, in which Connecticut assures that as soon as possible but not later than June 30, 2004, the Connecticut State Department of Education will: (1) submit to the Connecticut General Assembly in July 2003 its proposed statutory revisions in order to meet the Part B eligibility requirements at 34 CFR §§300.504(b)(10) (PPT due process hearing issue), 300.505(a) (parent consent), 300.512(b) (court to take additional evidence at the request of a party) (including submitting to OSEP memos to local education agencies advising them of the requirements of these three regulations as set forth in OSEP's June 23, 2003 memo); (2) begin the regulatory revision process immediately after such changes are enacted by the General Assembly and signed into law by the Governor to ensure consistency between the state statutes and regulations; (3) revise such policies and procedures as are inconsistent with the statutory and regulatory changes described in (1) and (2); and (4) submit to OSEP the final revised statutes, regulations and policies and procedures to comply with Part B of the IDEA and 34 CFR §§300.504(b)(10), 303.505(a), and 300.512(b).

In its July 7, 2003 letter, Connecticut also assures that it will take steps to ensure that, throughout the period of this grant award, all public agencies in the State that provide special education and related services to children with disabilities will operate their

programs in a manner to comply with all of the statutory and regulatory requirements of Parts A and B of the IDEA. Connecticut further assured that it provided to OSEP on July 7, 2003 a copy of its July 3, 2003 memorandum (which memo shall be immediately and widely distributed) notifying all public agencies of the changes that impact on public agencies' provision of special education and related services that OSEP requires as a result of its review of the State's eligibility documents.

Your September 25, 2002 grant award under Part B of the Individuals with Disabilities Education Act (IDEA) was issued with Special Conditions requiring you to report publicly, and to the Secretary, on the participation and performance of children with disabilities on alternate assessments by May 30, 2003. The information you submitted on May 9, 2003 satisfies the requirements of the Special Conditions. We appreciate your timely submission of information demonstrating your compliance with these important requirements.

Please note that as part of your Eligibility Document Submission for FFY 2003, your State has made an assurance, under 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding. Any changes made by the State, after OSEP approval, to information that is a part of a State's eligibility documentation, must meet the public participation requirements of the IDEA and must be approved by OSEP before implementation.

Enclosed are grant awards for funds currently available under the Department of Education FFY 2003 Appropriations Act for the Part B Section 611 (Grants to States) and Section 619 (Preschool Grants) programs. These funds are for use primarily in school year 2003-2004 and are available for obligation by States from July 1, 2003 through September 30, 2005.

The amount in your award for Section 619 represents the full amount of funds to which you are entitled. However, the amount shown in your award for the Section 611 program is only part of the total funds that will be awarded to you for FFY 2003. Of the \$8,874,397,536 appropriated for Section 611 in FFY 2003, \$3,202,397,536 is available for awards on July 1, 2003, and \$5,672,000,000 will be available on October 1, 2003.

The funding formula for the Section 611 program is the same as was implemented for FFY 2000. Subject to certain maximum and minimum funding requirements, State allocations are based on the amount that each State received from FFY 1999 funds, the general population in the age range for which each State ensures a free appropriate public education (FAPE) to all children with disabilities, and the number of children living in poverty in the age range for which each State ensures FAPE to all children with disabilities.

Enclosure A provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure A shows funding levels for distribution of Section 611 funds.

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Enclosure B provides a short description of how Section 619 funds were allocated and how those funds can be used. In addition, Table II in Enclosure B shows State-by-State funding levels for distribution of Section 619 funds.

These awards are based on submission of a complete eligibility document package, a signed assurance statement regarding resolution of issues identified in OSEP's review of that eligibility document package, and implementation of the provisions of the Individuals with Disabilities Education Act. The complete eligibility document package and assurances must be made available for public inspection.

We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,

/s/Patricia J. Guard for

Stephanie S. Lee
Director,
Office of Special Education Programs

Enclosures

cc: George P. Dowaliby