



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

MAR 24 2000

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Dear [REDACTED]

This letter is in response to your correspondence of January 4, 2000, regarding the revised Code of Maryland Regulations (COMAR). You expressed concern in your letter that you do not feel that the new COMAR includes the necessary revision to concur with Part D, Subpart 1, Section 651, of the Individuals with Disabilities Education Act (IDEA 97). Specifically, your letter raised concern regarding COMAR's "...acceptance of minimal progress in the student's program as meeting the legal requirements" of IDEA 97, Part D.

As noted in the letter of December 27, 1999, issued to you from the Maryland State Department of Education (MSDE), regarding your initial correspondence of December 16, 1999, Section 651 of Part D describes the purpose of the State Program Improvement Grant which is a discretionary awards program designed to assist State Educational Agencies (SEAs) to establish a partnership with Local Educational Agencies (LEAs) involved in, or concerned with, reforming and improving their systems for providing educational, early intervention, and transitional services, including their systems for professional development, technical assistance, and dissemination of knowledge about best practices, to improve results for children with disabilities. The State Improvement Grant does not require that the SEA provide direct services to children with disabilities. The statutory mandates for direct services delivery to children with disabilities and their families are contained in Parts B and C of the IDEA.

We do not disagree that an effective educational system now and in the future must maintain high standards and clear performance goals for children with disabilities, consistent with the standards and expectations for all students in the educational system. However, the MSDE is not required to include regulations to administer programs under Part D of the IDEA in the COMAR

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Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

If you have any questions, please do not hesitate to contact the Office of Special Education Programs' State Contact for Maryland, Michael F. Slade at (202) 205-8969

Sincerely,

Kenneth R. Warlick, Director
Office of Special Education
Programs

Enclosure

cc: Carol Ann Baglin, Assistant State Superintendent, MSDE
Donna R. Riley, Chief, Regional Administrator Section, MSDE
Renee Stiebing, Regional Administrator, MSDE