



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

May 24, 2001

(Address blacked out)

Dear (Name blacked out):

Dear x:

I am writing in response to your correspondence to the Office of Special Education Programs (OSEP) within the U.S. Department of Education. On numerous occasions you have contacted us concerning your allegations of discrimination by the X County Public Schools in Jacksonville, Florida against you and minority students with disabilities within this school district. You allege that the X County Public Schools have violated State and federal laws and you believe your termination from the X County School District was in retaliation for your filing of a complaint against the X County School Board. I apologize for the delay in this response.

In response to your request for Secretarial review of the Florida State Department of Education's (FLDE) decision on the complaint you filed against the X County Public Schools, OSEP issued a letter on April 3, 2000 (copy enclosed) granting your request for Secretarial review. The request for Secretarial review was granted for two of the issues that were the subject of your complaint. Specifically, OSEP required FLDE to exercise its general supervisory responsibility to ensure that the policies, procedures and practices within the X County Public Schools regarding referral and placement of students into exceptional education programs are in accordance with federal and State requirements under the Individuals with Disabilities Education Act (IDEA). FLDE responded to you on July 26, 2000 (copy enclosed) indicating that FLDE will include these issues in the activities conducted during the next monitoring cycle of the X County Public Schools. Based on the monitoring report (copy enclosed) that OSEP issued on April 23, 2001, FLDE is in the process of revising its monitoring system. We have requested that FLDE notify OSEP when X County Public Schools is scheduled to be monitored by FLDE. We will follow-up on this matter with FLDE by reviewing its monitoring reports of the X County Public Schools to ensure that FLDE has satisfactorily addressed the issues concerning the appropriate referral and placement of student with disabilities.

OSEP has determined that the actions taken by FLDE are appropriate and provide a sufficient response under the IDEA. As FLDE also advised you, if you feel that your termination from the X County School District was in retaliation for your filing of a complaint against the X County School Board, the U.S. Department of Education's Office for Civil Rights is an avenue for resolving this matter. It is our understanding that you have had prior communications with that office.

We sincerely appreciate your desire to ensure that all students, including minority students with disabilities, receive appropriate services in accordance with federal and State law. If this Office can assist you on other matters related to students with disabilities, please do not hesitate to contact Sheila Friedman, the Florida State contact at (202) 205-9055.

Sincerely,

A handwritten signature in cursive script that reads "Patricia J. Guard".

Patricia J. Guard
Acting Director
Office of Special Education
Programs

Enclosures

cc: Ms. Shan Goff
Florida Department of Education