



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

MAR 6, 2003

This letter is in response to your e-mail dated December 11, 2002, requesting information regarding your previous correspondence to the Office of Special Education Programs (OSEP).

In your e-mail you indicate that the concerns you posed concerning the Tulsa Public School District and the Oklahoma State Department of Education (OSDE) were not adequately addressed.

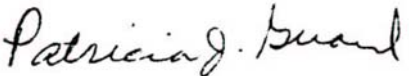
However, the OSDE conducted an on-site focused compliance review on May 4, 2001 in response to your concerns. As indicated in the communication sent to you on September 10, 2001, although the complaint procedures applicable to Part B of the Individuals with Disabilities Education Act (Part B), prior to May 11, 1999, included a provision that after a complaint had been filed with the State and the State had acted on it, either party to the complaint could request the U.S. Secretary of Education to review the State's final decision; on March 12, 1999, new final regulations were published that no longer include a Secretarial review process. The new regulations became effective May 11, 1999, which is before you filed your complaint and the Department received your request for review. The Secretarial review process is no longer available. Therefore, in regard to your complaint related to the Tulsa Public School District and the OSDE, you have exhausted the avenues available to you. Part B also provides a procedure filing a due process hearing against school systems.

If you have additional concerns regarding the Tulsa Public School District please contact:

Ms. Misty Kimbrough
Interim Assistant State Superintendent for Special Education
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105-4599
(405) 521-4873

OSEP will be responding to your request for documents in a separate letter.

Sincerely,

 for

Stephanie S. Lee
Director
Office of Special Education Programs

cc: Misty Kimbrough