



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

MAR - 8 2000

Honorable Bob Graham  
United States Senate  
2252 Killlearn Center Boulevard'  
Third Floor  
Tallahassee, Florida 32308

Dear Senator Graham:

Your letter to Secretary Richard Riley, U.S. Department of Education, on behalf of your constituent, Rabbi Benzion Korf, Principal Landow Yeshiva Community Schools (LYCS) in Miami Beach, Florida, was referred to the Office of Special Education Programs (OSEP) for reply. Mr. Korf wrote to you regarding the establishment of a project to provide special educational services to help meet the unique needs of both gifted students and students with disabilities in a resource room setting. Mr. Korf included in his letter addressed to you dated, October 14, 1999, a proposal for the resource room setting at the Landow Yeshiva Campus, LYCS, including a description of the program, overview and goals, and staffing. Specifically, Mr. Korf is seeking financial assistance to help fund this project. The following information is being provided for your consideration in responding to Mr. Korf

Parents and advocates of students with special needs often contact OSEP for information about funding sources to pay for special educational programs for students with disabilities. However, the Department does not provide Federal financial assistance directly to parents, private schools, or a local educational agency to pay the costs of special educational programs for students with disabilities. Mr. Korf may wish to explore the possibility of obtaining financial assistance from State, local and/or private sources. Enclosed for Mr. Korf's information is a State Resource Sheet prepared by the National Information Center for Children and Youth with Disabilities (NICHCY) which may be useful as a starting point.

Part B of the Individuals with Disabilities Education Act (Part B) is a Federal program administered by OSEP. Part B authorizes the Federal government to provide funds to States, and through States, to local school districts to meet the unique educational needs of eligible children with one or more of the specified disabilities outlined in the Federal regulations, at 34 CFR Section 300.7. (A copy of the regulations is enclosed.) Under Part B, a free appropriate public education (FAPE) must be made available for each child who is evaluated in accordance with the evaluation procedures specified at 34 CFR Sections 300.530-300.535 and who meets the eligibility criteria for a child with a

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disability. FAPE includes the provision of special education (specially designed instruction) and related services (developmental corrective, and other supportive services) at no cost to the parent, which meet State educational standards and Part B requirements. Special education programs are provided at the preschool, elementary, and secondary levels.

Within 30 days from the date a child is determined eligible to receive special education and related services, the local educational agency is required to conduct a meeting to develop an individualized educational program to meet the child's unique needs. The specific special education and related services specified in the IEP must be implemented as soon as possible following the IEP meeting.

Under Part B, a child's educational placement must be based upon his or her IEP. When the local school district conducts the IEP meeting, the parents must be invited to participate as members of the IEP team. Parents play a key role, along with school personnel in developing, reviewing and revising the child's IEP in determining the nature and extent of the child's needs, and in the placement decision. Through the IEP process, parents can discuss with school officials different approaches that they feel can appropriately meet their child's unique needs.

I hope this information is helpful to in responding to Mr. Korf. If this Office can be of any further assistance, please feel free to contact me or Ms. Sheila Firedman. OSEP's State contact person for Florida, at (202) 205-9055.

Sincerely,

Kenneth R. Warlick  
Director  
Office of Special Education  
Programs

Enclosures