

Dated: August 13, 2002

Please accept our response to your email sent to Secretary Rod Paige, U.S. Department of Education. We apologize for the delay in responding to your concerns. It is our understanding that X received services in natural environments under Part C of the Individuals with Disabilities Education Act (IDEA) in Washington State. You describe your experience as positive. In your electronic message you indicated that you believe that certain center-based programs in Washington are urging the State to withdraw from the Part C program due to their reluctance to implement the natural environments requirements of the federal law. You asked the Secretary “not to let the state take drastic action with regard to pulling out of Part C services.” You also stated: “let’s give families direct accurate, unbiased information about the federal Natural Environments requirements.” Your request has been forwarded to our Office of Special Education Programs (OSEP) for a written response.

With regard to your request for assistance to keep the State from “pulling out” of Part C, the Part C program under the IDEA provides grants to States that choose to submit an application for funding. Although currently all States participate and receive a Part C grant, participation is voluntary on the part of States. It would be inappropriate for this Department to intervene in the State’s decision-making on that issue.

Regarding information on the natural environments requirements, OSEP has issued several letters that clarify this topic (enclosed). In addition, you may want to contact your State lead agency (which is receiving a copy of this letter) to find out what materials they have disseminated on this topic in your state. My staff works closely with Ms. Sandy Loerch, the early intervention coordinator in the Washington State Department of Social and Health Services, who is responsible for the implementation of early intervention, to ensure that the Lead Agency is correctly interpreting the federal requirements governing Part C of IDEA. We are available to continue to provide technical assistance in support of Washington State’s early intervention efforts. Thank you for bringing your concerns to our attention. Please feel free to contact Ms. Angela Herring, the OSEP early intervention contact for Washington State at (202) 260-8640, if you have further concerns.

Sincerely,

/s/ Patricia J. Guard for

Stephanie S. Lee
Director
Office of Special Education Programs

Enclosures

cc: Ms. Sandy Loerch
Part C Coordinator