



June 24, 2010

Dear Parents and Community Members:

On June 18, 2010 the Office of the State Superintendent of Education (OSSE) published proposed rules for nonpublic special education schools and programs that serve District of Columbia students with disabilities. OSSE is committed to ensuring that all District children receive high quality educational services regardless of the type of school or program they attend. OSSE's primary purpose for issuing this proposed rulemaking is to ensure that children with disabilities are served in appropriate settings that will meet their individualized educational needs as well as ensure their safety.

The proposed rules set the standards which nonpublic schools or programs serving District children must meet and the method by which tuition and related services rates to be paid by the District are set. The proposed rate structure establishes a uniform tuition rate for all schools but also allows OSSE the discretion to adopt tuition rates set by another state as long as the rates are the result of a reasonable rate setting methodology used by the state in which the school is located. In practice, this provision will likely result in OSSE's accepting tuition rates set by the state of Maryland for nonpublic special education schools located in Maryland for the 2010-11 school year. In addition, any nonpublic school or program has a right to have any final rate reviewed before an independent rate reconsideration panel.

The proposed rules do not require the movement or relocation of any student or otherwise affect the rights that a child and his or her family have under the Individuals with Disabilities Education Act (IDEA). A child's location must continue to be consistent with the placement decisions of his or her IEP team as spelled out in IDEA.

I would like to personally encourage you to review the proposed regulations and submit your comments to OSSE. A full copy of the proposed rulemaking can be found in the D.C. Register online at www.dcregs.dc.gov. You can access the document by selecting "Browse through DC Issues" and selecting the volume dated June 18, 2010 – Vol 57/25. OSSE has also issued a Frequently Asked Questions (FAQs) document that is available electronically at www.osse.dc.gov. If you need assistance with accessing the proposed regulations or FAQ please contact Desiree Brown, State Advisory Panel Coordinator and Community Outreach Specialist, at 202-741-0271 or by e-mail at desiree.brown@dc.gov. The proposed rules have a 30 day comment period that ends July 19, 2010. Any member of the public, including nonpublic schools and programs, may send written comments to OSSE at osse.publiccomment@dc.gov.

Sincerely,

Tamera Lewis

Assistant Superintendent of Special Education