

## MEMORANDUM

TO: The Assistant Secretary for  
Special Education and Rehabilitative Services  
The Assistant Secretary for  
Elementary and Secondary Education  
The Assistant Secretary for Career, Technical,  
And Adult Education

FROM: The Secretary

SUBJECT: Delegation of Authority over Certain Appeals Pursuant to Section 432(b) of the  
General Education Provisions Act

### I. DELEGATION OF AUTHORITY

Under the authority vested in me by section 412 of the Department of Education Organization Act, 20 U.S.C. §3472, I hereby delegate to you, your successor in function, or to anyone serving for you in an acting capacity or officially performing the functions and duties of your position, the authority to take any appropriate action under section 432(b) of the General Education Provisions Act, 20 U.S.C. §1231b-2(b), including, but not limited to, determining whether the final action of a State educational agency taken under an applicable program for which your Principal Office has administrative responsibility as provided by law or by delegation of authority pursuant to law was contrary to Federal law or applicable rules, regulations or guidelines and, if so, issuing an order to the State educational agency prescribing appropriate action to be taken by such agency, as well as issuing interim orders to State educational agencies pending appeal or review.

Unless otherwise noted in future delegations of authority, amendments to the authority cited herein are included within the scope of this delegation.

### II. RESERVATIONS

None.

### III. REDELEGATION

You may not redelegate this authority.

### IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Delegations Control Officer. I hereby ratify actions within the scope of this delegation taken by you, your

predecessors in function, or anyone serving in an acting capacity or officially performing the functions and duties of your position, which involved the exercise of the authorities delegated herein, prior to the date of the certification of this delegation.

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-S-

Arne Duncan

OGC Clearance and Date: Deborah Friendly, May 1, 2014

Certified Date: June 13, 2014

Departmental Delegations Control Officer: Bruce Monblatt

Control Number: EA/EH/99