

July 1, 2002

Honorable Charlie Crist
Commissioner of Education
Florida Department of Education
Capitol Building, Room PL 08
Tallahassee, Florida 32399-0100

Dear Commissioner Crist:

This is to inform you that we have conditionally approved Florida's Eligibility Document Submission for Federal Fiscal Year (FFY) 2002 under Part B of the Individuals with Disabilities Education Act (IDEA). Our determination that you are eligible for a conditional approval is based on our receipt of the following documents submitted by Florida to the Office of Special Education Programs (OSEP):

1. The Part B Eligibility Document Submission for FFY 2002 including the Eligibility Documents submitted May 30, 2000, subsequent revisions to those Eligibility Documents, and the Submission Statement and other eligibility documentation submitted to OSEP on May 24, 2002; and
2. The July 1, 2002 letter from Florida to OSEP, in which Florida assures that as soon as possible, but no later than July 1, 2003, Florida will make all of the changes to its statutes, regulations, policies and procedures, that are necessary to make them consistent with the requirements of the Individuals with Disabilities Education Act (IDEA) and its implementing regulations in 34 CFR Part 300 (including making all of the changes necessary to address the issues identified in the November 2, 2000 issues charts submitted by the Office of Special Education Programs to the Florida Department of Education, and any additional changes OSEP identifies in its review of the State's additional materials submitted May 24, 2002), and will provide the Secretary with a copy of the revised documents showing those changes;
2. Throughout the period of the State's grant awards for fiscal year 2002 under Part B of the IDEA, the State will ensure that all public agencies in the State will comply with all of the requirements of Parts A and B of the IDEA and its implementing regulations, including ensuring that any child with a disability who needs speech-language pathology services to benefit from special education services will receive that service even if he or she does not meet the State's criteria to receive speech-language pathology services as a special education service; and

3. The State will provide OSEP with a copy of a memorandum notifying all public agencies of the changes that impact on public agencies' provision of special education and related services that OSEP requires as a result of its review of the State's eligibility documents.

Please note that as part of your Eligibility Document Submission for FFY 2002, your State has made an assurance, under 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding. Any changes made by the State, after OSEP approval, to information that is a part of a State's eligibility documentation, must meet the public participation requirements of the IDEA and must be approved by OSEP before implementation.

Enclosed are grant awards for funds currently available under the Department of Education FFY 2002 Appropriations Act for the Part B Section 611 (Grants to States) and Section 619 (Preschool Grants) programs. These funds are for use primarily in school year 2002-2003 and are available for obligation by States from July 1, 2002 through September 30, 2004.

The amount in your award for Section 619 represents the full amount of funds to which you are entitled. However, the amount shown in your award for the Section 611 program is only part of the total funds that will be awarded to you for FFY 2002. Of the \$7,528,533,000 appropriated for Section 611 in FFY 2002, \$2,456,533,000 is available for awards on July 1, 2002, and \$5,072,000,000 will be available on October 1, 2002.

The funding formula for the Section 611 program is the same as was implemented for FFY 2000. Subject to certain maximum and minimum funding requirements, State allocations are based on the amount that each State received from FFY 1999 funds, the general population in the age range for which each State ensures a free appropriate public education (FAPE) to all children with disabilities, and the number of children living in poverty in the age range for which each State ensures FAPE to all children with disabilities.

Enclosure A provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure A shows funding levels for distribution of Section 611 funds.

Enclosure B provides a short description of how Section 619 funds were allocated and how those funds can be used. In addition, Table II in Enclosure B shows State-by-State funding levels for distribution of Section 619 funds.

These awards are based on submission of a complete eligibility document package, a signed assurance statement regarding resolution of issues identified in OSEP's review of that eligibility document package, and implementation of the provisions of the Individuals with Disabilities Education Act. The complete eligibility document package and assurances must be made available for public inspection.

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We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,

Stephanie S. Lee
Director
Office of Special Education Programs

Enclosures

cc: Ms. Shan Goff