



# Arkansas

## Department of Education

#4 Capitol Mall, Little Rock, AR 72201-1071

501-682-4475

<http://arkedu.state.ar.us>

**Raymond Simon**  
Director

January 2, 2002

State Board of Education

Robert Hackler, Chair  
*Mountain Home*

Shelby Hillman, Vice-Chair  
*Carlisle*

JoNell Caldwell  
*Bryant*

Claiborne Deming  
*El Dorado*

Luke Gordy  
*Van Buren*

Peggy Jeffries  
*Fort Smith*

Calvin King  
*Marion*

Pickett  
*Conway*

Lewis Thompson, Jr.  
*Texarkana*

Barbara Marsac, Assistant Director  
Contracts and Community Programs  
Division of Youth Services  
700 Main Street  
P.O.Box 1437, S503  
Little Rock, Arkansas 72203-1437

Dear Ms. Marsac:

On December 12<sup>th</sup> and 13<sup>th</sup> of 2001, the special education program of the Alexander Youth Services Center (hereafter the District) was officially monitored in accordance with the Memorandum of Understanding between the Arkansas Department of Education and the Division of Youth Services.

In September, 2001, the District was found to be out of compliance with state and federal regulations in seven out of nine issue reference areas to include:

- CHILD FIND
- DUE PROCESS
- PROTECTION IN EVALUATION PROCEDURES
- INDIVIDUAL EDUCATION PROGRAMS
- FREE APPROPRIATE PUBLIC EDUCATION
- COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT
- FULL EDUCATIONAL OPPORTUNITY GOAL

On December 4, 2001, a copy of the original Compliance Action Plan document, with written assurances that corrective actions had been implemented and were in place, was hand delivered to this office. However, the December 12-13, 2001, monitoring of the District, documented that the District continues to be out of compliance with state and federal regulations, despite the District's written assurances to the contrary, in eight out of nine issue reference areas to include:

- CHILD FIND
- DUE PROCESS
- PROTECTION IN EVALUATION PROCEDURES
- PROCEDURES FOR EVALUATING SPECIFIC LEARNING DISABILITIES
- INDIVIDUAL EDUCATION PROGRAMS
- FREE APPROPRIATE PUBLIC EDUCATION
- COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT
- FULL EDUCATIONAL OPPORTUNITY GOAL

Under the Individuals with Disabilities Education Act Amendments of 1997, your agency's failure to comply with the corrective actions identified in the monitoring reports, the Arkansas Department of Education, Special Education Unit, following appropriate notice and opportunity for a hearing, is required to reduce or withhold further payments to your agency until the State educational agency is satisfied that your agency is in compliance with the requirements noted in our reports.

Due to the lack of positive movement toward correcting noted deficiencies dating as far back as January, 1999, the special education Monitoring/Technical Assistance unit is referring these areas of concern to the Associate Director of the Arkansas Department of Education, Special Education, for resolution.

Respectfully,



Janet Estes, SEA Supervisor  
State Operated Facilities  
Special Education

Cc: Kurt Knickrhem  
Doyle Herndon  
Woody Cummins  
Mike Crowley  
File