

**Sample Letter to U. S. Department of Education about a  
School District's Failure to Test Children with Disabilities**

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Robert Baker, Secretary's Regional Representative  
U. S. Department of Education  
The Wanamaker Building  
100 Penn Square East-Suite 505  
Philadelphia, PA 19107

Re: Annual No Child Left Behind testing  
Hartfield County, Virginia

Dear Mr. Baker:

I am writing to you in your capacity as the Regional Representative for the Secretary of the U. S. Department of Education. From a search of the U. S. Department of Education website, I understand that you are the Secretary's Regional Representative who oversees the Commonwealth of Virginia.

I am writing about the failure to test some children in special education placements. A friend who works in the school district office advised me that when a child is placed in an out-of-district special education placement, the child is purposefully removed from the school district's database that is used to track students in the system. Because the school removes these students from the database, the families do not receive information that our district sends to families of students who attend public schools.

My niece is a child with a disability who was placed in an out-of-district placement. The school did not test my niece on the state proficiency tests last year. My friend advised me that none of the students with disabilities in out-of-district special education placements were tested. When our school district calculated their AYP figures, they tied these figures in to the student database. Since the district does not count students with disabilities who are in out-of-district placements, their calculations may not be accurate. Other parents have told me that they were strongly encouraged to keep their children with special educational needs home from school during the annual testing.

There may be a reasonable explanation for the methods of calculating AYP used by our school district. Their policy may be perfectly proper. However, my friend expressed concerns because the removal of students with disabilities from the database was conducted in a "hush-hush" manner so few people knew about it.

I appreciate your looking into this matter and confirming that the administrators of Hartfield Public Schools are accountable for educating all students and reporting the results of the annual assessments in a legally proper manner. If my understanding of these requirements is incorrect, please clarify this for me.

Sincerely,

Stephanie Rich

