



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

March 3, 2016

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAR 07 2016

2:03 PM

Elizabeth A. Heidig
Assistant Chief Counsel
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814-4335

Re: Response to Petition to Office of Administrative Law

Dear Ms. Heidig:

I am the Interim Director of the Special Education Division of the California Department of Education (CDE) and am authorized to make this certification pursuant to Title 1, *California Code of Regulations*, Section 280.

I hereby certify that that the CDE will not issue, use, enforce, or attempt to enforce the sentence on page 2 of the CDE's memo to Special Education Local Plan Area (SELPA) Directors dated August 10, 2015, on the subject of "Identification of and Provision of Service to Eligible Students in Adult County Jails" that states "It also includes the responsibility to notify a LEA outside the SELPA that its eligible adult student is in a county jail within the SELPA." This certification applies only to that particular sentence, which is one subject of the pending underground regulation petition, and not to any other portion of the August 10, 2015 memo. The CDE intends to amend the memo with respect to that particular sentence.

If you have any questions regarding this subject, please contact me by phone at 916-445-4602.

Sincerely,

Chris Drouin, Interim Division Director
Special Education Division

CD:LG:dt

1 **PROOF OF SERVICE**

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3 I, the undersigned, state that I am a citizen of the United States, over the age of 18 years, a
4 resident of the State of California, and not a party to the within action. All documents were printed or
5 copied on recycled paper. My business address is 1430 N Street, Room 5319, Sacramento, California
6 95814.

7 On March 4, 2016, I served the within documents:

8 • **Response to Petition to Office of Administrative Law**

9 by enclosing it in an envelope and placing the envelope for collection and mailing following our
10 ordinary business practices. I am readily familiar with this business's practice for collecting and
11 processing correspondence for mailing. On the same day that correspondence is placed for collection
12 and mailing, it is deposited in the ordinary course of business with the United States Postal Service in
13 a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as follows:

<p>14 Gregory A. Rhoten, Chair 15 SELPA Administrators of California 16 c/o Kern County Consortium SELPA 17 1300 17th Street City Centre Bakersfield, CA 93302</p>	
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18 I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of
19 March 2016, at Sacramento, California.

20 
21 Debra Thacker