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Submitted by Garth Tymeson (gtymeson@gmail.com;

The webpage below describes the differences between OSEP issued “Dear Colleague Letters”, FAQs, and “Policy Letters” for guidance and clarification regarding implementation of the IDEA. It also includes a database of “Policy Letters of Clarification” that are issued by OSEP. There can be hundreds of these letters issued each year by the legal department at OSEP.

USDE – OSEP Policy Letters and Policy Support Documents
<https://sites.ed.gov/idea/policy-letters-policy-support-documents/>

I focus on obtaining Policy Letters to clarify implementation of IDEA requirements related to adapted or specially designed instruction in physical education for students with disabilities, ages 3-21+.

Samples of OSEP Issued of Policy Letters of Clarification Related to Adapted Physical Education

Issue/Topic of Letter: Adapted physical education for preschool students with disabilities

<https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/13-004807r-wi-tymeson-apefinal-7-31-13.pdf>

Issue/Topic of Letter: Adapted physical education for secondary level students with disabilities

<https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/13-010344-va-kellya-pe10-23-13.pdf>

Issue/Topic of Letter: No substituting related services for adapted physical education

<https://sites.ed.gov/idea/idea-files/policy-letter-may-12-2021-to-tymeson/>

<https://sites.ed.gov/idea/files/osep-letter-to-tymeson-05-12-2021.pdf>

Issue/Topic of Letter: Adapted physical education professionals as part of IEP teams and meetings, and other PE requirements related to IDEA

https://sites.ed.gov/idea/files/OSEP_Letter_to_Tymeson_07-30-2024.pdf

Draft questions for Jen to ask Garth during the podcast:

1. What are OSEP Letters of Policy Clarification and why are they important to APE teachers, parents, advocates, and others?
2. How have you determined specific APE topics or issues when requesting the OSEP Letters of Policy Clarification you've obtained?
3. How can these OSEP Letters of Policy Clarification be used to improve PK12 APE services for students with disabilities, ages 3-21+?
4. How can PK12 APE teachers or APE higher education faculty get involved in this type of advocacy or professional service?
5. Are you currently working on any requests for additional APE related OSEP Letters of Policy Clarification?
6. Where do I find these OSEP Letters of Policy Clarification, and are there comparable items at the state level? (**Garth's note:** Refer here to SEA issued FAQs, IDEA state special education complaints and SEA webpages for each report of findings).
 - a. Example: Wisconsin Department of Public Instruction (SEA) webpage for IDEA Special Education State Complaints – Process and Past Reports

<https://dpi.wi.gov/sped/dispute-resolution/complain>