



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

APPEAL OF THE STATE OF
WASHINGTON

)
) Docket No.: 32(296)88
) ACN: 10-73081
)

DECISION OF THE SECRETARY

Based on a review of the evidence, I find that the Education Appeal Board's ("EAB") findings are substantially supported by the evidence. I further hold that there is no need to decide in this case whether 34 C.F.R. § 74.61(a) applies as well as 34 C.F.R. Part 74, Appendix C, Part II, (B)(10)(b) (as in existence in 1985), since the EAB findings indicate that the requirements of both provisions would be met on this record. The instant decision is based entirely on the record before me, which is substantially different from the evidence contained in Application of the State of Washington, ALJ Docket No. 89-6-R (1990).

For the above reasons, the decision under review is affirmed.

Lamar Alexander
Lamar Alexander

April 29, 1991

S E R V I C E L I S T

A copy of the attached decision was sent to the following:

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