



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUL 21 2010

Honorable Sandy Garrett
Superintendent of Public Instruction
Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599

Dear Superintendent Garrett:

We have approved your State's application for Federal Fiscal Year (FFY) 2010 funds, under Part C of the Individuals with Disabilities Education Act (IDEA Part C). The effective date of Oklahoma's IDEA Part C FFY 2010 grant is July 7, 2010. Our approval is based on our review of the application, submitted by the Oklahoma State Department of Education (OSDE) to the U.S. Department of Education, Office of Special Education Programs (OSEP) on April 22, 2010, July 1, and July 7, 2010, including the policies, procedures, methods, descriptions, assurances, and certifications identified in Section II, which is incorporated by reference to this letter as Enclosure A. This includes the assurance from the OSDE that the statewide system of early intervention services required by Part C under 20 U.S.C. 1431 through 1444 and applicable regulations in 34 CFR Part 303 is, and will remain, in effect throughout the FFY 2010 grant period.

OSEP approved in its June 30, 2010 memo the State's policies and procedures and descriptions submitted on April 22, 2010 under Section II.A.1, 2, 4, 5, 10, 13 and 14. OSEP is also approving the State's July 7, 2010 submission, which reflects revised transition policies and procedures with respect to Section II.A.3, in compliance with the requirement under section 637(a)(9)(A)(ii)(II), and its revised definition of "assistive technology device" under Section II.A.11, in compliance with the requirement under 602(1)(B), which the State submitted on July 7, 2010, in response to OSEP's June 30, 2010, memo.

Please note that as part of your State's application for FFY 2010, your State has made an assurance, pursuant to 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect during the FFY 2010 grant period. Before adopting a new or revised Part C policy or procedure that is required under Section II.A of the State's FFY 2010 application, the State must subject those policies and procedures to the public participation requirements in 34 CFR §§303.110 through 303.113 and receive OSEP approval for them prior to their implementation.

Enclosed is the State's FFY 2010 grant award for funds available under the Consolidated Appropriations Act, 2010 – P.L. 111-117 for the Part C program. These funds are available for obligation by Oklahoma from July 7, 2010 through September 30, 2012 in accordance with 34 CFR §76.709.

Section 604 of the IDEA provides that "[a] State shall not be immune under the 11th amendment to the Constitution of the United States from suit in Federal court for a violation of this [Act]." Section 606 provides that each recipient of assistance under IDEA make positive efforts to employ and advance in employment qualified individuals with disabilities in programs assisted

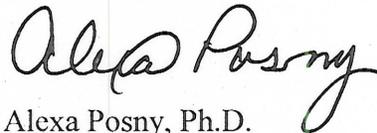
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under the IDEA. Therefore, by accepting this grant, your State is expressly agreeing as a condition of IDEA funding to a waiver of Eleventh Amendment immunity and to ensuring that positive efforts are made to employ and advance employment of qualified individuals with disabilities in programs assisted under the IDEA.

The enclosed grant award of FFY 2010 funds is made with the continued understanding that this Office may, from time to time, require clarification of information within your application, if necessary. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities related to Part C.

We appreciate your ongoing commitment to the provision of quality early intervention services to infants and toddlers with disabilities and their families.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny". The signature is written in a cursive style with a large, looped initial "A".

Alexa Posny, Ph.D.
Acting Director
Office of Special Education Programs

Enclosure

Enclosure A

cc: Part C Coordinator