



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

APR - 1 2009

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OSEP 09-08

MEMORANDUM

TO: Chief State School Officers
State Directors of Special Education

FROM: Patricia J. Guard *Patricia J. Guard*
Acting Director
Office of Special Education Programs (OSEP)

SUBJECT: The American Recovery and Reinvestment Act of 2009 Individuals with Disabilities Education Act Part B Grants to States and Preschool Grants

Enclosed are your State's April, 2009 Individuals with Disabilities Education Act (IDEA) Part B Grants to States and Preschool Grants programs grant awards under the American Recovery and Reinvestment Act of 2009 (ARRA). The enclosed awards represent fifty percent (50%) of your State's awards under the ARRA Grants to States and Preschool Grants awards (ARRA IDEA Part B funds). These funds are provided in accordance with section 807 of the ARRA, which allows the Secretary to award these ARRA funds on the basis of IDEA eligibility determinations made for fiscal year (FY) 2008 and your provision of the certification required by section 1607 of the ARRA. The effective date of the grant awards transmitted with this memo is February 17, 2009. Acceptance by your State of these grant awards constitutes an agreement by the State to comply with the conditions in Enclosure A and Box 10 on the enclosed Grant Award Notifications. Please note that as part of your application for FY 2008, your State made an assurance, as required by 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding.

It is important to note that the ARRA IDEA Part B grants are a supplemental appropriation to the annual IDEA Part B Grants to States and Preschool Grants that will be distributed to eligible States on July 1, 2009 (Part B Grants to States and Preschool Grants) and October 1, 2009 (Part B Grants to States only). In distributing these funds to LEAs, each SEA must calculate separately each LEA's Grants to States and Preschool Grants programs awards based on the total of the ARRA IDEA FY 2009 funds and the regular IDEA Part B FY 2009 funds by using the formulas under 34 CFR §§300.705(b) and 300.816.

The remaining 50% of your State's ARRA IDEA Part B funds will be available to your State by September 30, 2009. As detailed in Enclosure A, States and local educational agencies (LEAs) are required to track and account for the ARRA IDEA Part B funds separately from the regular IDEA Part B grant awards funds. In order to receive the remaining funds, your State will need to submit, for review and approval by the Department, additional information that addresses how the State will meet the accountability and reporting requirements in section 1512 of the ARRA. The second half of the award will be made by September 30, 2009 upon approval of the State's recordkeeping and reporting submission. The Department will issue specific guidance for preparing and submitting this recordkeeping and reporting information and other guidance governing ARRA funds in the coming weeks.

Enclosure A provides the terms and conditions of receipt of these funds. Acceptance by your State of these grant awards constitutes an agreement by the State to comply with the terms and conditions in Enclosure A.

Enclosure B provides a short description of how IDEA Section 611 funds were allocated to States and how those funds can be used. In addition, Table I in Enclosure B shows State-by-State funding levels for distribution of IDEA Section 611 funds and the parameters for within-State allocations.

Enclosure C provides a short description of how IDEA Section 619 funds were allocated to States and how those funds can be used. In addition, Table II in Enclosure C shows State-by-State funding levels for distribution of IDEA Section 619 funds and the parameters for within-State allocations.

This one-time large increment in IDEA Part B funding offers States and LEAs a unique opportunity to improve teaching, learning, and results for children and youth with disabilities. We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities and look forward to working with you in creating long-lasting education reform to improve results for children and youth with disabilities.

For additional information on the ARRA, please visit the Department's Web site at <http://www.ed.gov> or <http://www.recovery.gov>.

Enclosures

- Enclosure A
- Enclosure B
- Enclosure C