



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Lamar Alexander  
United States Senate  
Washington, DC 20510

Dear Senator Alexander:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

In your letter, you expressed concern that raising the administrative caps for the Title I, Part A program and the IDEA, section 611 program would diminish the funding available to local educational agencies (LEAs) to provide services to children and to save teacher jobs. With the enactment of the ARRA, Congress appropriated an additional \$10 billion in Title I, Part A funds and an additional \$11.3 billion in IDEA, section 611 funds for FY 2009. The ARRA imposed a number of specific data collection and reporting requirements on SEAs that significantly increase SEAs' burden in administering Title I, Part A and IDEA, section 611. Congress could not have contemplated the additional ARRA-related data collection requirements when initially establishing the administrative caps for Title I, Part A and IDEA, section 611 because it established the caps well before the ARRA's enactment. Therefore, I believe it was appropriate to exercise my authority under section 1552 of the ARRA to adjust the caps to help defray the costs of implementing the data collection requirements associated with the ARRA.


The Department agrees that the primary purpose of the ARRA funds is to provide essential support for education and to help save and create jobs. However, I am confident that the cap adjustments will not substantially affect direct services for students under Title I, Part A or IDEA, section 611. In FY 2009, states received their regular fiscal year awards allocated under those programs. In addition to these regular amounts, the ARRA provided more than \$21 billion in new funding for the Title I, Part A and IDEA, section 611 programs in FY 2009. Of the additional \$10 billion in Title I, Part A funds available through the ARRA, the maximum additional amount an SEA may reserve is equal to 0.5 percent of the state's FY 2009 Title I, Part A ARRA allocation, or \$1,000,000, whichever is less. Similarly, of the additional \$11.3 billion

Page 2 – Honorable Lamar Alexander

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I am sending an identical response to the other signers of your letter. I appreciate your interest in improving educational opportunities for our nation's schoolchildren, and I look forward to working closely with you on their behalf.

Sincerely,



Arne Duncan

Enclosure



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Richard M. Burr  
United States Senate  
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

In your letter, you expressed concern that raising the administrative caps for the Title I, Part A program and the IDEA, section 611 program would diminish the funding available to local educational agencies (LEAs) to provide services to children and to save teacher jobs. With the enactment of the ARRA, Congress appropriated an additional \$10 billion in Title I, Part A funds and an additional \$11.3 billion in IDEA, section 611 funds for FY 2009. The ARRA imposed a number of specific data collection and reporting requirements on SEAs that significantly increase SEAs' burden in administering Title I, Part A and IDEA, section 611. Congress could not have contemplated the additional ARRA-related data collection requirements when initially establishing the administrative caps for Title I, Part A and IDEA, section 611 because it established the caps well before the ARRA's enactment. Therefore, I believe it was appropriate to exercise my authority under section 1552 of the ARRA to adjust the caps to help defray the costs of implementing the data collection requirements associated with the ARRA.

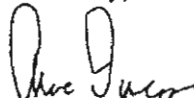
The Department agrees that the primary purpose of the ARRA funds is to provide essential support for education and to help save and create jobs. However, I am confident that the cap adjustments will not substantially affect direct services for students under Title I, Part A or IDEA, section 611. In FY 2009, states received their regular fiscal year awards allocated under those programs. In addition to these regular amounts, the ARRA provided more than \$21 billion in new funding for the Title I, Part A and IDEA, section 611 programs in FY 2009. Of the additional \$10 billion in Title I, Part A funds available through the ARRA, the maximum additional amount an SEA may reserve is equal to 0.5 percent of the state's FY 2009 Title I, Part A ARRA allocation, or \$1,000,000, whichever is less. Similarly, of the additional \$11.3 billion

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I am sending an identical response to the other signers of your letter. I appreciate your interest in improving educational opportunities for our nation's schoolchildren, and I look forward to working closely with you on their behalf.

Sincerely,



Arne Duncan

Enclosure



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Tom Coburn, M.D.  
United States Senate  
Washington, DC 20510

Dear Senator Coburn:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

In your letter, you expressed concern that raising the administrative caps for the Title I, Part A program and the IDEA, section 611 program would diminish the funding available to local educational agencies (LEAs) to provide services to children and to save teacher jobs. With the enactment of the ARRA, Congress appropriated an additional \$10 billion in Title I, Part A funds and an additional \$11.3 billion in IDEA, section 611 funds for FY 2009. The ARRA imposed a number of specific data collection and reporting requirements on SEAs that significantly increase SEAs' burden in administering Title I, Part A and IDEA, section 611. Congress could not have contemplated the additional ARRA-related data collection requirements when initially establishing the administrative caps for Title I, Part A and IDEA, section 611 because it established the caps well before the ARRA's enactment. Therefore, I believe it was appropriate to exercise my authority under section 1552 of the ARRA to adjust the caps to help defray the costs of implementing the data collection requirements associated with the ARRA.


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Page 2 -- Honorable Tom Coburn, M.D.

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Sincerely,



Arne Duncan

Enclosure



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Michael B. Enzi  
United States Senate  
Washington, DC 20510

Dear Senator Enzi:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

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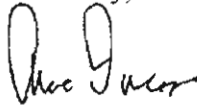
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I am sending an identical response to the other signers of your letter. I appreciate your interest in improving educational opportunities for our nation's schoolchildren, and I look forward to working closely with you on their behalf.

Sincerely,



Arne Duncan

Enclosure





THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Judd Gregg  
United States Senate  
Washington, DC 20510

Dear Senator Gregg:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

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Sincerely,



Arne Duncan

Enclosure



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Orrin G. Hatch  
United States Senate  
Washington, DC 20510

Dear Senator Hatch:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

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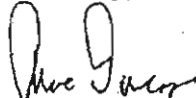
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Page 2 – Honorable Orrin G. Hatch

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Sincerely,



Arne Duncan

Enclosure



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

November 13, 2009

Honorable Johnny Isakson  
United States Senate  
Washington, DC 20510

Dear Senator Isakson:

Thank you for your letter regarding the Department's proposal to adjust the state administrative caps under Title I, Part A of the Elementary and Secondary Education Act and section 611 of the Individuals with Disabilities Education Act (IDEA) to help defray the costs of data collections that are specifically related to the additional funds made available for these programs under the American Recovery and Reinvestment Act (ARRA). I appreciate your sharing your concerns with me. As you are aware, the final notice of adjustments to the Title I, Part A and IDEA, section 611 statutory caps on state administration for federal fiscal year (FY) 2009 was published in the Federal Register on October 27, 2009. A copy of the notice is enclosed.

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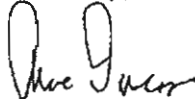
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Page 2 – Honorable Johnny Isakson

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I am sending an identical response to the other signers of your letter. I appreciate your interest in improving educational opportunities for our nation's schoolchildren, and I look forward to working closely with you on their behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "Arne Duncan". The signature is written in a cursive style with a large initial "A".

Arne Duncan

Enclosure