



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
Governor

August 10, 2012

Michael Yudin
Acting Assistant Secretary for Special Education and Rehabilitative Services
Office of Special Education and Rehabilitative Services
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Mr. Yudin:

The New Mexico Public Education Department (NMPED) is requesting a waiver of the maintenance of State financial support for special education for State Fiscal Year (FY) 2010 (July 1, 2009 – June 30, 2010) for the Individuals with Disabilities Education Act (IDEA) under 20 U.S.C. § 1412(a)(18)(C) and 34 CFR § 300.163(c) due to an unforeseen decline in the financial resources of the State. The NMPED respectfully requests consideration of a waiver for FY 2010 to allow a reduction of \$15,287,339.55 in the level of State financial support due to a precipitous and unforeseen decline in the financial resources of the State.

The data in support of this request, which demonstrates that New Mexico meets the criteria used by the Department of Education for evaluating such requests, will be forthcoming and my staff is prepared to work with your staff in providing whatever is required to assist the Office of Special Education Programs in evaluating this request. Thank for your consideration of our request, supporting documentation is being compiled and will be submitted prior to August 17, 2012.

Warm regards,

A handwritten signature in cursive script that reads "Hanna Skandera".

Hanna Skandera
Secretary-Designate of Education

Subject: Waiver Request
Date: August 10, 2012
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HS/PA/avg

cc: Honorable Susana Martinez, Governor
Honorable Jeff Bingaman, U.S. Senator
Honorable Tom Udall, U.S. Senator
Paul Aguilar, Deputy Secretary for Finance and Operations
Denise Koscielniak, Director of Federal Programs
Amy Lane, State Director of Special Education