



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

THE ASSISTANT SECRETARY

Honorable Susan Castillo
State Superintendent of Public Instruction
Oregon Department of Education
255 Capitol Street, NE
c/o Public Services Building
Salem, Oregon 97310-0203

JUN 29 2011

Dear Superintendent Castillo:

Thank you for your June 24, 2011 letter (supplemented by additional information provided by your staff on June 24, 2011 and on June 27, 2011). Your letter was in response to my April 7, 2011 letter, which denied the State's request for a waiver of the requirement in the Individuals with Disabilities Education Act (in 20 U.S.C. §1412(a)(18)(A) and 34 CFR §300.163(a)) to maintain State financial support for special education and related services for State fiscal year (SFY) 2011 (school year 2010 – 2011).

In its submissions, the State provided revised data and information regarding the amount of State financial support made available for special education and related services in SFYs 2010 and 2011 – the State reported that it made available \$351,663,393 in SFY 2010 and \$351,717,563 in SFY 2011. The Department carefully reviewed your State's submissions and accepts this data. Your office also provided information that, on June 27, 2011, in order to meet the maintenance of effort requirement, the State made available \$13,800,000 (which is included in the \$351,717,563 made available for SFY 2011) in State financial support for special education and related services for FY 2011, and that your office posted on its website the manner in which the State distributed this amount within the State.

Accordingly, based on the data and information provided by the State, the Department believes that this matter is resolved, and therefore, the Department will not reduce the State's section 611 allocation for its Federal FY (FFY) 2011 grant (funds that become available July 1, 2011 for distribution to States). We commend the State for taking prompt and effective action to resolve this serious matter.

In light of the Oregon State Advisory Council for Special Education's duties under 20 U.S.C. §1412(a)(21)(D), particularly its duty under 20 U.S.C. §1412(a)(21)(D)(i) to "advise the State educational agency of unmet needs within the State in the education of children with disabilities," we are providing it with a copy of this letter.

We appreciate your commitment to serving children with disabilities and look forward to our continued collaboration on their behalf.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny".

Alexa Posny, Ph.D.

cc: Oregon State Advisory Council for Special Education

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-2500

www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.