



National Association of State Directors of Special Education, Inc.

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September 15, 2009

Dr. Zollie Stevenson, Jr.
U.S. Department of Education
400 Maryland Avenue, SW
Room 3W230
Washington, DC 20202

RE: Docket ID No: ED-2009-OESE-0011
State Administration

Dear Dr. Stevenson:

On behalf of the National Association of State Directors of Special Education (NASDSE), which represents the state directors of special education in all 50 states, the District of Columbia, the Bureau of Indian Education, the Department of Defense Education Agency, the Federal territories and the Freely Associated States, I am writing in response to the notice of proposed adjustments to statutory caps on State administration for Title I and IDEA published in the Federal Register on August 17, 2009.

NASDSE supports the Department's proposal to adjust the statutory caps on state administrative funds for both Title I and IDEA in response to the huge unforeseen administrative burdens placed on the states by the influx of the ARRA funds. This adjustment is a reflection of the reality of the oversight responsibilities of the state education agencies (SEAs) to ensure that the ARRA IDEA and Title I funds are used by local education agencies in an appropriate manner in accordance with the guidelines issued by the U.S. Department of Education (ED).

Unfortunately, NASDSE has heard from at least half of our members that this proposal has come too late to provide relief to the SEAs. By the time this proposal was released, and by the time it is presumably made final, SEAs have already announced their allocations of IDEA funds to LEAs for both rounds of ARRA funding. State directors of special education have informed me that because LEAs are so financially strapped, state agencies are both unwilling and politically unable to revise their allocations to keep a portion of the funds at the state level. So even though state agencies are as financially strapped as local education agencies, they will not be able take advantage of the adjustment to the administrative cap.

Nevertheless, NASDSE appreciates that the Department recognizes the administrative challenges that the SEAs face. We hope that given the reality that many of the SEAs will not be able to take advantage of this opportunity, that the Department will continue to consider the administrative challenges that the SEAs face as it moves forward with other initiatives that have the potential to impose other challenges for SEAs who lack the resources to address them.

Thank you for this opportunity to provide these comments. Please feel free to contact me if you have any questions regarding these comments at bill.east@nasdse.org or at (703) 519-3800, ext. 322 or NASDSE's Director of Government Relations, Nancy Reder, nancy.reder@nasdse.org, (703) 519-3800, ext. 334.

Sincerely,

A handwritten signature in cursive script that reads "Bill East".

Bill East, Ed.D.
Executive Director