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GOVERNOR

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Dear Superintendent:

Last week, United States Secretary of Education Arne Duncan announced the availability of new funds for Delaware for education of the disadvantaged (Title 1, Part A funds) and education of persons between age 3 and age 21 with disabilities (IDEA Part B). These funds, provided as part of the American Recovery and Reinvestment Act, represent a dramatic but short-term increase in the funds that Delaware has for the education of disadvantaged students and students with disabilities. We are writing to provide you with additional guidance regarding the use of these funds.

On March 7, 2009, the United States Department of Education issued guidelines for the use of these funds which stated that they "represent[] a historic infusion of funds that is expected to be temporary. Depending on the program, these funds are available for only two to three years. These funds should be invested in ways that do not result in unsustainable continuing commitments after the funding expires." We want to emphasize this point. It would not be a prudent use of local district resources to use these funds to create permanent programs or positions that will almost certainly be unsustainable when the new federal funds expire. The funds also come with other restrictions relating to the Title 1 and IDEA part B programs, with which you should familiarize yourself before making spending decisions.

There are a number of areas where the new federal funds can be appropriately used:

- We have repeatedly heard complaints from public school teachers about supply shortages and the need for teachers to spend significant sums of their own money to purchase school supplies for their students and classrooms. To the extent that the purchase of such items is permitted by these programs, you should be able to purchase sufficient supplies for permitted classrooms to free teachers of this burden and ensure adequate supplies for your eligible students. The funds can also be used to obtain more sophisticated supplies, such as permitted assistive technology devices for students with disabilities.
- Funds can be used to fund temporary contract services targeted at eligible children, including mental health services and services designed to reduce the need for formal suspensions and expulsions.

- The U.S. Department of Education has emphasized that it wishes to see some of the new Title 1, Part A funds used to support early childhood education. Again, such investments must be sustainable.
- The U.S. Department of Education has also encouraged the use of these funds to dramatically enhance teacher training to the extent that it is permitted by these programs.
- The U.S. Department of Education has encouraged use of these funds to provide targeted before-school, after-school, and summer learning opportunities for eligible students.

The federal government is also requiring unprecedented efforts by the states to track and report on your use of these funds. In order to ensure that we meet the federal government's high standards, Secretary Lowery will soon be issuing regulations -- effective immediately -- that will govern your obligations with respect to responsibly spending and tracking these funds.

Finally, the state expects districts to strictly comply with the requirements of 20 U.S.C. § 6318 with respect to the involvement of parents in preparation of plans to use these new funds, including the requirement of reservation of Part B funds specifically for activities relating to parents. Federal law requires that local districts make specific and concerted efforts to involve parents in the planning for use of Title 1 funds, and that local districts set aside a specific percentage of Title 1 monies to enhance parental involvement. The state intends to closely monitor adherence to this federal law, and the regulations issued by Secretary Lowery will include required disclosures relating to compliance with Section 6318.

The arrival of these funds is good news for Delaware children from disadvantaged backgrounds and Delaware children with disabilities. But it is incumbent upon you to spend these temporary funds wisely and prudently, and we intend to take extraordinary steps to ensure that the funds are tracked and reported accurately. We look forward to working with you toward these goals, and our ultimate shared goal of better educating Delaware's schoolchildren.

Sincerely,



Jack Markell
Governor



Matthew Denn
Lieutenant Governor