



STATE OF NEW MEXICO
 PUBLIC EDUCATION DEPARTMENT
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DR. VERONICA C. GARCÍA
 SECRETARY OF EDUCATION

BILL RICHARDSON
 Governor

October 19, 2009

Ms. Cynthia Nava
 Superintendent
 Gadsden Independent Schools
 P.O. Drawer 70
 Anthony, NM 88021

Dear Superintendent Nava:

The review process for the Individuals with Disabilities Education Act Part B (IDEA-B) Local Application has been completed by the Special Education Bureau (SEB) of the New Mexico Public Education Department (NMPED). Gadsden Independent Schools' application for the 2009-2010 IDEA-B American Recovery and Reinvestment Act (ARRA) funds (Grant # H391A090078A ARRA Entitlement – 24206 and Grant # H392A090078A ARRA Preschool – 24209) has been approved. Based on available funding and the application submitted, the award(s) being made to Gadsden Independent Schools are as follows:

Sub-Grant Name	UCOA Fund Code	Award
IDEA-B, Entitlement	24206	\$2,129,856
IDEA-B, Preschool	24209	\$80,476

With prior written approval from the SEB, up to 15% of your combined entitlement and preschool funding may be budgeted under fund code 24212 (objective 4 & 5 of the local application) for Coordinated Early Intervening Services (CEIS), as per 34 CFR § 300.226. The required Private Schools Proportionate Share is to be budgeted under fund code 24215 (objective 7 of the local application), as per 34 CFR §§ 300.132-300.133.

Funding under this award must be used consistent with the applicable provisions of IDEA-B, as follows:

- (1) Must be used only to pay the excess costs of providing special education and related services to children with disabilities;
- (2) Must be used to supplement State, local, and other Federal funds and not to supplant such funds; and
- (3) Must not be used to reduce a Local Educational Agency's (LEA's) Maintenance Of Effort (MOE) for the education of children with disabilities below the preceding year's level except as allowed by 34 CFR §§ 300.204 and 205.

[20 U.S.C. 1413(a)(2)(A); 34 CFR § 300.202]

These funds are to be disbursed on a reimbursement basis and must be expended in accordance with 34 CFR sections 76.708-76.710 and must be obligated by June 30, 2010.

If this final award does not reflect the initial budget authority that may have already been authorized, please submit an electronic Budget Adjustment Request (BAR) utilizing the NMPED's Operating Budget Management System

(OBMS) website. The Flow-through BAR process is located on the NMPED website at www.ped.state.nm.us. I also encourage Gadsden Independent Schools to be sure to work with its finance people to make sure they are aware of this process for budget submission. When submitting the district's electronic BAR to bring Gadsden Independent Schools' reported budget in alignment with the authority of this award letter, please use the appropriate fund code identified above and revenue code **44500**.

By accepting these funds Gadsden Independent Schools agrees and acknowledges that an employee of the LEA may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Recovery Accountability and Transparency Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency (such as the New Mexico Attorney General's Office), a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency or their representatives, information that the employee reasonably believes is evidence of:

- a) gross mismanagement of a grant relating to IDEA Part B program funds awarded under the ARRA;
- b) a gross waste of ARRA program funds;
- c) a substantial and specific danger to public health or safety related to the implementation or use of ARRA program funds;
- d) an abuse of authority related to the implementation or use of ARRA program funds; or
- e) a violation of law, rule, or regulation related to a grant awarded or issued relating to ARRA program funds.

Any LEA receiving funds pursuant to the ARRA shall post notice of the rights and remedies provided under this assurance. Should you have any questions please feel free to contact:

Joey F. Martín
Special Education Bureau, Data Fiscal Manager
120 South Federal Place, Room 205
Santa Fe, NM 87501
joey.martin@state.nm.us
(505) 827-3599

Thank you for your cooperation in completing the Local Application in a timely manner. The SEB looks forward to working with the district in the coming year to improve outcomes for New Mexico students receiving special education services.

T...

Secretary of Education

VCG/gr/dk/jm

cc: Catherine Cross Maple, Ph.D., Deputy Education Secretary, Learning and Accountability
Don Moya, Deputy Secretary, Finance and Operations
Gloria O. Rendón, Ed.D., Assistant Secretary, Instructional Support and Vocational Education
Denise Koscielniak, Special Education Director, Special Education Bureau
Austin Buff, Director, Administrative Services Division
Joey F. Martin, Data Fiscal Manager, Special Education Bureau
Susan Lucero, Flowthrough Manager, Administrative Services Division
Selma Neveraz, Special Education Director, Gadsden Independent Schools
Business Manager, Gadsden Independent Schools
Mario Vigil, Education Administrator, Special Education Bureau