



---

## Education Department Issues Guidance on Spending Special Education and Title I Stimulus Funds

The United States Department of Education (“USDOE”) recently issued spending guidance to state and local educational agencies for stimulus funds awarded pursuant to the American Recovery and Reinvestment Act (“ARRA”), which allocated an additional \$12.2 billion in Individuals with Disabilities Education Act (“IDEA”) funds and \$10 billion to Title I programs.

The spending guidance is divided into three topic areas and can be found at the following websites:

- American Recovery and Reinvestment Act of 2009: Using *ARRA* Funds Provided through Part B of the *Individuals with Disabilities Education Act (IDEA)* to Drive School Reform and Improvement

<http://dataserver.lrp.com/DATA/servlet/DataServlet?fname=09032009-idea-b-reform.doc>

- American Recovery and Reinvestment Act of 2009: Using IDEA Part C ARRA Funds to Improve Outcomes for Infants and Toddlers with Disabilities and their Families

<http://dataserver.lrp.com/DATA/servlet/DataServlet?fname=09032009-idea-c-reform.doc>

- The American Recovery and Reinvestment Act of 2009 (ARRA): Using Title I, Part A ARRA Funds for Grants to Local Educational Agencies to Strengthen Education, Drive Reform, and Improve Results for Students

<http://dataserver.lrp.com/DATA/servlet/DataServlet?fname=09032009-titlei-reform.doc>

The guidance provides assistance with spending ARRA funds by identifying examples of potential expenditures and making suggestions regarding the coordinated use of funds to support some of the examples. The USDOE specifically stated that the examples given are not meant to cover every possible use of ARRA funds, but rather, represent potential uses of funds to improve educational outcomes for students and are intended to generate discussion regarding effective uses of the funds. It is important to note that the ARRA funds should be viewed as a supplement to the regular fiscal year 2009 grant funds. As such, all ARRA funds must be used consistent with the current statutory and regulatory requirements and applicable requirements in the General Education Provisions Act and the USDOE General Administrative Regulations.

Should you have any questions about the USDOE guidance or the spending of ARRA funds, please contact one of our four offices.

*F3 NewsFlash prepared by Jonathan Read and Maggy M. Athanasious.*

*Jonathan is a partner in the F3 San Marcos office.*

*Maggy is an associate in the F3 Los Angeles office.*

**This F3 NewsFlash is a summary only and not legal advice. We recommend that you consult with legal counsel to determine how this matter may apply to your specific facts and circumstances. Information on a free NewsFlash subscription can be found at [www.fagenfriedman.com](http://www.fagenfriedman.com).**

157857.2

---

6300 Wilshire Blvd., Suite 1700, Los Angeles, California 90048 Tel. 323.330.6300 Fax 323.330.6311

70 Washington St., Suite 205, Oakland, California 94607 Tel. 510.550.8200 Fax 510.550.8211

520 Capitol Mall, Suite 400, Sacramento, California 95814 Tel. 916.443.0030 Fax 916.443.0030

1 Civic Center Dr., Suite 300, San Marcos, California 92069 Tel. 760.304.6000 Fax 760.304.6011

© 2009 Fagen Friedman & Fulfroft, LLP

All rights reserved, except that the Managing Partner of Fagen Friedman & Fulfroft, LLP hereby grants permission to any client of Fagen Friedman & Fulfroft, LLP to use, reproduce and distribute this NewsFlash intact and solely for the internal, noncommercial purposes of such client.