



May 27, 2011

Congressman Gwen Moore
2245 Rayburn HOB
Washington, DC 20515

Dear Congresswoman Moore:

We, as members of the Cooperative Educational Service Agency #1 (CESA #1) comprised of 45 school districts representing more than 250,000 students in Southeast Wisconsin, are writing today to urge you, as a member of Congress, to change the Maintenance of Effort (MOE) requirement within the Individuals with Disabilities Education Act (IDEA) that would allow school districts that achieve cost savings through efficiencies and do not reduce special education services and/or the recent changes in employee benefit system proposed by Wisconsin Governor Walker to be held harmless under the Act. It is vitally important in these increasingly challenging economic times that Congress provide local school administrators and school boards the local control needed to achieve cost savings as we maintain excellent special education services for individuals with disabilities.

Under the Individuals with Disabilities Education Act (IDEA), a school district must maintain local special education funding amounts from one year to the next. The MOE requirement does provide for specific exceptions that school districts may apply: the voluntary departure of staff, such as retirement – but not lay-offs (since that is not voluntary); the costs of a specific special education student who has either left the district, graduated or aged out of the program; the costs of a specific special education program for a student if the student no longer requires the services; and the cost of capital equipment purchased in the prior year. If a school district reduces effort outside of these allowed exceptions, then compliance has not been met and the penalty is the repayment of funds to the US Department of Education. This repayment cannot be made with federal funds. This hurts all school districts.

For example, cost savings that do not reduce special education services such as transportation services and/or the reduction of salaries or benefits mandated by a governmental body outside the local school districts' control are not an allowable exception to lowering special education MOE under the current act.

There is no waiver provision for school district MOE under the Act. It does not make sense to not allow such exceptions when students' needs are being met as in the previous year.

As you are aware, Governor Walker recently proposed/enacted changes to Wisconsin state law that require increased contributions to health care costs as well as pension costs by school employees. It is our hope that with an exception/waiver at the federal level, school districts in Southeast Wisconsin can fully experience the savings from these increased contributions. This change **will not reduce** the services being provided to children with disabilities and could allow for enhanced educational opportunities for every child. Your help to change the MOE is critical to achieve the efficient and most effective use of federal resources for all school districts.

As mentioned earlier, CESA #1 represents 45 school districts and over 250,000 students in Southeast Wisconsin and provides a variety of educational services including special education. With respect to this issue, all 45 school districts' speak with one voice and therefore, we respectfully request that you introduce an amendment to the IDEA that would allow an exception to the Act for this type of cost savings measure(s) by school districts.

Thank you in advance for your consideration of this important matter. If you have any questions or would like to further discuss this request, please feel free to contact our spokesperson on this issue, Blane McCann, Ph.D., Superintendent of Schools, School District of Shorewood, Shorewood, Wisconsin 53211. He can be reached at 414.963.6901 or via email at bkmccann@shorewood.k12.wi.us.

Sincerely,

*Arrowhead Union High School
District
Craig Jefson
School District of Brown Deer
Deb Kerr*

*Kettle Moraine School District
Patricia DeKlotz
Lake Country School District
Mark Lichte*

*Oconomowoc Area School District
Patricia Neudecker
Pewaukee School District
JoAnn Sternke*

*Cedarburg School District
Daryl Herrick*

*Maple Dale-Indian Hill School
District
Mary Dean*

*Port Washington-Saukville School
District
Michael Weber*

*School District of Cudahy
James Heiden*

*School District of Menomonee Falls
Keith Marty*

*Racine Unified School District
Jim Shaw*

<i>School District of Elmbrook Matthew Gibson</i>	<i>Mequon Thiensville School District Demond Means</i>	<i>Richmond School District George Zimmer</i>
<i>Fox Point-Bayside School District Rachel Boechler</i>	<i>Merton Community School District Mark Flynn</i>	<i>St. Francis School District Carol Topinka</i>
<i>Franklin Public School District Steve Patz</i>	<i>Milwaukee Public Schools Greg Thornton</i>	<i>Shorewood School District Blane McCann</i>
<i>Germantown School District Sue Borden</i>	<i>Mukwonago Area School District Paul Strobel</i>	<i>School District of South Milwaukee Rita Olson</i>
<i>Glendale-River Hills School District Larry Smalley</i>	<i>Muskego Norway School District Joe Schroeder</i>	<i>Stone Bank School District Phillip Meissen</i>
<i>School District of Grafton Jeff Pechura</i>	<i>School District of New Berlin Paul Kreutzer</i>	<i>Swallow School District Jeffery Klaisner</i>
<i>Greendale School District William Hughes</i>	<i>Nicolet High School District Rick Monroe</i>	<i>School District of Waukesha Todd Gray</i>
<i>School District of Greenfield Conrad Farner</i>	<i>Norris School District Sara Trampf</i>	<i>Wauwatosa School District Phillip Ertl</i>
<i>Hamilton School District Kathleen Cooke</i>	<i>North Lake School District Peter Hirt</i>	<i>West Allis-West Milwaukee School District Kurt Wachholz</i>
<i>Hartland-Lakeside School District Glenn Schilling</i>	<i>Northern Ozaukee School District William Harbron</i>	<i>School District of Whitefish Bay Mary Gavigan</i>
<i>Kenosha Unified School District Michele Hancock</i>	<i>Oak Creek-Franklin Joint School District Sara Burmeister</i>	<i>Whitnall School District Lowell Holtz</i>