



OREGON DEPARTMENT OF EDUCATION
Public Service Building, 255 Capitol Street NE, Salem, Oregon 97310
Phone (503) 947-5600 • Fax (503) 378-5156 • www.ode.state.or.us

January 26, 2010

To: All ESD and District Superintendents:

The purpose of this letter is to clarify the use of Title IA funds, particularly in Targeted Assistance Schools (TAS) relative to utilization of Response to Intervention (RTI) models. School districts have posed several questions regarding Oregon's policy interpretation of the relationship of local funding for RTI to Title IA funding, particularly in TAS. The Oregon Department of Education (ODE) understood the critical nature of these questions as more and more districts statewide are, or are planning to, employ the elements of RTI and are considering proper use of the Title IA funds under the American Recovery and Reinvestment Act. The ODE is also cognizant of the fact that when a district employs RTI it does so with the intention of building a coordinated system in all of their schools, K – 12, to assure sustainability as well as coordination across schools. The basic question from school districts:

May a school district provide RTI programming in all schools, including both Title IA schools and non-Title IA schools, without violating the "supplement not supplant" provisions of the Elementary and Secondary Act (ESEA)?

The ODE worked with the US Department of Education (USDOE) to secure a response and in the interest of immediacy, we are sharing the email response received from them. Attached please find the written response from the USDOE relative to what constitutes supplemental State and local funds for the purpose of being excluded from Title I "supplement, not supplant and comparability" requirements. We hope this will clarify some of the questions you might have and assist you in moving forward in your efforts to offer multi-tiered instruction for all of your students in all of your schools.

For further clarification please contact Tryna Luton, the Director who oversees programs under Title I. You can reach her at 503-947-5922 or tryna.luton@state.or.us

Thank you.

Colleen K. Mileham, Ph.D.
Assistant Superintendent
Office of Educational Improvement & Innovation

Nancy Latini, Ph.D.
Assistant Superintendent
Office of Student Learning & Partnerships

Enclosure