



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

RICK SNYDER  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

March 16, 2011

Dr. Thelma Meléndez de Santa Ana  
Assistant Secretary for Elementary and Secondary Education  
Office of Secondary and Elementary Education  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202

*RE: Michigan Department of Education Request to Waive the Requirements of Title I,  
Part A Section 1003(b)(1)*

Dear Dr. Meléndez:

I am writing to request a waiver for fiscal year (FY) 2011-12 of the requirement in Section 1003(b)(1) of the Elementary and Secondary Education Act (ESEA) that requires the funds reserved under this section must be used for schools identified for school improvement, corrective action, and restructuring. Specifically, I am seeking this waiver to allow Michigan to allocate these funds to Local Education Agencies (LEAs) to provide support to Title I schools that have not made Adequate Yearly Progress (AYP) for one year and are facing the possibility of becoming Identified for Improvement – Year One with the release of 2010-11 AYP.

Michigan believes that the requested waiver will increase the capacity of the State Educational Agency (SEA) and LEAs to provide intensive supports and services to schools in these circumstances, creating an opportunity to intervene earlier than previously allowed. The intended consequences are: 1) an improvement in the academic achievement of students; and 2) an increased capacity for schools to identify their strengths and challenges and address them prior to becoming Identified for Improvement.

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Michigan has set the following annual measurable objectives (AMOs) in reading and mathematics for the 2011–2012 school year:

<b>Reading</b>						
Grade						
3	4	5	6	7	8	11
80%	79%	79%	78%	77%	77%	81%
<b>Mathematics</b>						
Grade						
3	4	5	6	7	8	11
83%	82%	81%	80%	78%	77%	78%

Michigan will determine AYP based on assessments administered in the 2010–2011 school year in accordance with the requirements of Section 1111(b)(2) of the ESEA and in accordance with the growth model approved by the Department in 2008. Michigan believes that, ultimately, the flexibility provided by the requested waiver with respect to how Title I, Part A Section 1003(a) funds may be spent for allowable school improvement activities may help more schools and LEAs within the State make AYP by: 1) enabling them to direct funds appropriately to help their students meet the AMOs set forth above; and 2) prevent their Identification for Improvement.

If granted the requested waiver, Michigan will implement the waiver with respect to the following assurances that:

- It will comply with its statutory and regulatory obligations for the provision of Title I, Part A funds,
- It will use the funds allowed by the waiver to address needs identified based on data, such as statewide or formative assessment results,
- It will comply with all of its other Title I, Part A statutory and regulatory obligations in Section 1003 to ensure that funds are utilized to serve the lowest-achieving schools that:
  - demonstrate the greatest need for such funds;
  - demonstrate the strongest commitment to ensuring that such funds are used to enable the lowest-achieving schools to meet the progress goals in school improvement plans under section 1116 (b)(3)(A)(v),
- It will comply with all of its other Title I, Part A statutory and regulatory obligations in Section 1117 to ensure that funds are utilized to provide support and assistance to other LEAs and schools participating under this section that need that support and assistance in order to achieve the purpose of this section.

Prior to submitting this waiver request, Michigan provided all LEAs in the state with notice and a reasonable opportunity to comment on this request. Michigan provided such notice by sending a communication to each LEA on March 3, 2011 (Attachment A). Copies of all comments that Michigan received from LEAs in

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response to this notice are included (Attachment B). Michigan has also provided notice and information regarding this waiver request to the public in the manner in which the State customarily provides such notice and information to the public, which is by posting information regarding the waiver request on its website (Attachment C). Copies of all public comments that Michigan received in response to this notice are included (Attachment D).

Please feel free to contact me or Linda Forward by phone, 517-241-3147, or e-mail, [forwardl@michigan.gov](mailto:forwardl@michigan.gov), if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Sally Vaughn, Ph.D.  
Deputy Superintendent/Chief Academic Officer



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

Attachment A

RICK SNYDER  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

March 3, 2011

**MEMORANDUM**

TO: Local and Intermediate School District Superintendents  
Public School Academy Directors

FROM: Sally Vaughn, Ph.D.  
Deputy Superintendent/Chief Academic Officer

SUBJECT: Title I, Part A Section 1003(b)(1) Waiver Request

The Michigan Department of Education (MDE) is requesting a U.S. Department of Education (USED) waiver for fiscal year (FY) 2011-12 of certain requirements in Section 1003(b)(1) of the Elementary and Secondary Education Act (ESEA). This statute requires funds reserved under this section must be used for schools identified for school improvement, corrective action, and restructuring. Specifically, MDE seeks this waiver to allow these funds to be allocated to Local Education Agencies (LEAs) to provide support to Title I schools that have not made Adequate Yearly Progress (AYP) for one year, and are facing the possibility of becoming Identified for Improvement – Year One with the release of 2010-11 AYP.

Without this waiver, Title I schools that have not made AYP for one year cannot access funding, supports, and services directed toward building local capacity. These supports and services are directed toward the prevention of their possible Identification for Improvement under the ESEA. The intended consequences are: 1) an improvement in the academic achievement of students; and 2) an increased capacity for schools to identify their strengths and challenges and address them as a means to prevent becoming Identified for Improvement.

The waiver request may be accessed online at [www.michigan.gov/mde](http://www.michigan.gov/mde) under "Current Topics."

LEAs wishing to comment on the request should submit comments to [mde-ssos@michigan.gov](mailto:mde-ssos@michigan.gov) by March 11, 2011. Questions should be directed to Bill Witt at [wittb1@michigan.gov](mailto:wittb1@michigan.gov).

cc: Michigan Education Alliance

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## LEA Comments

## Public Notification for Website

The Michigan Department of Education (MDE) is requesting a U.S. Department of Education (USED) waiver for fiscal year (FY) 2011-12 of certain requirements in Section 1003(b)(1) of the Elementary and Secondary Education Act (ESEA). This statute requires funds reserved under this section must be used for schools identified for school improvement, corrective action, and restructuring. Specifically, MDE seeks this waiver to allow these funds to be allocated to Local Education Agencies (LEAs) to provide support to Title I schools that have not made Adequate Yearly Progress (AYP) for one year and are facing the possibility of becoming Identified for Improvement – Year One with the release of 2010-11 AYP.

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The waiver request may be accessed online at [www.michigan.gov/mde](http://www.michigan.gov/mde) under "Current Topics."

Individuals wishing to comment on the request should submit comments to [mde-ssos@michigan.gov](mailto:mde-ssos@michigan.gov) by March 11, 2011.

## Public Comments