



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

July 22, 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 Period of Availability
for the American Recovery and Reinvestment Act Title I, Part A Section
1003(a) Four Percent Reservation for Schools in Improvement*

Dear Dr. Meléndez:

I am writing to request a waiver to extend the period of availability for Fiscal Year (FY) 2009 American Recovery and Reinvestment Act (ARRA) funds under Title I, Part A, Section 1003(a) of the Elementary and Secondary Education Act (ESEA). The section requires State Education Agencies (SEAs) to reserve four percent of their state Title I allocations to fund school improvement programs, activities, and initiatives for schools identified for school improvement, corrective action, and restructuring. Specifically, I am seeking this waiver to allow Michigan to extend the period of availability to September 30, 2012. Without this waiver, the period of availability for these funds will end September 30, 2011.

Michigan believes this waiver request is necessary for two reasons: Local Education Agencies (LEAs) have struggled to obligate and spend their ARRA funds in a timely manner. Consequently, Michigan has several LEAs that have not drawn down their funding. Secondly, LEAs that have received ARRA Section 1003(g) School Improvement Grants (SIG) in addition to ARRA Section 1003(a) funds have not had sufficient time to expend the combined funds within the current period of availability. The intended consequences are: 1) an extended timeline for the thoughtful and purposeful expenditure of funding; and 2) the opportunity for Persistently Low Achieving (PLA) Title I Schools that are also identified for improvement to seek out and fund additional school improvement activities regardless of receiving a SIG award.

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The amount of the 2009 ARRA four percent reservation affected by the requested waiver is not to exceed \$14,816,309.

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 regular and ARRA Title I, Part A funds.
- 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 July 14, 2011 (Attachment A). Copies of all comments that Michigan received from LEAs in 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 Linda Forward, Director for the Office of Education Improvement and Innovation, by phone, 517-241-3147, or e-mail, 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

enclosures