



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

August 17, 2009

Dr. Joseph C. Conaty
Acting Assistant Secretary for Elementary and Secondary Education
Office of Secondary and Elementary Education
U.S. Department of Education
400 Maryland Avenue S.W., Room 3E314
Washington, D.C. 20202

RE: *Michigan Department of Education Request to Waive Prohibition on Approving an Identified School or LEA as an SES Provider*

Dear Dr. Conaty:

I am writing on behalf of Michigan to request a one-year waiver of the Title I, Part A regulatory provision that prohibits a State from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring and local educational agencies (LEAs) identified for improvement or corrective action (34 C.F.R. § 200.47(b)(1)(iv)(A), (B)).

Under the law, Michigan may approve as an SES provider only an entity that has a demonstrated record of effectiveness in increasing student academic achievement. Michigan believes that identified schools and LEAs may be able to establish that they have an effective program that can help improve academic achievement of students and should not be prevented automatically from gaining approval simply because of their improvement status.

Michigan has set the following annual measurable objectives (AMOs) in reading (English Language Arts) and mathematics, subjects that are among those covered by SES providers in Michigan for the 2009–2010 school year:

English Language Arts						
Grade						
3	4	5	6	7	8	11
60%	59%	57%	56%	54%	53%	61%
Mathematics						
Grade						
3	4	5	6	7	8	11
67%	65%	62%	60%	57%	54%	55%

STATE BOARD OF EDUCATION

KATHLEEN N. STRAUS – PRESIDENT • JOHN C. AUSTIN – VICE PRESIDENT
CAROLYN L. CURTIN – SECRETARY • MARIANNE YARED MCGUIRE – TREASURER
NANCY DANHOF – NASBE DELEGATE • ELIZABETH W. BAUER
REGINALD M. TURNER • CASANDRA E. ULBRICH

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
www.michigan.gov/mde • (517) 373-3324

Mr. Joseph C. Conaty
Page 2
August 17, 2009

Michigan will determine adequate yearly progress (AYP) based on assessments administered in the 2009–2010 school year in accordance with the requirements of Section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) and in accordance with the growth model approved by the Department in 2008. Michigan believes that, ultimately, allowing some identified schools or LEAs to serve as SES providers may help more students within Michigan to reach the State's proficiency objectives.

If Michigan is granted the requested waiver, Michigan will ensure that only those LEAs and schools that meet the State's requirements for SES providers are approved to be on the State's list of approved SES providers for the 2009–2010 school year.

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 an e-mail to each LEA on July 31, 2009 (Attachment A). Copies of all comments that Michigan received from LEAs in response to this notice are included as 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).

Michigan hereby assures that, if it is granted the requested waiver, it will submit to the U.S. Department of Education, by September 30, 2010, a report that sets forth the name and NCES District Identification Number for each LEA implementing the waiver.

Please feel free to contact me or Mike Radke by phone, 517-373-3921, or e-mail, radkem@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

LEA Comment Request Waiver for Prohibition on Approving an Identified School or LEA as an SES Provider

Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) prohibits Local Educational Agencies (LEAs) or schools identified for improvement, corrective action, or restructuring from applying to serve as Supplemental Educational Services (SES) providers. LEAs or schools identified for improvement, corrective action, or restructuring may be granted a one year waiver from this limitation by the State.

On August 17, the Michigan Department of Education will submit to the U.S. Department of Education (Dr. Joseph C. Conaty, Acting Assistant Secretary for Elementary and Secondary Education) a request to allow LEAs and schools identified for improvement, corrective action, or restructuring the ability to apply to become a State-approved SES provider. Applications from the aforementioned LEAs and schools will be evaluated on the same basis as all other applicants. Submission of an application does not guarantee the LEA or school will become an approved SES provider in Michigan. This request is specific to fiscal year 2009-2010. The waiver requests can also be viewed by clicking this link: http://www.michigan.gov/mde/0,1607,7-140-6530_30334_51051-218894--,00.html.

LEAs wishing to comment on the request should submit comments to ARRAWaiverResponse@michigan.gov by August 14, 2009. Please be sure to reference the waiver request you are commenting on.