



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

June 10, 2010

MEMORANDUM

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

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

SUBJECT: Title I, Part A Supplemental Educational Services Waivers

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.

The ESEA also requires Local Educational Agencies (LEAs) in their first year of identification for school improvement (Phase 1) to obligate 20% of the Title I, Part A funds annually to pay for transportation related to Public School Choice. LEAs that are identified for three or more years (Phase 2 or higher) share this obligation, but have the additional requirement to use these funds to offer free tutoring (Supplemental Educational Services or "SES"). As the law is currently written, LEAs in the first year of improvement may not utilize funds from the 20% obligation to offer and pay for SES.

Under guidance recently released by the United States Department of Education (USDOED), individual states may request waivers of these two provisions. You may recall that MDE requested and was approved for these same two waivers for the 2009-10 school year. The current waiver requests are specific to the 2010-11 school year.

The Michigan Department of Education (MDE) will submit to the U.S. Department of Education (Dr. Thelma Meléndez de Santa, Assistant Secretary for Elementary and Secondary Education) requests to continue to allow:

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- 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 are 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.
- LEAs in the first year of identification for school improvement, to offer SES and spend the obligated Title I, Part A funds on free tutoring (SES).

The waiver requests may be accessed online at www.michigan.gov/mde under "Current Topics."

LEAs wishing to comment on the request should submit comments to ARRAWaiverResponse@michigan.gov by June 22, 2010.

For all other questions, please contact Bill Witt at wittb1@michigan.gov.

cc: William Mayes, MASA
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