



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

March 3, 2011

Carlas McCauley, Education Program Specialist
U.S. Department of Education
Office of Elementary and Secondary Education
Student Achievement and School Accountability Programs
400 Maryland Ave. S.W., Room 3C116
Washington, DC 20202-6132

Dear Mr. McCauley:

Michigan is requesting a waiver regarding the 2010 School Improvement Grant (SIG) program under section 1003(g) of the Elementary and Secondary Education Act (ESEA). Specifically, Michigan asks for a waiver to use the current list of Tier II schools contained in its 2010 application.

Michigan passed a state law in January of 2010 that is aligned with the SIG program. This state law, 1280c of the revised school code, requires Michigan to publish a list of Persistently Lowest Achieving Schools (PLAS) each year on or before September 1.

Based on Michigan's federally approved set of business rules from the 2009 SIG application and federal guidance published in January of 2010, Michigan developed and published its 2010 list of PLAS on August 16, 2010. This list was generated in good faith believing that Michigan had met the letter and intent of the law.

Since guidance for the SIG II was not received until November 1, 2010, Michigan submitted the list published on August 16, 2010, including the Tier II set of schools, in its 2010 application. Changing the list of schools at this point in time would place a huge burden on the state. It would cause a major delay in our implementation that is well under way.

Tier II had a total of 559 schools. In Tier II, 28 schools were identified. Eight schools of the 28 that were identified to be in the lowest five percent were funded with fiscal year 2009 dollars. These eight schools were excluded from consideration for the 2010 SIG program. Michigan notified these schools that they

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were not eligible. Michigan added 48 schools to Tier II that were by definition "Newly Eligible" and many of these schools are secondary schools.

Michigan is seeking a waiver to use the current list of Tier II schools contained in its 2010 application.

Please feel free to contact Linda Forward or Mark Coscarella at 517-241-4553 or coscarellam@michigan.gov if there is any additional information we can provide. Thank you for all of your support, and we look forward to continuing to work with you on this important program.

Sincerely,

Mike Flanagan
State Superintendent of Public Instruction