



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



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SUPERINTENDENT OF  
PUBLIC INSTRUCTION

August 31, 2005

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

FROM: Mike Flanagan

SUBJECT: Immediate Response Required to Guarantee Continuance of  
Federal Funding

The purpose of this notice is to provide you with information regarding the submission procedure for certifying your district's compliance for constitutionally protected prayer, as required by Section 9524 of the No Child Left Behind Act of 2001 (NCLB), and eye protective devices, as required by Section 380.1288 of the Revised School Code and Administrative Code Rules governing Eye Protective Devices, R 340.1301 – R 340.1305. **Both certifications are due by October 1, 2005.**

**Constitutionally Protected Prayer**

On February 7, 2003, the U.S. Department of Education (USDOE) released a guidance document covering Section 9524 of NCLB, constitutionally protected prayer, in public elementary and secondary schools. It requires that each local or intermediate school district or public school academy, as a condition of receiving funds under any portion of the NCLB, annually certify, in writing to the state agency, that it has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools. Complete details are provided in the guidance that can be found on the Michigan Department of Education's (MDE) website at [www.michigan.gov/mde](http://www.michigan.gov/mde). Click on the "No Child Left Behind" button on the left. Scroll down to the "Resources & Information: State and Federal" section and click on "Section 9524 – Constitutionally Protected Prayer."

MDE is required by November 1, 2005, to provide the USDOE a list of all districts not providing MDE with this certification. A district's failure to submit the required certification may result in the district's loss of funding under NCLB. Grant programs covered by Section 9524 include Title I, Reading First, Charter Schools, 21<sup>st</sup> Century Community Learning Centers, and many others.

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### **Eye Protective Devices**

All public schools and public school academies are required to provide adequate eye protective devices for students enrolled in courses where danger to the eye exists [MCL 380.1288]. Administrative Code Rules governing Eye Protective Devices require that all public schools and public school academies certify compliance with this requirement.

**Each district must submit both certifications.** Michigan Electronic Grants System (MEGS) Authorized (Level 5) Officials need only to go into MEGS and affirm compliance in each of the two areas. Steps include:

- Authorized Officials (Level 5) log into MEGS.
- On the Main Menu, there are 3 sections: *Initiate An Application, Additional Functions, and Maintain MEGS Accounts.* Select "**Additional Functions,**" click on the link "**Certification Menu.**" Within the "**Certification Menu,**" click on "**Constitutionally Protected Prayer.**"
- Verify the statement on constitutionally protected prayer by using the "**I Agree**" button.
- Print off a copy for the district record.
- Next, go back to the Main Menu, select the "**Additional Functions**" section click on the link "**Certification Menu.**" Within the "**Certification Menu,**" click on "**Eye Protective Devices.**"
- Verify the statement on eye protective device by using the "**I Agree**" button.
- Print of a copy for the district record.

The MEGS submission outlined above will meet the requirements of the statutes. Your immediate attention to this matter is requested. Questions regarding this process may be directed to Grants Administration and Coordination at 517-373-1806. Thank you for complying with the announced time line for the collection of the certifications for the 2005-06 school year.