



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

MICHAEL P. FLANAGAN
STATE SUPERINTENDENT

May 10, 2013

Deborah DeLisle
Assistant Secretary for Elementary and Secondary Education
Office of Secondary and Elementary Education
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-6132

Re: Waiver Request to Exceed the Carryover Limitation for Fiscal Year 2012-13
Title I, Part A Funds

Dear Assistant Secretary Delisle:

The Michigan Department of Education (MDE) requests a waiver of the limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) which prohibits a State Educational Agency (SEA) from granting a Local Educational Agency (LEA) a waiver of the carryover limitation in section 1127(a) of the ESEA more than once every three years. Section 1127(b) permits an SEA to waive the limitation in section 1127(a) once every three years if: (1) the LEA's request is reasonable and necessary; or, (2) a supplemental Title I, Part A appropriation becomes available. In accordance with these provisions, Michigan requests this waiver of the carryover limitation more than once every three years for an LEA that needs the additional waiver because it would be reasonable and necessary due to the sequestration. This event has resulted in additional uncertainty about the amount of Federal Fiscal Year (FY) 2013 Title I, Part A funds available for use by LEAs primarily in the 2013-2014 school year.

The requested waiver will provide the SEA with the ability to grant an LEA the flexibility it needs to spend its FY 2012 Title I, Part A funds thoughtfully over the remainder of this year and next year on activities that are most likely to increase the quality of instruction and improve the academic achievement of students in the face of a likely reduction in its FY 2013 Title I, Part A allocation. Accordingly, the requested waiver may help more schools and LEAs within the state meet their Annual Measurable Objectives (AMOs) by enabling them to direct their funds thoughtfully to activities to help in this regard. Michigan requests this waiver to permit an LEA to carry over FY 2012 Title I, Part A funds in excess of the carryover limitation.

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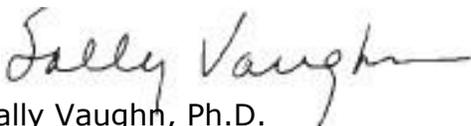
Deborah Delisle
Page 2
May 10, 2013

Michigan will ensure that an LEA interested in obtaining a waiver of the carryover limitation in ESEA section 1127(a) applies to the SEA in accordance with Michigan's regular procedures for waivers of the carryover limitation. Michigan hereby assures implementation of the requested waiver only with respect to an LEA that needs a waiver of the carryover limitation for the second time within three years because of the sequestration. In addition, Michigan assures use of its AMOs, under ESEA section 1111(b)(2) or its approved ESEA flexibility request, as appropriate, to evaluate its LEAs' progress in increasing the quality of instruction and improving academic achievement.

Prior to submitting this waiver request, Michigan provided all LEAs in the state with notice and a reasonable opportunity to comment. A letter was sent electronically to each LEA on May 2, 2013 (Attachment A). Copies of all comments received from LEAs in response to this notice are attached (Attachment B). Michigan also provided a Public Notice regarding this waiver request by a posting on the MDE website (Attachment C). Copies of all public comments received are included (Attachment D).

Please feel free to contact Mike Radke by telephone or e-mail at 517-373-3921 or radkem@michigan.gov if you have any questions regarding this request. Thank you for your consideration.

Respectfully,



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

Enclosures

cc: Paul Brown, U.S. Department of Education
Michael Radke, Office of Field Services