



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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GOVERNOR

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SUPERINTENDENT OF
PUBLIC INSTRUCTION

October 8, 2009

MEMORANDUM

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

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

SUBJECT: Waivers of ARRA Title I Requirements Now Available

The U.S. Department of Education (USED) has approved the Michigan Department of Education's (MDE) request to waive certain requirements in the Title I American Recovery and Reinvestment Act (ARRA) for Local Education Agencies (LEAs). MDE has been granted the authority to waive seven of the most time sensitive requirements to provide more flexibility in the use of ARRA funds.

The MDE has been granted the authority to allow LEAs to apply for a waiver to:

1. Allow identified LEAs to become State-approved Supplemental Educational Services (SES) providers. MDE will release the SES application to LEAs interested in applying. Details on this process will be disseminated to LEAs shortly.
2. Allow schools in the first year of Improvement (formerly Phase 1) to offer SES, in addition to Public School Choice, and pay for both out of the 20 percent obligation. Without the waiver, schools in the first year of Improvement may only use the 20 percent obligation to pay for Public School Choice.
3. Exclude ARRA funds when calculating the 20 percent obligation for Public School Choice and SES. When granted, the LEA will only use its regular Title I, Part A funds for this purpose.
4. Exclude ARRA funds when calculating the 10 percent set-aside for professional development when the LEA is in Improvement. When granted, the LEA will only use its regular Title I, Part A funds for this purpose. This waiver applies to less than 10 school districts in the state.
5. Exclude ARRA funds when calculating the 10 percent set-aside for professional development when used for a school in Improvement. When granted, the LEA will only use its regular Title I, Part A funds for this purpose.
6. Exclude ARRA funds when calculating the per-pupil amount for SES. When granted, the LEA will only use its regular Title I, Part A funds for this purpose.

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7. Exceed the 15 percent carryover limitation on Title I, Part A funds more than once every three years. Please note, there are two types of carryover waivers that LEAs may apply for:
 - a. Carryover associated strictly with ARRA funds; the LEA will require this waiver due to the influx of ARRA funds, affecting the ability to obligate at least 85 percent of the Title I, Part A allocation.
 - b. Carryover associated with other circumstances; per Federal guidance, MDE must review each of these requests on a case-by-case basis to ensure "the LEA's request is reasonable and necessary." An LEA submitting this request must explain the extant issues not associated with the influx of ARRA funds that will prevent the LEA from obligating at least 85 percent of the Title I, Part A allocation.

Waiver Request Procedure:

All waiver requests, excluding the waiver to allow identified LEAs to become State-approved SES providers, are submitted via the Michigan Electronic Grants System (MEGS) by your agency's Level 5 authorized official.

- a. In the MEGS Main Menu under Additional Functions select "Certification Menu."
- b. On the Certification Menu under "Certifications To Be Submitted," choose the appropriate waiver request(s)
- c. Complete each waiver request your LEA is applying for and click "I agree."

Important:

- o All waiver requests, excluding the 15 percent carryover waiver not associated with ARRA funds, are automatically approved by MDE at the instant they are submitted. LEAs should not expect any further communication from MDE unless there are technical issues or irregularities with your request.
- o 15 percent carryover waiver requests not associated with ARRA funds will be reviewed on a case-by-case basis by MDE. A separate communication concerning this process will be sent to LEAs shortly.
- o Eligible LEAs with schools identified for Improvement, Corrective Action, or Restructuring that wish to apply to become State-approved SES providers will be notified when the application is available.
- o The submission of a waiver request indicates your district's agreement to abide by and follow all assurances as detailed in that request.

Questions may be directed to Mike Radke or Bill Witt at 517-373-3921 or by e-mail at ARRAWaiverResponse@michigan.gov.

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