



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 8 2012

The Honorable Michael Sawyers  
Assistant Superintendent of Public Instruction  
Ohio Department of Education  
25 South Front Street  
Columbus, Ohio 43215

Dear Superintendent Heffner:

This letter is a response to Ohio Department of Education's (ODE) request for a waiver of section 421(b) of the General Education Provisions Act (GEPA) (20 U.S.C. § 1225(b)) (also known as the "Tydings Amendment") to extend the period of availability of fiscal year (FY) 2010 School Improvement Grant (SIG) funds authorized under section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended.

After reviewing the information provided by ODE in support of its waiver request, I am granting ODE's request to extend the period of availability for ODE's FY 2010 SIG allocation until September 30, 2013. This waiver will allow ODE to use its FY 2010 SIG funds to award continuation grants for its SIG schools in the 2012-2013 school year.

I am granting this waiver based on the following conditions:

1. ODE will require each local education agency (LEA) that receives the FY 2010 funds to expend them in accordance with the final requirements for the SIG program (75 Fed. Reg. 66363 (Oct. 28, 2010)).
2. ODE assures that the continued funding for SIG schools in years two and three will be based on the criteria outlined in its approved SIG application.

I appreciate the work you are doing to improve the performance of Ohio's lowest-performing schools and to provide a high-quality education for all of your students. If you have any questions, please contact Janine Rudder at (202) 205-3785 or Carlas McCauley at (202) 260-0824.

Sincerely,

Michael Yudin  
Principal Deputy Assistant Secretary  
Office of Elementary and Secondary Education

[www.ed.gov](http://www.ed.gov)

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