



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

OCT 23 2009

ASSISTANT SECRETARY

Dr. Tony Bennett
Superintendent of Public Instruction
Indiana Department of Education
State House, Room 229
200 West Washington Street
Indianapolis, Indiana 46204-2798

Dear Superintendent Bennett:

I am writing in response to Indiana's October 5, 2009, request to waive certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA). After reviewing Indiana's request, I am pleased to grant the following waiver:

- Ability to grant LEAs a waiver of the carryover limitation. I am granting Indiana a two-year waiver of section 1127(b) of the ESEA to allow it to waive the carryover limitation in section 1127(a) of the ESEA more than once every three years for an LEA that needs the additional waiver because of the supplemental Title I, Part A appropriation provided through the ARRA.

This waiver is granted on the condition that Indiana will satisfy the condition detailed in the enclosure to this letter. Please be sure to review the enclosure carefully.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact Zollie Stevenson, Director of Student Achievement and School Accountability Programs (SASA) at (202) 260-0826.

Sincerely,

Thelma Meléndez de Santa Ana, Ph.D.

Enclosure

cc: Governor Mitchell E. Daniels, Jr.
Lee Ann Kwiatkowski

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CONDITION ON TITLE I, PART A WAIVER

Waiving the carryover limitation more than once every three years (ESEA section 1127(b))

This waiver is granted on the condition that Indiana will use its authority granted by this waiver to waive the carryover limitation in section 1127(a) more than once within three years only for an LEA that needs a second (or third) waiver because of its Title I, Part A ARRA funds.