



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JUN 23 2010

The Honorable Denise Juneau
Superintendent
Montana Office of Public Instruction
P.O. Box 202501
Helena, Montana 59620-2501

Dear Superintendent Juneau:

I am writing in response to Montana's request to waive the following regulatory requirement of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended (ESEA). After reviewing Montana's request, I am pleased to grant the following waivers:

- Approving schools or local educational agencies (LEAs) identified for improvement, corrective action, or restructuring as supplemental educational services (SES) providers. I am granting a one-year waiver of 34 C.F.R. § 200.47(b)(1)(iv)(A) and (B) to permit Montana to approve a school or LEA identified for improvement, corrective action, or restructuring to serve as an SES provider in the 2010–2011 school year.
- Ability to grant LEAs a waiver of the carryover limitation. I am granting Montana 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.

These waivers are granted on the following conditions:

- Montana will submit to the Department, by September 30, 2011, a report that includes:
 - The total number of LEAs identified for improvement or corrective action that were approved to be an SES provider for the 2010–2011 school year; and
 - The total number of schools identified for improvement, corrective action, or restructuring that were approved to be an SES provider for the 2010–2011 school year.
- Montana will use its authority granted by the carryover 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.

I am aware that, in addition to the waivers addressed above, you have submitted a request to waive an additional Title I, Part A requirement. I am working with my staff to provide you a decision regarding that request as soon as feasible. In the meantime, I wanted to ensure that you received my decisions regarding the above waivers as I know these matters are time sensitive.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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,

A handwritten signature in black ink, appearing to read 'Thelma', with a stylized flourish at the end.

Thelma Meléndez de Santa Ana, Ph.D.

cc: B. J. Granbery