



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

SEP 14 2010

Dr. Jim McBride
State Superintendent of Public Instruction
Wyoming Capitol Avenue, 2nd Floor
Hathaway Building
Cheyenne, WY 82002-0050

Dear State Superintendent McBride:

The Education Jobs Fund (Ed Jobs) program, which was enacted into law on August 10, 2010, provides financial assistance to local educational agencies (LEAs) to enable them to recall or rehire former employees, retain existing employees, and hire new employees to provide early childhood, elementary, or secondary educational and related services. The Ed Jobs statute (Public Law No. 111-226) gave the Governor of each State an opportunity to apply for the State's Ed Jobs allocation by September 9, 2010.

The U.S. Department of Education (Department) did not receive an approvable application from Wyoming prior to the application deadline. Thus, we cannot award Ed Jobs funds to Wyoming at this time. However, we remain committed to making these funds available to the schools and students in your State. The Department may award Ed Jobs funds to the Wyoming Department of Education (WDE) under the alternative distribution method authorized in section 101(8) of Public Law 111-226, upon receipt of an approvable application from the WDE.

Accompanying this letter is the application by which WDE may apply for Ed Jobs funding. Also enclosed are the August 13, 2010 initial program guidance and supplemental guidance on the applicability of the Ed Jobs program to charter schools. The requirements that apply to Governors generally apply to State educational agencies (SEAs) that administer the Ed Jobs program.

WDE may retain up to 2 percent of the State's allocation for administrative costs associated with the program. Any funds not reserved for State administration must be awarded to LEAs either through Wyoming's primary elementary and secondary education funding formula(e) or on the basis of the LEAs' relative shares of funding under Part A of Title I. To facilitate local planning, I strongly urge you to make publicly available, as soon as possible, the amount of Ed Jobs funds that each LEA will receive.

Before the Department may award Ed Jobs funds to you, the Department must determine that it is likely that Wyoming will meet the statutory maintenance-of-effort (MOE) requirements. The Department encourages WDE to submit, as part of its Ed Jobs application, a signed copy of the Governor's MOE assurance provided in the application package. If WDE does so, it does not

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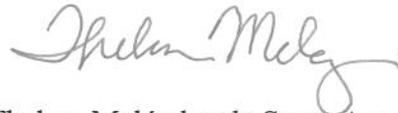
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need to provide MOE data and substantiating documentation at the time it submits its application and the Department will be able to make the State's award within two weeks of receipt of the application. If the Governor does provide such an assurance, WDE would provide the MOE data and substantiating documentation no later than 60 days after the date of its award.

If WDE does not provide the signed Governor's assurance, it must provide the MOE data and substantiating documentation as specified in the Department's September 2010 guidance entitled "State Maintenance-of-Effort Submission Under the Education Jobs Fund Program" when submitting its application. The Department will review this information to determine if the State is eligible for an award.

If you have any questions concerning the application or award process, please contact Jim Butler at james.butler@ed.gov or 202-260-9737.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thelma Melendez".

Thelma Meléndez de Santa Ana, Ph.D.

cc: Governor

Enclosures: SEA Education Jobs Fund application and guidance