

School Improvement Grants

New Awards Application

Section 1003(g) of the
Elementary and Secondary Education Act

Fiscal Year 2011

CFDA Number: 84.377A

State Name: Colorado



U.S. Department of Education
Washington, D.C. 20202

OMB Number:
Expiration Date:

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0682. The time required to complete this information collection is estimated to average 100 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537.

SCHOOL IMPROVEMENT GRANTS

Purpose of the Program

School Improvement Grants (SIG), authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (Title I or ESEA), are grants to State educational agencies (SEAs) that SEAs use to make competitive subgrants to local educational agencies (LEAs) that demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources in order to raise substantially the achievement of students in their lowest-performing schools. Under the final requirements published in the *Federal Register* on October 28, 2010 (<http://www.gpo.gov/fdsys/pkg/FR-2010-10-28/pdf/2010-27313.pdf>), school improvement funds are to be focused on each State's "Tier I" and "Tier II" schools. Tier I schools are the lowest-achieving five percent of a State's Title I schools in improvement, corrective action, or restructuring, Title I secondary schools in improvement, corrective action, or restructuring with graduation rates below 60 percent over a number of years, and, if a State so chooses, certain Title I eligible (and participating) elementary schools that are as low achieving as the State's other Tier I schools ("newly eligible" Tier I schools). Tier II schools are the lowest-achieving five percent of a State's secondary schools that are eligible for, but do not receive, Title I, Part A funds, secondary schools that are eligible for, but do not receive, Title I, Part A funds with graduation rates below 60 percent over a number of years, and, if a State so chooses, certain additional Title I eligible (participating and non-participating) secondary schools that are as low achieving as the State's other Tier II schools or that have had a graduation rate below 60 percent over a number of years ("newly eligible" Tier II schools). An LEA also may use school improvement funds in Tier III schools, which are Title I schools in improvement, corrective action, or restructuring that are not identified as Tier I or Tier II schools and, if a State so chooses, certain additional Title I eligible (participating and non-participating) schools ("newly eligible" Tier III schools). (See Appendix B for a chart summarizing the schools included in each tier.) In the Tier I and Tier II schools an LEA chooses to serve, the LEA must implement one of four school intervention models: turnaround model, restart model, school closure, or transformation model.

Availability of Funds

The Department of Education Appropriations Act, 2011, provided \$535 million for School Improvement Grants in fiscal year (FY) 2011.

FY 2011 school improvement funds are available for obligation by SEAs and LEAs through September 30, 2013.

State and LEA Allocations

Each State (including the District of Columbia and Puerto Rico), the Bureau of Indian Education, and the outlying areas are eligible to apply to receive a School Improvement Grant. The Department will allocate FY 2011 school improvement funds in proportion to the funds received in FY 2011 by the States, the Bureau of Indian Education, and the outlying areas under Parts A, C, and D of Title I of the ESEA. An SEA must allocate at least 95 percent of its school improvement funds directly to LEAs in accordance with the final requirements (<http://www.gpo.gov/fdsys/pkg/FR-2010-10-28/pdf/2010-27313.pdf>). The SEA may retain an amount not to exceed five percent of its allocation for State administration, evaluation, and technical assistance.

Consultation with the Committee of Practitioners

Before submitting its application for a SIG grant to the Department, an SEA must consult with its Committee of Practitioners established under section 1903(b) of the ESEA regarding the rules and policies contained therein. The Department recommends that the SEA also consult with other stakeholders, such as potential external providers, teachers' unions, and business, civil rights, and community leaders that have an interest in its application.

FY 2011 NEW AWARDS APPLICATION INSTRUCTIONS

This application is for use only by SEAs that will make new awards. New awards are defined as an award of SIG funds to an LEA for a school that the LEA was not previously approved to serve with SIG funds in the school year for which funds are being awarded—in this case, the 2012–2013 school year. New awards may be made with the FY 2011 funds or any remaining FY 2009 or FY 2010 funds not already committed to grants made in earlier competitions. The U.S. Department of Education will not require those SEAs that will use FY 2011 funds solely for continuation awards to submit a SIG application. Rather, such an SEA is required to submit an assurance that it is not making new awards, as defined above, through the separate, one-page application titled, “Continuation Awards Only Application for FY 2011 SIG Program”.

An SEA that must submit a FY 2011 application will be required to update its timeline for making awards to LEAs, but may retain all other sections from its FY 2010 application, including its lists of Tier I, II, and III schools.

SUBMISSION INFORMATION

Electronic Submission:

The Department strongly prefers to receive an SEA’s FY 2011 SIG application electronically. The application should be sent as a Microsoft Word document, **not** as a PDF.

The SEA should submit its FY 2011 application to the following address: school.improvement.grants@ed.gov

In addition, the SEA must submit a paper copy of the cover page signed by the SEA’s authorized representative to the address listed below under “Paper Submission.”

Paper Submission:

If an SEA is not able to submit its application electronically, it may submit the original and two copies of its SIG application to the following address:

Carlas McCauley, Education Program Specialist
Student Achievement and School Accountability Programs
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W320
Washington, DC 20202-6132

Due to potential delays in government processing of mail sent through the U.S. Postal Service, SEAs are encouraged to use alternate carriers for paper submissions.

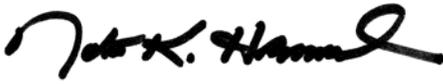
Application Deadline

Applications are due on or before January 9, 2012.

For Further Information

If you have any questions, please contact Carlas McCauley at (202) 260-0824 or by e-mail at carlas.mccauley@ed.gov.

APPLICATION COVER SHEET
SCHOOL IMPROVEMENT GRANTS

<p>Legal Name of Applicant:</p> <p>Colorado Department of Education</p>	<p>Applicant's Mailing Address:</p> <p>Colorado Department of Education 201 E. Colfax Ave. Denver, Colorado 80203</p>
<p>State Contact for the School Improvement Grant</p> <p>Name: Patrick Chapman</p> <p>Position and Office: Executive Director, Office of Federal Program Administration</p> <p>Contact's Mailing Address:</p> <p>Colorado Department of Education Office of Federal Program Administration 1560 Broadway, Suite 1450 Denver, Colorado 80202</p> <p>Telephone: 303-866-6780</p> <p>Fax: 303-866-6673</p> <p>Email address: chapman_p@cde.state.co.us</p>	
<p>Chief State School Officer (Printed Name):</p> <p>Robert K. Hammond</p>	<p>Telephone:</p> <p>303-866-6646</p>
<p>Signature of the Chief State School Officer:</p> <p>X </p>	<p>Date:</p> <p>January 9, 2012</p>
<p>The State, through its authorized representative, agrees to comply with all requirements applicable to the School Improvement Grants program, including the assurances contained herein and the conditions that apply to any waivers that the State receives through this application.</p>	

FY 2011 NEW AWARDS APPLICATION CHECKLIST

Please use this checklist to indicate the changes the SEA elects to make to its FY 2011 application from its FY 2010 application. An SEA will be required to update Section D (Part 1): Timeline, but will have the option to retain all other sections from its FY 2010 application, including its lists of Tier I, II, and III schools.

SECTION A: ELIGIBLE SCHOOLS	<input checked="" type="checkbox"/> SEA elects to keep the same definition of “persistently lowest-achieving schools” (PLA schools) as FY 2010	<input type="checkbox"/> SEA elects to revise its definition of “persistently lowest-achieving schools” (PLA schools) for FY 2011
	<i>For an SEA keeping the same definition of PLA schools, please select one of the following options:</i> <input checked="" type="checkbox"/> SEA elects not to generate new lists of Tier I, Tier II, and Tier III schools <input type="checkbox"/> SEA elects to generate new lists	<i>For an SEA revising its definition of PLA schools, please select the following option:</i> <input type="checkbox"/> SEA must generate new lists
SECTION B: EVALUATION CRITERIA	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011
SECTION B-1: ADDITIONAL EVALUATION CRITERIA	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011
SECTION C: CAPACITY	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011
SECTION D (PART 1): TIMELINE	<input checked="" type="checkbox"/> Revised for FY 2011	
SECTION D (PARTS 2-8): DESCRIPTIVE INFORMATION	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011
SECTION E: ASSURANCES	<input checked="" type="checkbox"/> Assurances provided	
SECTION F: SEA RESERVATION	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011
SECTION G: CONSULTATION WITH STAKEHOLDERS	<input checked="" type="checkbox"/> Consultation with stakeholders provided	
SECTION H: WAIVERS	<input checked="" type="checkbox"/> Same as FY 2010	<input type="checkbox"/> Revised for FY 2011

PART I: SEA REQUIREMENTS

As part of its FY 2011 application for a School Improvement Grant under section 1003(g) of the ESEA, an SEA will be required to update its timeline, but may retain all other sections from its FY 2010 application, including its lists of Tier I, II, and III schools.

SECTION A: ELIGIBLE SCHOOLS	
<input checked="" type="checkbox"/> Definition of “persistently lowest-achieving schools” (PLA schools) is same as FY 2010	<input type="checkbox"/> Definition of “persistently lowest-achieving schools” (PLA schools) is revised for FY 2011
<p><i>For an SEA keeping the same definition of PLA schools, please select one of the following options:</i></p> <p><input checked="" type="checkbox"/> 1. The SEA elects not to generate new lists of Tier I, Tier II, and Tier III schools. The SEA does not need to submit a new list for the FY 2011 application.</p> <p><input type="checkbox"/> 2. SEA elects to generate new lists. Lists submitted below.</p>	<p><i>For an SEA revising its definition of PLA schools, please select the following option:</i></p> <p><input type="checkbox"/> 1. SEA must generate new lists of Tier I, Tier II, and Tier III schools because it has revised its definition of “persistently lowest-achieving schools.” Lists submitted below.</p>

Directions: An SEA that elects to generate new lists or must generate new lists of Tier I, Tier II, and Tier III schools because it has revised its definition of “persistently lowest-achieving schools” must attach a table to its SIG application that include its lists of all Tier I, Tier II, and Tier III schools that are eligible for new awards.¹ An SEA that will not generate new lists of Tier I, Tier II, and Tier III schools does not need to submit a new list for the FY 2011 application.

SEAs that generate new lists should create this table in Excel using the format shown below. An example of the table has been provided for guidance.

SCHOOLS ELIGIBLE FOR FY 2011 SIG FUNDS								
LEA NAME	LEA NCES ID #	SCHOOL NAME	SCHOOL NCES ID#	TIER I	TIER II	TIER III	GRAD RATE	NEWLY ELIGIBLE ²

EXAMPLE:

¹ A “new award” is defined as an award of SIG funds to an LEA for a school that the LEA was not previously approved to serve with SIG funds in the school year for which funds are being awarded—in this case, the 2012–2013 school year. New awards may be made with the FY 2011 funds or any remaining FY 2009 or FY 2010 funds not already committed to grants made in earlier competitions.

² “Newly Eligible” refers to a school that was made eligible to receive SIG funds by the Consolidated Appropriations Act, 2010. A newly eligible school may be identified for Tier I or Tier II because it has not made adequate yearly progress for at least two consecutive years; is in the State’s lowest quintile of performance based on proficiency rates on State’s assessments; and is no higher achieving than the highest-achieving school identified by the SEA as a “persistently lowest-achieving school” or is a high school that has a graduation rate less than 60 percent over a number of years. For complete definitions of and additional information about “newly eligible schools,” please refer to the FY 2010 SIG Guidance, questions A-20 to A-30.

SCHOOLS ELIGIBLE FOR FY 2011 SIG FUNDS

LEA NAME	LEA NCES ID #	SCHOOL NAME	SCHOOL NCES ID#	TIER I	TIER II	TIER III	GRAD RATE	NEWLY ELIGIBLE
LEA 1	##	HARRISON ES	##	X				
LEA 1	##	MADISON ES	##	X				
LEA 1	##	TAYLOR MS	##			X		X
LEA 2	##	WASHINGTON ES	##	X				
LEA 2	##	FILLMORE HS	##			X		
LEA 3	##	TYLER HS	##		X		X	
LEA 4	##	VAN BUREN MS	##	X				
LEA 4	##	POLK ES	##			X		

Directions: All SEAs are required to list any LEAs with one or more schools for which funding under previously awarded SIG grants will not be renewed. For each such school, note the amount of unused remaining funds and explain how the SEA or LEA plans to use those funds (e.g., reallocate to other schools with SIG grants or retain for a future SIG competition).

LEA NAME	SCHOOL NAME	DESCRIPTION OF HOW REMAINING FUNDS WERE OR WILL BE USED	AMOUNT OF REMAINING FUNDS
TOTAL AMOUNT OF REMAINING FUNDS:			

Directions: In the boxes below, provide updates to any sections, if any, the SEA elects to revise. The only section the SEA will be required to update is *Section D (Part 1): Timeline*. The SEA does not need to resubmit information for any section in which it elects to use the same criteria as its FY 2010 SIG application. See Appendix A for guidelines on the information required for revised sections.

SECTION B: EVALUATION CRITERIA

SEA is using the same information in this section as in its FY 2010 application. The SEA does not need to resubmit this section.

SEA has revised the information in this section for FY 2011. Updated information listed below.

[Insert updated section information here. An SEA not revising this section should write "N/A" in this space.]

SECTION B-1: ADDITIONAL EVALUATION CRITERIA FOR PRE-IMPLEMENTATION

SEA is using the same information in this section as in its FY 2010 application. The SEA does not need to resubmit this section.

SEA has revised the information in this section for FY 2011. Updated information listed below.

[Insert updated section information here. An SEA not revising this section should write "N/A" in this space.]

SECTION C: CAPACITY

SEA is using the same information in this section as in its FY 2010 application. The SEA does not need to resubmit this section.

SEA has revised the information in this section for FY 2011. Updated information listed below.

[Insert updated section information here. An SEA not revising this section should write "N/A" in this space.]

SECTION D (PART 1): TIMELINE: An SEA must describe its process and timeline for approving LEA applications.

[Insert the SEA's updated timeline for the FY 2011 SIG competition here]

The following timeline is included in the local RFP for School Improvement Grant funds:

The following timeline is included in the local RFP for School Improvement Grant funds:

Tiered Intervention Grant Timeline

March 5, 2012	Release of Tiered Intervention Request For Proposal (RFP) via the CDE weekly communication “The Scoop” and posted to the CDE Web site at: http://www.cde.state.co.us/FedPrograms/NCLB/tia.asp (Dependent upon approval of plan by USDOE – the RFP will not be released until approval is final)
March 5 - 29, 2012	Conduct School Support Team visits, provide support for local stakeholder meetings and planning and implementation.
March 30, 2012	Applications due to CDE on or before 4:00 p.m.
April 11, 2012	Review of proposals by CDE Teams of CDE staff and experts with background in School Improvement and federal grants administration will review and score proposals against the attached rubric. CDE’s Grants Fiscal Management staff will review proposed budget expenditures. (See scoring rubrics on pages 16 – 20 of the Tiered Intervention Grant RFP). Reviewer comments will be shared with applicants. In some cases, reviewer comments may necessitate proposed plan or budget revisions in order for an LEA to receive approval. The review of the Tiered Intervention Grants will be a standards based process. LEAs will not be funded unless they meet each of the criteria in each section of the application. This approach will prevent a proposal that has deficiencies in one section of the plan from compensating for those deficits in other sections. In this way, the review process will ensure that funded Tiered Intervention Grants address all the critical components in a manner that results in a comprehensive plan. LEAs may be asked to submit revisions in any deficient sections to bring specific sections up to standard.
April 16 - 19, 2012	Scores, feedback (may include rewriting of specific sections) will be released sent to sites.
April 20, 2012	Award notification to sites from Grants Fiscal Management Unit

April 21, 2012

Begin pre-implementation of intervention model for the 2012 – 2013 school year.

SECTION D (PARTS 2-8) DESCRIPTIVE INFORMATION:

SEA is using the same information in this section as in its FY 2010 application. The SEA does not need to resubmit this section.

SEA has revised the information in this section for FY 2011. Updated information listed below.

[Insert updated section information here. An SEA not revising this section should write “N/A” in this space.]

SECTION E: ASSURANCES

By checking this box and submitting this application, the SEA agrees to follow the assurances listed in its FY 2010 SIG application.

SECTION F: SEA RESERVATION

SEA is using the same information in this section as in its FY 2010 application. The SEA does not need to resubmit this section.

SEA has revised the information in this section for FY 2011. Updated information listed below.

[Insert updated section information here. An SEA not revising this section should write “N/A” in this space.]

SECTION G: CONSULTATION WITH STAKEHOLDERS

By checking this box, the SEA assures that it has consulted with its Committee of Practitioners regarding the information set forth in its application.

SECTION H: WAIVERS: SEAs are invited to request waivers of the requirements set forth below. An SEA must check the corresponding box(es) to indicate which waiver(s) it is requesting.

WAIVERS OF SEA REQUIREMENTS

Enter State Name Here Colorado requests a waiver of the State-level requirements it has indicated below. The State believes that the requested waiver(s) will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III schools.

Waiver 1: Tier II waiver

Note: An SEA that requested and received the Tier II waiver for its FY 2010 definition of “persistently lowest achieving schools” should request the waiver again only if it is generating new lists of Tier I, Tier II, and Tier III schools.

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2011 competition, waive paragraph (a)(2) of the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of those requirements to permit the State to include, in the pool of secondary schools from which it determines those that are the persistently lowest-achieving schools in the State, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two consecutive years or are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined.

Assurance

The State assures that it will include in the pool of schools from which it identifies its Tier II schools all Title I secondary schools not identified in Tier I that either (1) have not made AYP for at least two consecutive years; or (2) are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined. Within that pool, the State assures that it will identify as Tier II schools the persistently lowest-achieving schools in accordance with its approved definition. The State is attaching the list of schools and their level of achievement (as determined under paragraph (b) of the definition of “persistently lowest-achieving schools”) that would be identified as Tier II schools without the waiver and those that would be identified with the waiver. The State assures that it will ensure that any LEA that chooses to use SIG funds in a Title I secondary school that becomes an eligible Tier II school based on this waiver will comply with the SIG final requirements for serving that school.

Waiver 2: n-size waiver

Note: An SEA that requested and received the n-size waiver for its FY 2010 definition of “persistently lowest-achieving schools” should request the waiver again only if it is generating new lists of Tier I, Tier II, and Tier III schools.

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2011 competition, waive the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and the use of that definition in Section I.A.1(a) and (b) of those requirements to permit the State to exclude, from the pool of schools from which it identifies the persistently lowest-achieving schools for Tier I and Tier II, any school in which the total number of students in the “all students” group in the grades assessed is less than **[Please indicate number]**.

Assurance

The State assures that it determined whether it needs to identify five percent of schools or five schools in each tier prior to excluding small schools below its “minimum n.” The State is attaching, and will post on its Web site, a list of the schools in each tier that it will exclude under this waiver and the number of students in each school on which that determination is based. The State will include its “minimum n” in its definition of “persistently lowest-achieving schools.” In addition, the State will include in its list of Tier III schools any schools excluded from the pool of schools from which it identified the persistently lowest-achieving schools in accordance with this waiver.

Waiver 3: New list waiver

Because the State does not elect to generate new lists of Tier I, Tier II, and Tier III schools, waive Sections I.A.1 and II.B.10 of the SIG final requirements to permit the State to use the same Tier I, Tier II, and Tier III lists it used for its FY 2010 competition.

WAIVERS OF LEA REQUIREMENTS

Enter State Name Here Colorado requests a waiver of the requirements it has indicated below. These waivers would allow any local educational agency (LEA) in the State that receives a School Improvement Grant to use those funds in accordance with the final requirements for School Improvement Grants and the LEA's application for a grant.

The State believes that the requested waiver(s) will increase the quality of instruction for students and improve the academic achievement of students in Tier I, Tier II, and Tier III schools by enabling an LEA to use more effectively the school improvement funds to implement one of the four school intervention models in its Tier I, Tier II, or Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in the State's Tier I, Tier II, and Tier III schools.

Waiver 4: School improvement timeline waiver

Note: An SEA that requested and received the school improvement timeline waiver for the FY 2010 competition and wishes to also receive the waiver for the FY 2011 competition must request the waiver again in this application.

Schools that started implementation of a turnaround or restart model in the 2010-2011 or 2011-2012 school years cannot request this waiver to "start over" their school improvement timeline again.

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2012–2013 school year to "start over" in the school improvement timeline.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests the waiver in its application as part of a plan to implement the turnaround or restart model beginning in 2011–2012 in a school that the SEA has approved it to serve. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

Waiver 5: Schoolwide program waiver

Note: An SEA that requested and received the schoolwide program waiver for the FY 2010 competition and wishes to also receive the waiver for the FY 2011 competition must request the waiver again in this application.

Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit LEAs to implement a schoolwide program in a Tier I, Tier II, or Tier III Title I participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests to implement the waiver in its application. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

ASSURANCE OF NOTICE AND COMMENT PERIOD – APPLIES TO ALL WAIVER REQUESTS

(Must check if requesting one or more waivers)

The State assures that, prior to submitting its School Improvement Grant application, the State provided all LEAs in the State that are eligible to receive a School Improvement Grant with notice and a reasonable opportunity to comment on its waiver request(s) and has attached a copy of that notice as well as copies of any comments it received from LEAs. The State also assures that it provided notice and information regarding the above waiver request(s) to the public in the manner in which the State customarily provides such notice and information to the public (*e.g.*, by publishing a notice in the newspaper; by posting information on its Web site) and has attached a copy of, or link to, that notice.

PART II: LEA APPLICATION

An SEA must develop an LEA application form that it will use to make subgrants of school improvement funds to eligible LEAs.

LEA APPLICATION

SEA is using the same FY 2010 LEA application form for FY 2011.

The SEA does not need to resubmit the LEA application.

SEA has revised its LEA application form for FY 2011.

The SEA must submit its LEA application form with its application to the Department for a School Improvement Grant. The SEA should attach the LEA application form in a separate document.

LEA APPLICATION REQUIREMENTS

The LEA application form that the SEA uses must contain, at a minimum, the information set forth below. An SEA may include other information that it deems necessary in order to award school improvement funds to its LEAs.

A. SCHOOLS TO BE SERVED: An LEA must include the following information with respect to the schools it will serve with a School Improvement Grant.

An LEA must identify each Tier I, Tier II, and Tier III school the LEA commits to serve and identify the model that the LEA will use in each Tier I and Tier II school.

SCHOOL NAME	NCES ID #	TIER I	TIER II	TIER III	INTERVENTION (TIER I AND II ONLY)			
					turnaround	restart	closure	transformation

Note: An LEA that has nine or more Tier I and Tier II schools may not implement the transformation model in more than 50 percent of those schools.

B. DESCRIPTIVE INFORMATION: An LEA must include the following information in its application for a School Improvement Grant.

- (1) For each Tier I and Tier II school that the LEA commits to serve, the LEA must demonstrate that—
 - The LEA has analyzed the needs of each school and selected an intervention for each school; and
 - The LEA has the capacity to use school improvement funds to provide adequate resources and related support to each Tier I and Tier II school identified in the LEA’s application in order to implement, fully and effectively, the required activities of the school intervention model it has selected.
- (2) If the LEA is not applying to serve each Tier I school, the LEA must explain why it lacks capacity to serve each Tier I school.
- (3) The LEA must describe actions it has taken, or will take, to—
 - Design and implement interventions consistent with the final requirements;
 - Recruit, screen, and select external providers, if applicable, to ensure their quality;
 - Align other resources with the interventions;
 - Modify its practices or policies, if necessary, to enable its schools to implement the interventions fully and effectively; and
 - Sustain the reforms after the funding period ends.
- (4) The LEA must include a timeline delineating the steps it will take to implement the selected intervention in each Tier I and Tier II school identified in the LEA’s application.
- (5) The LEA must describe the annual goals for student achievement on the State’s assessments in both reading/language arts and mathematics that it has established in order to monitor its Tier I and Tier II schools that receive school improvement funds.
- (6) For each Tier III school the LEA commits to serve, the LEA must identify the services the school will receive or the activities the school will implement.
- (7) The LEA must describe the goals it has established (subject to approval by the SEA) in order to hold accountable its Tier III schools that receive school improvement funds.
- (8) As appropriate, the LEA must consult with relevant stakeholders regarding the LEA’s application and implementation of school improvement models in its Tier I and Tier II schools.

C. BUDGET: An LEA must include a budget that indicates the amount of school improvement funds the LEA will use each year in each Tier I, Tier II, and Tier III school it commits to serve.

The LEA must provide a budget that indicates the amount of school improvement funds the LEA will use each year to—

- Implement the selected model in each Tier I and Tier II school it commits to serve;
- Conduct LEA-level activities designed to support implementation of the selected school intervention models in the LEA’s Tier I and Tier II schools; and
- Support school improvement activities, at the school or LEA level, for each Tier III school identified in the LEA’s application.

Note: An LEA’s budget should cover three years of full implementation and be of sufficient size and scope to implement the selected school intervention model in each Tier I and Tier II school the LEA commits to serve. Any funding for activities during the pre-implementation period must be included in the first year of the LEA’s three-year budget plan.

An LEA’s budget for each year may not exceed the number of Tier I, Tier II, and Tier III schools it commits to serve multiplied by \$2,000,000 or no more than \$6,000,000 over three years.

Example:

LEA XX BUDGET					
	Year 1 Budget		Year 2 Budget	Year 3 Budget	Three-Year Total
	Pre-implementation	Year 1 - Full Implementation			
Tier I ES #1	\$257,000	\$1,156,000	\$1,325,000	\$1,200,000	\$3,938,000
Tier I ES #2	\$125,500	\$890,500	\$846,500	\$795,000	\$2,657,500
Tier I MS #1	\$304,250	\$1,295,750	\$1,600,000	\$1,600,000	\$4,800,000
Tier II HS #1	\$530,000	\$1,470,000	\$1,960,000	\$1,775,000	\$5,735,000
LEA-level Activities	\$250,000		\$250,000	\$250,000	\$750,000
Total Budget	\$6,279,000		\$5,981,500	\$5,620,000	\$17,880,500

D. ASSURANCES: An LEA must include the following assurances in its application for a School Improvement Grant.

The LEA must assure that it will—

- (1) Use its School Improvement Grant to implement fully and effectively an intervention in each Tier I and Tier II school that the LEA commits to serve consistent with the final requirements;
- (2) Establish annual goals for student achievement on the State’s assessments in both reading/language arts and mathematics and measure progress on the leading indicators in section III of the final requirements in order to monitor each Tier I and Tier II school that it serves with school improvement funds, and establish goals (approved by the SEA) to hold accountable its Tier III schools that receive school improvement funds;
- (3) If it implements a restart model in a Tier I or Tier II school, include in its contract or agreement terms and provisions to hold the charter operator, charter management organization, or education management organization accountable for complying with the final requirements; and
- (4) Report to the SEA the school-level data required under section III of the final requirements.

E. WAIVERS: If the SEA has requested any waivers of requirements applicable to the LEA’s School Improvement Grant, an LEA must indicate which of those waivers it intends to implement.

The LEA must check each waiver that the LEA will implement. If the LEA does not intend to implement the waiver with respect to each applicable school, the LEA must indicate for which schools it will implement the waiver.

- “Starting over” in the school improvement timeline for Tier I and Tier II Title I participating schools implementing a turnaround or restart model.
- Implementing a schoolwide program in a Tier I or Tier II Title I participating school that does not meet the 40 percent poverty eligibility threshold.

Attachment 1

School Improvement Grant 2011 Waiver – Public Comment

Title I School Improvement Grants Waivers – Request for Comments

The Colorado Department of Education

CDE Invites Public Comment on State Waiver for Title I School Improvement Grants

Attn: Superintendents, Federal Program Contacts, Title I Directors

CDE is asking for public comment related to three waiver requests it is making as part of its application for FY 2011 School Improvement Grant funds. CDE intends to request a waiver of the requirements it has indicated below. CDE believes that the requested waiver(s) will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III Title I school improvement schools. CDE also believes that the waivers will increase the quality of instruction for students and improve the academic achievement of students by enabling an LEA to use more effectively the school improvement funds to implement one of the four school intervention models in its Tier I, Tier II, or Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in Colorado's Tier I, Tier II, and Tier III schools.

1. Waiver: New list waiver

Because the State does not elect to generate new lists of Tier I, Tier II, and Tier III schools, waive Sections I.A.1 and II.B.10 of the SIG final requirements to permit the State to use the same Tier I, Tier II, and Tier III lists it used for its FY 2010 competition.

2. Waiver: School improvement timeline waiver

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2012–2013 school year to “start over” in the school improvement timeline.

3. Waiver: Schoolwide program waiver

Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit LEAs to implement a schoolwide program in a Tier I, Tier II, or Tier III Title I participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Please submit any comments or concerns by Monday, February 20, 2012 to chapman_p@cde.state.co.us

For Additional Information Contact:

Patrick Chapman
303-866-6780
Chapman_p@cde.state.co.us

From: Jane Toothaker [<mailto:jtoothaker@nwboces.org>]
Sent: Tuesday, January 10, 2012 3:34 PM
To: Smukler, Kathryn
Subject: RE: need feedback quickly please

Hi Kathryn, The application and waivers looks fine to me and I don't have any recommended changes. Thanks for including us in the process. Jane

From: parkecov@q.com [<mailto:parkecov@q.com>]
Sent: Tuesday, January 10, 2012 12:19 PM
To: Smukler, Kathryn; Chapman, Pat
Cc: Chapman, Pat; Andrea Perras; Anita Burns; Bridgette Muse; Christine Vidal; Christy Bloomquist; Dianna Hulbert; Jane Toothaker; Jesus Escarcega; Jonelle Parker; Kirk Banghart; Laura Gorman; Linda Spreitzer; Mark Rangel; Mary Ellen Good; Melanie Jones; Renee Howell; Shelly Ocanas
Subject: Re: need feedback quickly please

Hi Kathryn,

This looks good to me. I have been working part time in two of the DPS turnaround schools and have been impressed with the work they are doing. The plan seems to be making a difference.

See you in Feb, Parke

From: Christy Bloomquist [<mailto:cbloomquist@durango.k12.co.us>]
Sent: Tuesday, January 10, 2012 11:50 AM
To: Chapman, Pat
Subject: Re: need feedback quickly please

Hi Pat,

I have done a quick review and don't see any concerns with the new application or the waivers. It makes sense to use the same from last year as these are schools that are consistently behind. I assume that this aligns with the waiver request we have in also.

A lot of work!

Thanks, Christy

From: Jesus Escarcega [mailto:jdescarcega@aps.k12.co.us]
Sent: Tuesday, January 10, 2012 8:18 AM
To: Smukler, Kathryn
Cc: Chapman, Pat
Subject: RE: need feedback quickly please

Pat,

I'm fine with the waivers and that we are asking to support other schools. Best of luck with this request.

Chuy

From: Dianna Hulbert [mailto:DHulbert@summit.k12.co.us]
Sent: Tuesday, January 10, 2012 7:54 AM
To: JesusEscarcega; Mary Ellen Good; Smukler, Kathryn; Christine Vidal; Laura Gorman; Christy Bloomquist; Bridgette Muse; Anita Burns; Renee Howell; Andrea Perras; Kirk Banghart; Mark Rangel; Shelly Ocanas; Jonelle Parker; Jane Toothaker; Parke Covarrubias; Melanie Jones; Linda Spreitzer
Cc: Chapman, Pat
Subject: Re: need feedback quickly please

Kathryn,

I think it's a positive step to make the application align with the State's waiver request.

I would hope that the department would offer a lot of technical assistance in filling out the application, as there are changes in eligibility, and the previous application wasn't that user friendly either.

Dianna

Dr. Dianna Hulbert
Principal
Silverthorne Elementary
PO Box 1039
0101 Hamilton Creek Road
Silverthorne, CO 80498
970-368-1601

Attachment 2

Tydings Amendment Waiver Request



COLORADO DEPARTMENT OF EDUCATION

1560 Broadway, Suite 1450 • Denver, Colorado 80202-5149
303.866.6600 • www.cde.state.co.us

Robert K. Hammond
Commissioner of Education

Diana Sirko, Ph.D.
Deputy Commissioner

Keith Owen, Ph.D.
Associate Commissioner

To: Acting Assistant Secretary Yudin, United States Department of Education

From: Patrick Chapman, Executive Director, Office of Federal Program Administrations, Colorado Department of Education

Date: February 8, 2012

Re: Request to waive the period of availability of FY 2010 and FY 2011 funds under the Elementary and Secondary Act, Title I, 1003(g) school improvement grant program

I am writing to request a waiver of section 421(b) of the General Education Provisions Act (GEPA) (the "Tydings Amendment") as it affects the authority of the Colorado Department of Education (CDE) and its sub-recipients to obligate fiscal year (FY) 2010 funds after September 30, 2012 and FY 2011 funds after September 30, 2013. Specifically, Colorado requests the ability to extend the period of availability of FY 2010 SIG funds to September 30, 2014 and extend the period of availability of FY 2011 SIG funds to September 30, 2015. These waivers will provide schools receiving FY 2010 and FY 2011 SIG funds with a third year to fully implement their turnaround models.

The extended authority to obligate these funds would enable the Colorado Department of Education and its sub-recipients, in accordance with program requirements, to increase the quality of instruction for students, improve their academic achievement, and continue to assist the student populations served by the programs for which this waiver is being requested.

The Colorado Department of Education assures the Department that it has:

- Provided all sub-recipients of the programs affected by the waiver with notice and a reasonable opportunity to comment on this request. The Colorado Department of Education provided such notice by email, electronic newsletter and a posting on the CDE website. (see attached notice and public comments)
- Provided notice and information regarding this waiver request to the public by email, press release, and posting on the CDE website (see attached copy of, or link to, that notice)

Colorado sent out notice inviting public comment regarding the Tyding's waivers on February 6, 2012. The window for public comment closed on February 21, 2012. CDE received no comments related to this request.

The Colorado Department of Education further assures that, if it receives the requested waiver, it will:

- Ensure that sub-recipients within the State will use FY 2010 and FY 2011 funds carried over as a result of the waiver to carry out activities in accordance with program requirements
- Hold local educational agencies and schools accountable based on the State's annual measurable objectives

Please feel free to contact Patrick Chapman (ph: [303-866-6780](tel:303-866-6780)/chapman_p@cde.state.co.us) by phone or email if you have any questions regarding this request. Thank you for your consideration.

Cc: Keith Owen, Associate Commissioner, Colorado Department of Education
Brad Bylsma, Program Manager, Colorado Department of Education
Wendy Dunaway, Performance Manager, Colorado Department of Education
Lynn Bamberry, Director, Grants and Awards, Colorado Department of Education

Attachment 3

Notice Inviting Public Comment – Tydings



COLORADO DEPARTMENT OF EDUCATION

1560 Broadway, Suite 1450 • Denver, Colorado 80202-5149
303.866.6600 • www.cde.state.co.us

Robert K. Hammond
Commissioner of Education

Diana Sirko, Ph.D.
Deputy Commissioner

Keith Owen, Ph.D.
Associate Commissioner

CDE Invites Public Comment On State Waiver for FY 2010 and FY 2011 Title I School Improvement Grant Funds (1003g)

Attn: Superintendents, Title I Directors, School Turnaround Directors

The Colorado Department of Education intends to submit a waiver request to the U.S. Department of Education to extend the period of availability of FY 2010 and FY 2011 school improvement grant funds. Under section 9401(b)(3) of the No Child Left Behind Act, state education agencies requesting a waiver of certain requirements of the Act must afford an opportunity to stakeholders and other interested parties to comment on the request.

The Colorado Department of Education (CDE) is asking for public input regarding a request to waive section 421(b) of the General Education Provisions Act (GEPA), also known as the Tyding's amendment, which limits the period of availability of most federal education grant funds to 27 months. If approved, this waiver will extend the period of availability of FY 2010 Title I School Improvement Grant funds (1003(g) from September 30, 2012 to September 30, 2013 and FY 2011 Title I School Improvement Grants funds (1003(g) from September 30, 2013 to September 30, 2014.

This waiver would enable districts and schools that receive a school improvement grant with FY 2010 or FY 2011 1003(g) funds to carry forward with their grant activities for an additional 12 months. Without this waiver, districts and schools might lose access to these funds prior to the completion of their turnaround plans.

- Section 421(b) of GEPA (20 U.S.C. 1225(b) reads as follows:

(b) Succeeding fiscal year

(1) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds from appropriations to carry out any programs to which this chapter is

applicable during any fiscal year, which are not obligated and expended by educational agencies or institutions prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation and expenditure by such agencies and institutions during such succeeding fiscal year.

(2) Any funds under any applicable program which, pursuant to paragraph (1), are available for obligation and expenditure in the year succeeding the fiscal year for which they were appropriated shall be obligated and expended in accordance with —

(A) the Federal statutory and regulatory provisions relating to such program which are in effect for such succeeding fiscal year, and

(B) any program plan or application submitted by such educational agencies or institutions for such program for such succeeding fiscal year.

CDE believes that it is in the best interest of Colorado's students to enable schools that have been identified for improvement under Title I to fully expend these funds.

CDE values your input as we move ahead with the implementation of the State's school improvement efforts. Please submit any comments or concerns by close of business Monday, February 20, 2012.

To submit comments or for more information contact:

Patrick Chapman

Chapman_p@cde.state.co.u

APPENDIX A

REQUIRED INFORMATION FOR REVISED SEA APPLICATION SECTIONS

B. EVALUATION CRITERIA:

Part 1: The three actions listed in Part 1 are ones that an LEA must take prior to submitting its application for a School Improvement Grant. Accordingly, the SEA must describe, with specificity, the criteria the SEA will use to evaluate an LEA's application with respect to each of the following actions:

- (1) The LEA has analyzed the needs of each Tier I and Tier II school identified in the LEA's application and has selected an intervention for each school.
- (2) The LEA has demonstrated that it has the capacity to use school improvement funds to provide adequate resources and related support to each Tier I and Tier II school identified in the LEA's application in order to implement fully and effectively the selected intervention in each of those schools.
- (3) The LEA's budget includes sufficient funds to implement the selected intervention fully and effectively in each Tier I and Tier II school identified in the LEA's application, as well as to support school improvement activities in Tier III schools, throughout the period of availability of those funds (taking into account any waiver extending that period received by either the SEA or the LEA).

Part 2: The actions in Part 2 are ones that an LEA may have taken, in whole or in part, prior to submitting its application for a School Improvement Grant, but most likely will take after receiving a School Improvement Grant. Accordingly, an SEA must describe the criteria it will use to assess the LEA's commitment to do the following:

- (1) Design and implement interventions consistent with the final requirements.
- (2) Recruit, screen, and select external providers, if applicable, to ensure their quality.
- (3) Align other resources with the interventions.
- (4) Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively.
- (5) Sustain the reforms after the funding period ends.

B-1. ADDITIONAL EVALUATION CRITERIA: In addition to the evaluation criteria listed in Section B, the SEA must evaluate the following information in an LEA's budget and application:

- (1) How will the SEA review an LEA's proposed budget with respect to activities carried out during the pre-implementation period² to help an LEA prepare for full implementation in the following school year?
- (2) How will the SEA evaluate the LEA's proposed activities to be carried out during the pre-implementation period to determine whether they are allowable? *(For a description of allowable activities during the pre-implementation period, please refer to section J of the FY 2010 SIG*

Guidance.)

² “Pre-implementation” enables an LEA to prepare for full implementation of a school intervention model at the start of the 2012–2013 school year. For a full description of pre-implementation, please refer to section J of the SIG Guidance.

C. CAPACITY: The SEA must explain how it will evaluate whether an LEA lacks capacity to implement a school intervention model in each Tier I school.

An LEA that applies for a School Improvement Grant must serve each of its Tier I schools using one of the four school intervention models unless the LEA demonstrates that it lacks sufficient capacity to do so. If an LEA claims it lacks sufficient capacity to serve each Tier I school, the SEA must evaluate the sufficiency of the LEA’s claim. Claims of lack of capacity should be scrutinized carefully to ensure that LEAs effectively intervene in as many of their Tier I schools as possible.

The SEA must explain how it will evaluate whether an LEA lacks capacity to implement any of the school intervention models in its Tier I school(s). The SEA must also explain what it will do if it determines that an LEA has more capacity than the LEA demonstrates.

D (PARTS 2-8). DESCRIPTIVE INFORMATION:

(2) Describe the SEA’s process for reviewing an LEA’s annual goals for student achievement for its Tier I and Tier II schools and how the SEA will determine whether to renew an LEA’s School Improvement Grant with respect to one or more Tier I or Tier II schools in the LEA that are not meeting those goals and making progress on the leading indicators in section III of the final requirements.

(3) Describe the SEA’s process for reviewing the goals an LEA establishes for its Tier III schools (subject to approval by the SEA) and how the SEA will determine whether to renew an LEA’s School Improvement Grant with respect to one or more Tier III schools in the LEA that are not meeting those goals.

(4) Describe how the SEA will monitor each LEA that receives a School Improvement Grant to ensure that it is implementing a school intervention model fully and effectively in the Tier I and Tier II schools the LEA is approved to serve.

(5) Describe how the SEA will prioritize School Improvement Grants to LEAs if the SEA does not have sufficient school improvement funds to serve all eligible schools for which each LEA applies.

(6) Describe the criteria, if any, that the SEA intends to use to prioritize among Tier III schools.

(7) If the SEA intends to take over any Tier I or Tier II schools, identify those schools and indicate the school intervention model the SEA will implement in each school.

(8) If the SEA intends to provide services directly to any schools in the absence of a takeover, identify those schools and, for Tier I or Tier II schools, indicate the school intervention model the SEA will

implement in each school and provide evidence of the LEA's approval to have the SEA provide the services directly.³

³ If, at the time an SEA submits its application, it has not yet determined whether it will provide services directly to any schools in the absence of a takeover, it may omit this information from its application. However, if the SEA later decides that it will provide such services, it must amend its application to provide the required information.

E. ASSURANCES

By submitting this application, the SEA assures that it will do the following (check each box):

- Comply with the final requirements and ensure that each LEA carries out its responsibilities.
- Award each approved LEA a School Improvement Grant in an amount that is of sufficient size and scope to implement the selected intervention in each Tier I and Tier II school that the SEA approves the LEA to serve.
- Ensure, if the SEA is participating in the Department's differentiated accountability pilot, that its LEAs will use school improvement funds consistent with the final requirements.
- Monitor each LEA's implementation of the "rigorous review process" of recruiting, screening, and selecting external providers as well as the interventions supported with school improvement funds.
- To the extent a Tier I or Tier II school implementing the restart model becomes a charter school LEA, hold the charter school operator or charter management organization accountable, or ensure that the charter school authorizer holds the respective entity accountable, for meeting the final requirements.
- Post on its Web site, within 30 days of awarding School Improvement Grants, all final LEA applications and a summary of the grants that includes the following information: name and NCES identification number of each LEA awarded a grant; total amount of the three year grant listed by each year of implementation; name and NCES identification number of each school to be served; and type of intervention to be implemented in each Tier I and Tier II school.
- Report the specific school-level data required in section III of the final requirements.

F. SEA RESERVATION: The SEA may reserve an amount not to exceed five percent of its School Improvement Grant for administration, evaluation, and technical assistance expenses.

The SEA must briefly describe the activities related to administration, evaluation, and technical assistance that the SEA plans to conduct with any State-level funds it chooses to reserve from its School Improvement Grant allocation.

APPENDIX B

	Schools an SEA MUST identify in each tier	Newly eligible schools an SEA MAY identify in each tier
Tier I	Schools that meet the criteria in paragraph (a)(1) in the definition of “persistently lowest-achieving schools.” ³	Title I eligible ⁴ elementary schools that are no higher achieving than the highest-achieving school that meets the criteria in paragraph (a)(1)(i) in the definition of “persistently lowest-achieving schools” <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two consecutive years.
Tier II	Schools that meet the criteria in paragraph (a)(2) in the definition of “persistently lowest-achieving schools.”	Title I eligible secondary schools that are (1) no higher achieving than the highest-achieving school that meets the criteria in paragraph (a)(2)(i) in the definition of “persistently lowest-achieving schools” or (2) high schools that have had a graduation rate of less than 60 percent over a number of years <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two consecutive years.
Tier III	Title I schools in improvement, corrective action, or restructuring that are not in Tier I. ⁵	Title I eligible schools that do not meet the requirements to be in Tier I or Tier II <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two years.

³ “Persistently lowest-achieving schools” means, as determined by the State--

(a)(1) Any Title I school in improvement, corrective action, or restructuring that--

- (i) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or
- (ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and

(2) Any secondary school that is eligible for, but does not receive, Title I funds that--

- (i) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or
- (ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

⁴ For the purposes of schools that may be added to Tier I, Tier II, or Tier III, “Title I eligible” schools may be schools that are eligible for, but do not receive, Title I, Part A funds or schools that are Title I participating (i.e., schools that are eligible for and do receive Title I, Part A funds).

⁵ Certain Title I schools in improvement, corrective action, or restructuring that are not in Tier I may be in Tier II rather than Tier III. In particular, certain Title I secondary schools in improvement, corrective action, or restructuring that are not in Tier I may be in Tier II if an SEA receives a waiver to include them in the pool of schools from which Tier II schools are selected or if they meet the criteria in section I.A.1(b)(ii)(A)(2) and (B) and an SEA chooses to include them in Tier II.