



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

SEP 22 2010

Mr. Larry LeDoux  
Commissioner of Education  
Alaska Department of Education & Early Development  
801 West 10th Street, Suite 200  
P.O. Box 110500  
Juneau, AK 99811-0500

Dear Commissioner LeDoux:

I am writing in response to Alaska's request for a waiver of the carryover provision in the final requirements for the School Improvement Grants (SIG) program under section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. (74 Fed. Reg. 65618 (Dec. 10, 2009) and 75 Fed. Reg. 3375 (Jan. 21, 2010).) Section II.B.9(a) of those requirements provides that "[i]f not every Tier I school in a State is served with [fiscal year] FY 2009 [SIG] funds, an SEA must carry over 25 percent of its FY 2009 funds, combine those funds with FY 2010 [SIG] funds, and award those funds to eligible [local educational agencies (LEAs)] consistent with these [final] requirements." Alaska has requested a waiver of this requirement because carrying over 25 percent of its FY 2009 SIG funds would prevent it from allocating funds to LEAs for all Tier I schools that its LEAs have committed to serve, and that they have capacity to serve, beginning in the 2010-2011 school year.

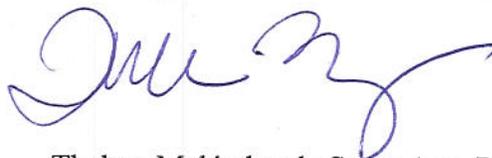
Alaska provided supporting information with its waiver request. In particular, Alaska indicated the number of Tier I schools its LEAs intend to serve and the amount of funds the State is planning to award each LEA for each Tier I school. Alaska also supported its waiver request with school-by-school budget information that set forth the approximate allocation for each Tier I school its LEAs will serve. Alaska also provided information indicating that one LEA is working with the State to revise its application and school-by-school budgets for three Tier I schools. The information submitted by Alaska demonstrates that if the LEA that is continuing to revise its application submits a revised application that includes the school-by-school budget information estimated by the SEA, then Alaska will need all of the FY 2009 funds its has available to serve all the Tier I schools its LEAs have committed to serve, and that they have capacity to serve, beginning in fall 2010.

I have reviewed the information provided by Alaska in support of its waiver request and have decided to grant conditional approval of the State's request for a waiver of section II.B.9(a) of the SIG final requirements. My decision to grant this conditional approval is based on Alaska's determination that the additional funds made available through the waiver will allow the State to make an award to one additional LEA to serve three Tier I schools beginning in fall 2010. However, because Alaska has not yet received and approved a final application and school-by-school budgets from that one LEA, I am granting this waiver on the following conditions:

1. Alaska will not allocate any of the FY 2009 SIG funds made available through this waiver to the LEA that is continuing to revise its application and school-by-school budgets until it has received and approved the LEA's final application and school-by-school budgets consistent with the SIG final requirements;
2. Alaska provides to ED, on or before September 30, 2010, evidence that the LEA that is continuing to revise its application has submitted an approvable, revised application and school-level budgets for each Tier I school implementing a school intervention model beginning this fall;
3. Alaska will not allocate any of its FY 2009 SIG funds, including the funds made available for allocation through this waiver, for Tier III schools; and
4. Should Alaska determine, based on its final allocations, that it does not need the full amount of the additional funds made available through this waiver in order to make three-year awards to LEAs that have committed to serve Tier I schools beginning in fall 2010, Alaska will carry over any unneeded funds and award those funds along with its FY 2010 SIG funds.

I appreciate the work you are doing to improve Alaska's persistently lowest-achieving schools and provide a high-quality education for all of your students. If you have any questions, please contact Carlos McCauley at (202) 260-0824.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Thelma Meléndez de Santa Ana', written in a cursive style.

Thelma Meléndez de Santa Ana, Ph.D.

cc: Cynthia Curran