



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Joseph B. Morton
State Superintendent
of Education

June 21, 2010

Alabama
State Board
of Education

Dr. Thelma Melendez de Santa Ana
Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-0498

Governor Bob Riley
President

Dear Dr. Melendez de Santa Ana:

Randy McKinney
District I
Vice President

I am writing on behalf of all local educational agencies (LEAs) in Alabama with schools that are identified under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) to request waivers of the requirements listed below concerning the *American Reinvestment Recovery Act* (ARRA), Title I, Section 1003(a) School Improvement Grant funds. These funds will be used to support Tier I and Tier II schools eligible for School Improvement Grant funds under Section 1003(g). The waivers below would allow any local education agency (LEA) in the state that receives a School Improvement Grant (SIG) to use funds in accordance with the final requirements for School Improvement Grants and the LEA's application for a grant.

Betty Peters
District II

Stephanie W. Bell
District III

Dr. Ethel H. Hall
District IV
Vice President
Emerita

Alabama believes that the requested waiver(s) will increase the quality of instruction for students and improve the academic achievement of students in Tier I and Tier II 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 or Tier II schools and to carry out school improvement activities in its Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in the state's Tier I and Tier II schools.

Ella B. Bell
District V

David F. Byers, Jr.
District VI

We seek waivers for the following requirements:

Gary Warren
District VII

(1) The requirement in the *General Education Provisions Act* (GEPA), Section 421(b), 20 U.S.C. § 1225(b), that funds be obligated prior to the end of the fiscal year succeeding the fiscal year for which they were appropriated. A waiver of this provision would allow a state education agency (SEA) to extend the period of availability of SIG funds for all of its LEAs to September 30, 2013.

Dr. Mary Jane Caylor
District VIII
President Pro Tem

(2) The requirement in Section 1116(b)(12) of the *Elementary and Secondary Education Act* (ESEA) for an LEA to identify a school for improvement, corrective action, or restructuring until the school has made AYP for two consecutive years. A waiver of this provision (school improvement timeline waiver) would allow a Tier I or Tier II Title I participating school implementing a turnaround or restart model to "start over" in the school improvement timeline.

Joseph B. Morton
Secretary and
Executive Officer

(3) The requirement in Section 1114(a)(1) of the ESEA that a school has a poverty percentage of 40 percent or greater in order to operate a schoolwide program. A waiver of this provision (schoolwide waiver) would allow a Tier I or Tier II Title I participating school with a poverty percentage of less than 40 percent to operate a schoolwide program.

Dr. Thelma Melendez de Santa Ana
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Alabama assures that any LEA that chooses to implement one or more of these waivers will comply with Section II.A.8 of the final requirements.

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

Alabama assures that, prior to submitting this request in its School Improvement Grant application, the state will provide all LEAs in the state that are eligible to receive a School Improvement Grant with notice and a reasonable opportunity to comment on this request. Attached is a copy of that notice as well as copies of any comments it received from LEAs. The state also assures that it will provide notice and information regarding this waiver request 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.

Alabama assures that, if granted, one or more of the waivers requested above will be submitted to the U. S. Department of Education in a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver, including which specific waivers each LEA is implementing.

Should you have questions or concerns regarding this request, please contact Dr. Deann K. Stone or Dr. Marcus Vandiver by telephone at 334-242-8199 or by e-mail at dstone@alsde.edu or mvandiver@alsde.edu.

Sincerely,


Joseph B. Morton
State Superintendent of Education

JBM/DKS/BB

Attachments



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Joseph B. Morton
State Superintendent
of Education

For Immediate Release
June 11, 2010

CONTACT: Communication
334-242-9950
comm@alsde.edu

Alabama
State Board
of Education

MEDIA ADVISORY

Governor Bob Riley
President

**PROPOSED WAIVERS SUBMITTED TO U.S. DEPARTMENT OF EDUCATION
Related to section 1003(a) of Title I of the Elementary and
Secondary Education Act of 1965 (ESEA)**

Randy McKinney
District I
Vice President

Betty Peters
District II

Stephanie W. Bell
District III

Montgomery, Ala. – On behalf of all of its school districts in the state, the Alabama Department of Education, Federal Programs Section, has posted online at www.alsde.edu requests for certain proposed waivers for the use of funds available through section 1003(a) of Title I of the Elementary and Secondary Education Act of 1965 (ESEA).

Dr. Ethel H. Hall
District IV
Vice President
Emerita

To download the proposed waiver request, go to www.alsde.edu, click on the “School Improvement” button on the left side of the home page. From there, click on the document titled “School Improvement Grant, Section 1003(a) Waivers.”

Ella B. Bell
District V

The purpose of posting the proposed waivers is to allow time for public comment, as required by the U.S. Department of Education. Written comments may be emailed to TitleIWaivers@alsde.edu by June 16, 2010.

David F. Byers, Jr.
District VI

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Gary Warren
District VII

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District VIII
President Pro Tem

Joseph B. Morton
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