



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SEP 14 2010

THE ASSISTANT SECRETARY

Ms. Margie Vandeven
Assistant Commissioner
Office of Quality Schools
Missouri Department of Elementary and Secondary Education
P.O. Box 480
Jefferson City, Missouri 65102-0480

Dear Ms. Vandeven:

I am writing in response to Missouri'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." Missouri 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 Tier I and Tier II schools that its LEAs have committed to serve, and that they have capacity to serve, beginning in the 2010-2011 school year.

Missouri provided supporting information with its waiver request regarding the amount of funds it needs to support the implementation of a school intervention model in those Tier I and Tier II schools for which LEAs applied to serve beginning in fall 2010. In particular, Missouri indicated the number of Tier I and Tier II schools the State intends to approve its LEAs to serve, and provided an explanation for why some of its Tier I schools did not apply for funding. Missouri also supported the description of its process with school-by-school budget information that set forth the approximate allocation for each Tier I and Tier II schools its LEAs will serve. This budget information demonstrated that Missouri needs approximately 91 percent of the FY 2009 SIG funds it has available to serve all the Tier I and Tier II school its LEAs have committed to serve, and that they have capacity to serve, beginning in fall 2010.

I have carefully reviewed the information provided by Missouri in support of its waiver request, and I am pleased to inform you that I am approving the State's request for a waiver of section II.B.9(a) of the final requirements. My decision to grant this waiver is based on Missouri's determination that the additional funds made available through the waiver will allow the State to ensure that all LEAs the State intends to approve to serve their Tier I and Tier II schools through the State's FY 2009 SIG competition will be able to implement rigorous school intervention models in these schools beginning in fall 2010.

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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 am granting this waiver on the following conditions:

1. Missouri will not allocate any of its FY 2009 SIG funds, including the funds made available for allocation through this waiver, for Tier III schools;
2. Missouri will carry over \$4,638,651 of the FY 2009 SIG funds it has available for its LEAs, combine those funds with FY 2010 SIG funds, and award those funds to eligible LEAs consistent with the SIG final requirements; and
3. Should Missouri 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 and Tier II schools beginning in fall 2010, Missouri 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 Missouri'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,



Thelma Meléndez de Santa Ana, Ph.D.

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