



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SEP 20 2011

ASSISTANT SECRETARY

The Honorable David V. Abbott
Deputy Commissioner/General Counsel
Shepard Building
255 Westminister Avenue
Providence, Rhode Island 02903-3400

Dear Deputy Commissioner Abbott:

I am writing in response to Rhode Island's request for a waiver of the application requirements for the School Improvement Grants (SIG) program, as set forth in section 1003(g)(4) of the (ESEA) and section II.B.1 of the final requirements for the SIG program (74 FR 65618 (Dec. 10, 2009) and 75 FR 3375 (Jan. 21, 2010)). Section II.B.1 of the SIG final requirements states that, "to receive a School Improvement Grant, [a State educational agency (SEA)] must submit an application to the Department at such time, and containing such information, as the Secretary shall reasonably require." Rhode Island has requested a waiver of this requirement for its application for Fiscal Year (FY) 2010 SIG funds because, despite its best efforts, it will not have an approvable application that meets the final requirements for the SIG program in time for the U.S. Department of Education (Department) to award Rhode Island its share of FY 2010 SIG funding before those funds expire on September 30, 2011.

The Department wants to promote a thoughtful and comprehensive approach to the implementation of SIG. In accordance with that goal, I am approving Rhode Island's request to carry over its FY 2010 SIG funds and to award those funds to LEAs through a competition conducted during the 2011-2012 school year. My decision to grant this waiver is based on my determination that Rhode Island will not be able to submit an approvable application prior to September 30, 2011, and, as a result, absent the waiver, Rhode Island's FY 2010 SIG funds would expire and Rhode Island would not be able to support interventions in its persistently lowest-achieving schools.

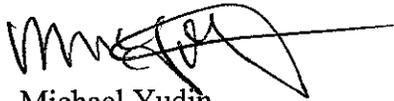
I am granting this waiver on the following conditions:

1. Rhode Island will submit a revised application to ED within 30 days of the approval of this waiver request, and the application must contain a timeline that includes awards to LEAs no later than March 2012;
2. Rhode Island must have an approved application by December 2, 2011; and
3. Rhode Island will not obligate or draw down any of its FY 2010 or FY 2009 carryover SIG funds until Rhode Island receives approval of its FY 2010 SIG application;
4. Rhode Island will not combine its FY 2011 SIG funds with its FY 2010 funds to make larger awards, or to award grants to a greater number of LEAs or for a greater number of schools, through the competition conducted in the 2011-2012 school year; and

5. After receiving its FY 2011 and FY 2012 SIG funds, respectively, Rhode Island will request waivers to extend the periods of availability of those funds until September 30, 2014 and September 30, 2015, respectively, so that those funds may be used for continuation grants for the FY 2010 funds awarded through the competition conducted in the 2011–2012 school year.

I appreciate the work you are doing to improve Rhode Island's persistently lowest-achieving schools and provide a high-quality education for all of your students. I look forward to continue working with you to support meaningful education reform in this regard. If you have any questions, please contact Carlas McCauley at carlas.mccauley@ed.gov or (202) 260-0824.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Yudin', with a long horizontal line extending to the right.

Michael Yudin
Acting Assistant Secretary
Office of Elementary and Secondary Education