



**UNITED STATES DEPARTMENT OF EDUCATION**  
**OFFICE OF ELEMENTARY AND SECONDARY EDUCATION**

ASSISTANT SECRETARY

SEP 20 2011

The Honorable Kevin Huffman  
Commissioner of Education  
Tennessee Department of Education  
Sixth Floor, Andrew Jackson Tower  
710 James Robertson Parkway  
Nashville, Tennessee 37243-0375

Dear Commissioner Huffman:

I am writing in response to Tennessee'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." Tennessee has requested a waiver of this requirement for its application for Fiscal Year (FY) 2010 SIG funds because the waiver will provide Tennessee with additional time to change policies, laws, and procedures that will help the Tennessee Department of Education (TDOE) to fully implement the four SIG intervention models during the 2012-2013 school year.

The United States Department of Education wants to promote a thoughtful and comprehensive approach to the implementation of SIG. In accordance with that goal, I am approving Tennessee'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 Tennessee will not be able to submit an approvable application prior to September 30, 2011, and, as a result, absent the waiver, Tennessee's FY 2010 SIG funds would expire and Tennessee would not be able to support interventions in its persistently lowest-achieving schools.

I am granting this waiver on the following conditions:

1. Tennessee 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. Tennessee must have an approved application by December 2, 2011; and
3. Tennessee will not obligate or draw down any of its FY 2010 or FY 2009 carryover SIG funds until Tennessee receives approval of its FY 2010 SIG application;
4. Tennessee 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, Tennessee will request waivers to extend the periods of availability of those funds until September 30, 2014 and

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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 Tennessee'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](mailto:carlas.mccauley@ed.gov) or (202) 260-0824.

Sincerely,



Michael Yudin  
Acting Assistant Secretary  
Office of Elementary and Secondary Education