



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

ASSISTANT SECRETARY

SEP 21 2011

The Honorable Armando Vilaseca
Commissioner of Education
Vermont Department of Education
120 State Street
Montpelier, Vermont 05620

Dear Commissioner Vilaseca:

I am writing in response to Vermont'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." Vermont 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 Vermont its share of FY 2010 SIG funding before those funds expire on September 30, 2011.

The U.S. Department of Education (Department) wants to promote a thoughtful and comprehensive approach to the implementation of SIG. In accordance with that goal, I am approving Vermont's request for a waiver. My decision to grant this waiver is based on my determination that Vermont will not be able to submit an approvable application prior to September 30, 2011 and, as a result, absent the waiver, Vermont's FY 2010 SIG funds would expire and would not be able to support interventions in Vermont's persistently lowest-achieving schools.

I am granting this waiver on the following conditions:

1. Vermont 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. Vermont must have an approved application by December 2, 2011; and
3. Vermont will not obligate or draw down any of its FY 2010 or FY 2009 carryover SIG funds until Vermont receives approval of its FY 2010 SIG application;
4. Vermont 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, Vermont 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.

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Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

I appreciate the work you are doing to improve Vermont'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 (202) 260-0824.

Sincerely,



Michael Yudin
Acting Assistant Secretary
Office of Elementary and Secondary Education