



State of New Jersey

DEPARTMENT OF EDUCATION

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January 29, 2010

TO: Chief School Administrators of Title I Districts
Charter School Lead Persons of Title I Districts

FROM: Willa Spicer, Deputy Commissioner

SUBJECT: ARRA Title I School Improvement Grant (SIG) Waivers – Notification and Request for Comments

The American Recovery and Reinvestment Act of 2009 (ARRA) provides significant new funding for programs authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (Title I or ESEA). Specifically, ARRA and the 2010 allocation provide \$67 million in additional Title I, School Improvement Grant funds to New Jersey's local educational agencies (LEAs) for use in schools identified for improvement that demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources to raise substantially the achievement of their students so as to enable the schools to make adequate yearly progress and exit improvement status.

School improvement funds are to be focused on each state's "Tier I" and "Tier II" schools. Tier I schools are a state's persistently lowest-achieving Title I schools in improvement. Tier II schools are a state's persistently-lowest achieving secondary schools that are eligible for, but do not receive, Title I, Part A funds. The state may also identify other Title I schools in need of improvement under Tier III.

In its Title I, School Improvement Grant Section G guidance at: <http://www.ed.gov/programs/sif/index.html>, the United States Department of Education (USDE) stated that the Secretary would consider waiver requests with respect to three areas:

- (1) Section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of school improvement funds for the SEA and all of its LEAs from September 30, 2011 to September 30, 2013;
- (2) Section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I and Tier II participating schools that implement the turnaround or restart model to "start over" in the school improvement AYP timeline; and

- (3) The 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit LEAs to implement a schoolwide program in a Tier I or Tier II participating Title I school that does not meet the 40 percent poverty threshold.

New Jersey is intending to apply for these three waivers. Prior to the state submitting its request to the USDE, it must provide all interested LEAs in the state with notice and a reasonable opportunity to comment on the request (ESEA section 9401(b)(3)(A)(i)). The state must submit all comments it receives from those LEAs to the Secretary along with its application for SIG funds (ESEA section 9401(b)(3)(A)(ii)) which is due on February 8, 2010. The Secretary will consider these comments when determining whether to grant the waiver requests. The state must also provide notice and information regarding the waiver request to the public in the manner in which the SEA customarily provides such notice and information to the public (ESEA section 9401(b)(3)(A)(iii)), such as through a public website.

As such, New Jersey is asking for your comments regarding the three School Improvement Grant waiver requests. Please send your comments to TitleOne@doe.state.nj.us or, if you prefer, you may mail a letter to: New Jersey Department of Education, Office of Student Achievement and Accountability, PO Box 500, Trenton, NJ 08625-0500. Comments will be accepted until Friday, February 5, 2010. Please comment on each waiver separately in your reply. All public comments submitted during the comment period will be promptly read, taken into consideration and submitted to the USDE.

Thank you for your feedback. If you have additional questions, email the NJDOE Title I email helpline: TitleOne@doe.state.nj.us.

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c: Members, State Board of Education
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