

# STATE OF ALASKA

Department of Education & Early Development

*Teaching & Learning Support*

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**To:** Superintendents

**cc:** Title I and School Improvement Coordinators

**From:** Margret MacKinnon  
Title I/NCLB Administrator

**Date:** November 15, 2010

**Subject: Notification of Alaska's Intent to Apply for Waivers for SIG 1003(g) Grants**

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The Alaska Department of Education & Early Development is planning to request waivers of several provisions related to the implementation of the School Improvement Grants under Section 1003(g) of the Elementary and Secondary Education Act (ESEA). The department applied for and received waivers of these same provisions in the prior year. The waivers are explained below.

Information about the School Improvement Grants under 1003(g), including the state's application, definition of persistently low achieving schools, LEA application forms for the 2010-2011 school year, and federal requirements and guidance documents, is posted on the department website at <http://www.eed.state.ak.us/stim/home.html> under "ARRA Title I School Improvement 1003(g) Grants." The department is not anticipating any changes to its definition of persistently low achieving schools nor any significant changes to the SIG applications for the 2011-2012 grant competition.

This notice is to meet the notification requirements under Section 9401(b)(3)(A)(i) of the Elementary and Secondary Education Act. The department will submit these waiver requests to the US Department of Education (USED) along with the state's application for School Improvement Grants under 1003(g). **Districts are invited to submit comments to the department no later than December 1, 2010. Comments may be submitted to Margaret MacKinnon by email at [margaret.mackinnon@alaska.gov](mailto:margaret.mackinnon@alaska.gov) or by fax at 907-465-2989.**

### **Waivers of state level requirements for SIG 1003(g)**

The state is requesting the following waivers related to the identification of the persistently lowest achieving schools in the state. The State believes that the requested waiver(s) will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III schools.

### **Waiver 1: Tier II waiver**

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2010 competition, waive paragraph (a)(2) of the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of those requirements to permit the State to include, in the pool of secondary schools from which it determines those that are the persistently lowest-achieving schools in the State, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two consecutive years or are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined.

#### **Assurance**

The State assures that it will include in the pool of schools from which it identifies its Tier II schools all Title I secondary schools not identified in Tier I that either (1) have not made AYP for at least two consecutive years; or (2) are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined. Within that pool, the State assures that it will identify as Tier II schools the persistently lowest-achieving schools in accordance with its approved definition. The State is attaching the list of schools and their level of achievement (as determined under paragraph (b) of the definition of “persistently lowest-achieving schools”) that would be identified as Tier II schools without the waiver and those that would be identified with the waiver. The State assures that it will ensure that any LEA that chooses to use SIG funds in a Title I secondary school that becomes an eligible Tier II school based on this waiver will comply with the SIG final requirements for serving that school.

### **Waiver 2: n-size waiver**

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2010 competition, waive the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and the use of that definition in Section I.A.1(a) and (b) of those requirements to permit the State to exclude, from the pool of schools from which it identifies the persistently lowest-achieving schools for Tier I and Tier II, any school in which the total number of students in the “all students” group in the grades assessed is less than 26 (25 or fewer).

#### **Assurance**

The State assures that it determined whether it needs to identify five percent of schools or five schools in each tier prior to excluding small schools below its “minimum n.” The State is attaching, and will post on its Web site, a list of the schools in each tier that it will exclude under this waiver and the number of students in each school on which that determination is based. The State will include its “minimum n” in its definition of “persistently lowest-achieving schools.” In addition, the State will include in its list of Tier III schools any schools excluded from the pool of schools from which it identified the persistently lowest-achieving schools in accordance with this waiver.

### **Waiver of LEA requirements for SIG**

The state is requesting the following waivers that would allow any local educational agency (LEA) in the State that receives a School Improvement Grant to use those funds in accordance

with the final requirements for School Improvement Grants and the LEA's application for a grant. The State believes that the requested waiver(s) will increase the quality of instruction for students and improve the academic achievement of students in Tier I, Tier II, and Tier III schools by enabling an LEA to use more effectively the school improvement funds to implement one of the four school intervention models in its Tier I, Tier II, or Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in the State's Tier I, Tier II, and Tier III schools.

**Waiver 4: School improvement timeline waiver**

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2011–2012 school year to “start over” in the school improvement timeline.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests the waiver in its application as part of a plan to implement the turnaround or restart model beginning in 2011–2012 in a school that the SEA has approved it to serve. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

**Waiver 5: Schoolwide program waiver**

Waive 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, Tier II, or Tier III Title I participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests to implement the waiver in its application. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.