



Office of the State Superintendent of Education

DISTRICT OF COLUMBIA
MAYOR ADRIAN M. FENTY

September 27, 2010

Thelma Meléndez de Santa Ana, Ph.D.
Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-6100

Dear Dr. Meléndez,

I am writing with regard to the District of Columbia's Fiscal Year (FY) 2008 funds under the School Improvement Grants (SIG) program under section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA). Under section 421(b) of the General Education Provisions Act (GEPA) (the "Tydings Amendment"), FY 2008 SIG funds must be obligated by September 30, 2010. Currently, the District of Columbia has \$1,653,767 in FY 2008 SIG funds that either are unobligated at the SEA level or were awarded to LEAs but for which LEAs have not yet reported obligations. To the extent that these funds remain unobligated, it is due to the inability of the original subgrantees to use all of these funds during their implementation of school improvement interventions. The District of Columbia does not anticipate being able to obligate these funds in a thoughtful manner that will increase the quality of instruction and academic performance for students prior to that deadline.

Therefore, I am requesting, on behalf of the District of Columbia, a waiver of section 421(b) of GEPA for the unobligated portion of the District of Columbia's FY 2008 SIG funds. Specifically, I am seeking this waiver to extend the period of availability for the FY 2008 SIG funds for an additional 24 months, until September 30, 2012.

The District of Columbia will combine all remaining FY 2008 SIG funds (after it is determined how much of the original awards were obligated by September 30th by subgrantees) with its 2010 SIG funds [and the FY 2009 SIG funds that it carried over] and use the combined funds to make FY 2010 SIG awards consistent with the SIG final requirements. The District of Columbia believes that receiving this waiver will enable it to use FY 2008 funds to make SIG awards that will allow its LEAs to support the implementation of required school intervention models in additional Tier I and Tier II schools. These funds will help increase the quality of instruction and improve the academic achievement of students in these schools by supporting rigorous reforms. The District of Columbia will hold each LEA that receives FY 2008 SIG funds accountable in accordance with the annual goals that the LEA includes in its FY 2010 SIG application.

The District of Columbia assures that it has provided all LEAs in the State with notice and a reasonable opportunity to comment on this request. The District of Columbia provided such notice by sending an email to all LEAs on Friday, September 24, 2010 (see copy of notice attached). To expedite its waiver request, the District of Columbia will submit copies of any comments it receives from LEAs after the comment period closes on Friday, October 1, 2010. The District of Columbia has also provided notice and information regarding this waiver request to the public in the manner in which the District of Columbia customarily provides such notice and information to the public, by posting information regarding the waiver request on its website.

The District of Columbia further assures that, if it receives the requested waiver, the District of Columbia will meet the following conditions:



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- The District of Columbia assures that it will use its unobligated FY 2008 SIG funds in conjunction with its FY 2010 SIG funds [and its FY 2009 carryover SIG funds] to support its FY 2010 SIG competition and will require each LEA that receives those funds to expend them in accordance with the final requirements of the SIG program (74 Fed. Reg. 65618 (Dec. 10, 2009) and 75 Fed. Reg. 3375 (Jan. 21, 2010)).
- The District of Columbia will submit any comments it receives to ED within 5 days of the closing of the comment period on this waiver.

I understand how critical it is that the District of Columbia and its local education agencies (LEAs) have sufficient fund accounting procedures to ensure that Federal funds are obligated in a timely manner. To ensure that the the District of Columbia obligates future funds in a timely manner, the District will monitor obligations at the subgrantee level on at least a quarterly basis for all LEAs that receive SIG and other federal funds and apply a reallocation policy to award unobligated funds to other potential subgrantees earlier in the grant period to ensure full obligation by the end of the Tydings period.

Please feel free to contact me by phone or email at Jeremy.Grant-Skinner@dc.gov or 202-724-2343 if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Jeremy Grant-Skinner, J.D.
Director, Teaching and Learning
Elementary and Secondary Education
Office of the State Superintendent of Education
Government of the District of Columbia
810 First Street NE, #5025B
Washington, DC 20002
202.724.2343 (Desk)
202.368.3128 (Mobile)
202.741.6412 (Main OSSE)
Jeremy.Grant-Skinner@dc.gov
www.osse.dc.gov