

LEA Waiver Request for FY10 Title I, Part A-ARRA

The Pelham City Board of Education is requesting a one-year waiver of the following Title I, Part A statutory requirements and regulatory provisions that are affected by the availability of Title I, Part A ARRA funds:

*Please indicate which statutory requirements and regulatory provisions your school district is submitting a waiver request by checking the appropriate box(es).

Approval of identified LEAs and schools as SES providers. This provision prohibits an SEA from approving a provider of SES a school identified for improvement, corrective action, or restructuring or an LEA identified for improvement or corrective action (34 C.F.R. §200.47(b)(1)(iv)(A),(B)). This waiver request would allow the above mentioned SEA and/or LEA to apply as State Approved SES Providers.

Waiver of an LEA's obligation to spend an amount equal to at least 20 percent of its FY10 Title I, Part A, Subpart 2 allocation on transportation for public school choice and SES (20 percent obligation) (ESEA section 1116(b)(10); 34 C.F.R. §200.48).

Waiver of the responsibility of a school improvement to spend 10 percent of its FY10 Title I, Part A funds on professional development (ESEA section 1116(b)(3)(A)(iii); 34 C.F.R. §200.41(c)(5)).

Waiver of the responsibility of an LEA in improvement to spend 10 percent of its FY10 Title I, Part A, Subpart 2 allocation on professional development (ESEA section 1116(c)(7)(A)(iii); 34 C.F.R. §200.52(a)(3)(iii)).

Waiver of the responsibility of LEA to calculate the per-pupil amount for SES based on its FY10 Title I, Part A, Subpart 2 allocation (per-pupil amount for SES) (ESEA section 1116(e)(6); 34 C.F.R. §200.48(c)).

Waiver on the prohibition of an LEA's ability to request waivers of the carryover limitation more than once every three years (ESEA section 1127(b)).

Waiver of the maintenance of effort (MOE) requirement for an LEA that the SEA has determined, in accordance with ESEA section 9521; 34 C.F.R. §299.5, failed to maintain effort.

Superintendent Signature

10/10/10
Date

LEA Waiver Request Assurances for FY10 Title I, Part A-ARRA

The **Pelham City Board of Education** hereby assures that, if it is granted the requested waiver(s), the **Pelham City Board of Education** will implement the waiver only with respect that it provides assurances that:

*Please indicate your acceptance of the assurances listed below by initialing each assurance listed.

- The LEA will comply with statutory and regulatory obligations for the professional development set-aside with respect to its regular Title I, Part A allocation;
- The LEA will ensure that schools will implement the waiver for obligations for the professional development set-aside in accordance with the formula provided by the U.S. Department of Education (US ED) and GaDOE;
- The LEA will ensure that all schools in improvement within the LEA will comply with all statutory and regulatory requirements regarding their professional development obligations with respect to the funds that are not "factored out" in accordance with the formula provided by the US ED and GaDOE;
- The LEA will comply with all of the statutory and regulatory requirements regarding the provision of SES with respect to its regular FY10 Title I, Part A allocation;
- The LEA will comply with its statutory and regulatory obligations for the provision of SES and public school choice with respect to its regular Title I, Part A allocation;
- The LEA will seek a waiver for carryover limitations for the second (or third) time within three years because of its ARRA funds;
- The LEA and its schools in improvement will use the funds freed up by the waiver to address needs identified based on data, such as Statewide or formative assessment results;
- The LEA and its schools in improvement will comply with all of its other Title I, Part A statutory and regulatory obligations, including the obligations in sections 1114 and 1115 to have schoolwide and targeted assistance programs that "use effective methods and instructional strategies that are based on scientifically based research"; and
- The LEA will submit an application for Title I funds (referred to herein as "LEA Title I, Part A ARRA Expansion Form and Title I, Part A Comprehensive LEA Improvement Plan (CLIP)), or if necessary, an amendment to its existing ARRA Expansion Form or LEA CLIP, that describes the data on which it relied to identify needs that will be addressed using the funds freed up by the waiver and the evidence that supports the strategies it intends to use to address those needs.

Superintendent Signature

Date