

## Public Notice of Intent to Seek Waiver

The Wisconsin Department of Public Instruction intends to seek waivers to the following Sections of the Elementary and Secondary Education Act (ESEA). All waivers are related to Title I Part A, Section 1003(g) School Improvement Grants (SIG) for Title I schools identified for improvement. Waivers that have been requested include:

- 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.
- 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 10.
- 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 2011-12 school year to “start over” in the school improvement timeline.
- 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.
- Waive section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of FY 2009 carryover school improvement funds for the SEA and all of its LEAs to September 30, 2014.

Comments or questions concerning the proposed waivers may be directed to:  
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