

## Title I Waiver Information Pertaining to the ARRA Title I Funds

When identified for program improvement, schools and districts must set aside funding for school choice, supplemental services, and professional development. The USDE is going to allow states and districts to apply for a waiver with respect to the Title I ARRA funds. Therefore, with an approved waiver, a school or district would only need to set aside funds for the program improvement requirements out of their regular Title I allocation, but not out of the ARRA stimulus allocation.

Under section 9401 of the ESEA, an SEA, LEA, Indian tribe, or school (through its LEA) may apply for a waiver of any statutory or regulatory requirements in Title I Part A except as specified in section 9401(C) of the ESEA (see F-5). The waiver would extend for a period of two years, the period of time the Title I ARRA funds are available for obligation. The USDE will issue additional guidance regarding the information that must be included in a request and the process for submitting the request in the near future.

The USDE will consider waiving the following requirements with respect to the Title I ARRA funds:

- (a) A school in improvement's responsibility to spend 10 percent of its Title I funds on professional development (Section 1116(b)(3)(A)(iii)).
- (b) An LEA in improvement's responsibility to spend 10 percent of its Title I Part A, Subpart 2 allocation on professional development (Section 1116(c)(7)(A)(iii)).
- (c) An LEA's obligation to spend an amount equal to at least 20 percent of its Title I Part A, Subpart 2 allocation on transportation for public school choice and on supplemental services (Section 1116(b)(10)).
- (d) An LEA's responsibility to calculate the per-pupil amount for supplemental services based on an LEA's FY 2009 Title I Part A, Subpart 2 allocation (Section 1116(3)(6)).

Complete this form separately for every school and district identified for Title I program improvement for the 2009-2010 school year.

District \_\_\_\_\_

School \_\_\_\_\_

We intend to apply for a waiver in the following areas:	
<input type="checkbox"/>	A school in improvement's responsibility to spend 10 percent of its Title I funds on professional development
<input type="checkbox"/>	An LEA in improvement's responsibility to spend 10 percent of its Title I Part A, Subpart 2 allocation on professional development
<input type="checkbox"/>	An LEA's obligation to spend an amount equal to at least 20 percent of its Title I Part A, Subpart 2 allocation on transportation for public school choice and on supplemental services
<input type="checkbox"/>	An LEA's responsibility to calculate the per-pupil amount for supplemental services based on an LEA's FY 2009 Title I Part A, Subpart 2 allocation

Mail or fax this form by May 7, 2009, to:  
Department of Public Instruction  
Title I Office  
600 East Boulevard Avenue, Dept. 201  
Bismarck, ND 58505-0440  
Fax: (701) 328-4770