

**Oklahoma Request
to
Exclude Title I, Part A ARRA
Funds in Determining the
Per-Pupil Amount for SES**

September 2009

Contact:

**Dr. Cindy Koss
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2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599
(405) 521-3361**

**OKLAHOMA REQUEST TO EXCLUDE TITLE I, PART A ARRA FUNDS IN DETERMINING
THE PER-PUPIL AMOUNT FOR SES**

Dr. Joseph C. Conaty
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW, Room 3W225
Washington, DC 20202

Dear Dr. Conaty:

I am writing on behalf of all local educational agencies (LEAs) in Oklahoma that receive funds under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) to request a waiver for fiscal year (FY) 2009 of the requirement in section 1116(e)(6)(A) of the ESEA and in 34 C.F.R. § 200.48(c)(1) to determine the per-pupil amount for supplemental educational services (SES) based on an LEA’s total FY 2009 Title I, Part A allocation (*i.e.*, including both its regular Title I, Part A allocation and its Title I, Part A allocation under the American Recovery and Reinvestment Act of 2009 (ARRA)). Specifically, I am seeking this waiver to allow LEAs within Oklahoma to exclude some or all of the Title I, Part A funds they receive under ARRA in calculating the per-pupil amount for SES. Oklahoma believes that the requested waiver, by reducing the per-pupil amount, will allow LEAs to provide SES to a greater number of students.

Oklahoma has set the following annual measurable objectives (AMOs) in reading and mathematics for the 2009–2010 school year:

**Adequate Yearly Progress (AYP) for Oklahoma Schools and Districts
Timeline for Statewide Performance Targets in Math and Reading
Pursuant to the No Child Left Behind Act of 2001**

| | Baseline 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------|------------------|------|------|------|------|------|------|------|------|------|------|------|------|
| Math <i>api</i> | 648 | 648 | 790 | 790 | 790 | 932 | 932 | 932 | 1074 | 1074 | 1216 | 1358 | 1500 |
| Reading <i>api</i> | 622 | 622 | 768 | 768 | 768 | 914 | 914 | 914 | 1060 | 1060 | 1206 | 1352 | 1500 |

Oklahoma will determine adequate yearly progress (AYP) based on assessments administered in the 2009–2010 school year in accordance with the requirements of section 1111(b)(2) of the ESEA. Oklahoma believes that, ultimately, allowing an LEA to exclude some or all of its ARRA funds in determining the per-pupil amount for SES and thereby allowing more students to receive SES may help more schools and LEAs within the State make AYP by enabling more students to receive services that will help them meet the AMOs set forth above.

If Oklahoma is granted the requested waiver, Oklahoma will implement the waiver only with respect to an LEA that provides assurances that:

- (1) It will comply with all of the statutory and regulatory requirements regarding the provision of SES with respect to its regular FY 2009 Title I, Part A allocation; and

- (2) It will comply with all other Title I, Part A statutory and regulatory requirements (to the extent they are not waived), including the requirements in sections 1114 and 1115 of the ESEA to have schoolwide and targeted assistance programs that “use effective methods and instructional strategies that are based on scientifically based research.”

Prior to submitting this waiver request, Oklahoma will provide the public and all LEAs in the State with notice and an opportunity to comment on this request. Methods of notification will include, but may not be limited to, posting on the Oklahoma State Department of Education Web site; a message to the Oklahoma Title I Directors Listserv, the School Improvement Advisory Committee, and District Superintendents; a phone conference with the Oklahoma Title I Committee of Practitioners; and the availability to comment at a regularly scheduled meeting of the Oklahoma State Board of Education. Copies of comments that Oklahoma may receive from the public and LEAs in response to the notice and request for comment will be attached to the waiver request.

Oklahoma hereby assures that, if it is granted the requested waiver, it will submit to the U.S. Department of Education, by September 30, 2010, a report that provides the name and NCES District Identification Number for each LEA implementing the waiver.

Please feel free to contact me by phone or email at (405) 521-4514 or <Cindy_Koss@sde.state.ok.us> if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Dr. Cindy Koss
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Office of Standards and Curriculum
Oklahoma State Department of Education
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