



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

OCT 30 2009

Honorable Theodore Mitchell
President
California State Board of Education
1430 N. Street, Suite 5111
Sacramento, California 95814

The Honorable Jack O'Connell
Superintendent of Public Instruction
California Department of Education
P.O. Box 944272
Sacramento, California 94244-2720

Dear President Mitchell and Superintendent O'Connell:

Thank you for your letter of September 18, 2009 requesting a waiver to extend the period to obligate Title I, section 1003(g) School Improvement Grant (SIG) funds made available to California under Public Law 110-5, the Revised Continuing Resolution, 2007. Under section 421(b) of the General Education Provisions Act (also known as the Tydings Amendment), the deadline for obligating these funds was September 30, 2009.

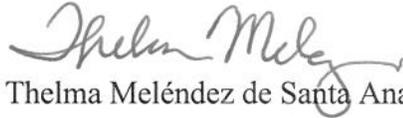
After reviewing your request, I am pleased to approve your waiver to extend the time during which Title I, section 1003(g) funds made available to the California State Board of Education (CSBE) under grant award S377A070005 on December 11, 2007 may be obligated. With this approval, the \$16,620,295 in unobligated FY 2007 SIG funds that expired on September 30, 2009 will remain available for obligation until September 30, 2010. This extension will provide adequate time for California Department of Education (CDE) to make subgrants to the 76 local educational agencies that have 238 schools in greatest need of school improvement and enable those schools to plan and implement effective school improvement strategies. As part of this waiver, the CDE would also have an additional 90 days after September 30, 2010 to access the U.S. Department of Education's Grants Administration Payment System in order to draw down and liquidate FY 2007 SIG funds that were obligated before September 30, 2010.

We understand the Department's recent approval of California's amended SIG application addresses the legislative requirement that its SIG application be consistent with the California Education Code, and the CDE now has sufficient legislative authority to use its FY 2007 and FY 2008 SIG funds. Therefore, we view this as a one-time exception and do not expect this situation to recur with respect to FY 2008 SIG funds that will expire on September 30, 2010.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
www.ed.gov

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact Zollie Stevenson, Jr., Ph.D., Director of Student Achievement and School Accountability Programs (SASA) at (202) 260-0826.

Sincerely,



Thelma Meléndez de Santa Ana, Ph.D.

cc: Deborah Sigman, Deputy State Superintendent