

PUBLIC NOTICE ON MAINE'S WAIVER REQUEST OF SECTION 1127(a) ON
CARRYOVER LIMITATION WAIVERS

On behalf of all school administrative units, the Maine Department of Education is seeking a waiver of the limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) that prohibits a State educational agency (SEA) from granting to a local educational agency (LEA) a waiver of the carryover limitation in section 1127(a) of the ESEA more than once every three years. Section 1127(b) permits an SEA to waive the limitation in section 1127(a) once every three years if: (1) the LEA's request is reasonable and necessary; or (2) a supplemental Title I, Part A appropriation becomes available.

This waiver will allow Maine to waive the carryover limitation more than once every three years for an LEA that needs the additional waiver because Title I, Part A funding levels to SEAs and LEAs have been volatile over the past two years; required district set-asides must be made and then are not spent timely such as SES and CIPD expenditures; and new staff being hired at less costly contracts. This waiver is for a one year period to apply to LEA requests to carry over federal FY12 [state FY13] Title I, Part A funds in excess of the carryover limitation more than once in a three year period.

Maine believes that the requested waiver will provide the State with the ability to grant an LEA the flexibility it needs to spend its Title I, Part A funds thoughtfully over the course of another year on activities that are most likely to improve the academic achievement of students. Accordingly, Maine believes that, ultimately, the requested waiver may help more schools and LEAs within the State make AYP by enabling them to direct their funds thoughtfully to activities that will help their students meet the AMOs.

The Maine Department of Education has received many letters of support for this waiver request. Questions related to this waiver request should be sent by March 25, 2013, 2012 to Jackie Godbout, Title IA Program Consultant, at jackie.godbout@maine.gov.