



Illinois State Board of Education

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Darren Reisberg
Chair of the Board

Dr. Carmen I. Ayala
State Superintendent of Education

August 1, 2022

The Honorable Miguel Cardona
Secretary of Education
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Cardona,

Pursuant to Section 8401(a)(1) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) of 2015, I am requesting a waiver on behalf of the Illinois State Board of Education (ISBE) and its subgrantees from the following federal statutory and regulatory requirements.

1. *Section 421(b) of the General Education Provisions Act (20 U.S.C. Section 1225[b]), the Tydings Amendment.*

Specifically, this request seeks to extend the period of availability of Title I, Part A, Section 1003 School Improvement funds awarded in federal fiscal years (FFY) 2019 and 2020 from September 30, 2022,¹ until September 30, 2024.

2. *Carryover Limitation in Section 1127(b) of the ESEA.*

Specifically, this request seeks to waive the 15% Title I, Part A carryover limitation on Section 1003 School Improvement funds from September 30, 2022, until September 30, 2024.

Federal Program Affected by the Waiver

This waiver request is limited to Title I, Part A, Section 1003 School Improvement of the ESEA.

Summary of the Issue

Illinois' statewide system of technical assistance and support, as approved in its amended ESSA Consolidated State Plan,² focuses on developing effective continuous improvement practices in schools identified for comprehensive and targeted supports and interventions. State efforts focus specifically on closing achievement gaps, increasing equity, improving the quality of instruction, and increasing outcomes for all students by building the capacity of school leaders to implement and sustain effective continuous improvement practices. Since March 2020, the COVID-19 pandemic has impacted ISBE's administration of the statewide system of technical assistance and support in multiple ways. Primarily, state assessments were canceled and delayed respectively in 2020 and 2021, which disrupted the accountability system used to gauge annual meaningful differentiation of schools. As a result, ISBE did not issue new summative designations in 2020 and 2021; subsequently, new grantee cohorts were not identified for comprehensive and targeted support for two consecutive years. These circumstances resulted in a lack of disbursement of Title I, Part A, Section 1003 School Improvement funds to Local Education Agencies (LEAs) and underspending on state activities during school closings.

¹ <Placeholder link to approved waiver>

² [Amendment Approval Letter, September 10, 2019](#); [Approved Illinois ESSA Plan with Amendment 1, September 10, 2019](#); and [Illinois ESSA Plan Amendment 1 Executive Summary](#)

Concurrently at the local level, district and school personnel understandably focused more on pandemic-related operations and less on school improvement efforts, resulting in an underutilization of statewide system of technical assistance and support services and a decrease in related expenditures.³ Additionally, Elementary and Secondary School Emergency Relief Funds provided in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and American Rescue Plan (ARP) Act, along with Governor’s Emergency Education Relief Funds in the CARES Act and CRRSA Act, collectively infused unprecedented amounts of funding into districts and their schools during FFYs 2019, 2020, and 2021, which impacted and minimized expenditures from Section 1003 School Improvement fund balances.

While the impact of the pandemic will not be fully known for years to come, the immediate effect is that state and local expenditures of Title I, Part A, Section 1003 School Improvement funds have not kept pace in Illinois with annual federal allocations. Additionally, given the levels of federal pandemic relief funds given to districts, schools continue to struggle to fully expend their school improvement carryover funds prior to their expiration on September 30, 2022.

Continuity of Services to Advance Student Academic Achievement

Approval of this waiver request will directly impact student achievement by allowing ISBE to fully utilize available funds to provide grants to LEAs to carry out school improvement activities and to increase services provided by the statewide system of technical assistance and support, especially now that schools are attempting to normalize operations after the pandemic. School improvement is inherently about organizational planning and implementing systems change. Approval of this waiver affords ISBE, district, and school personnel the additional time necessary to meaningfully effectuate these tenets of Section 1003 School Improvement.

Approval of this waiver will also support the continuity of services by offering a unique opportunity to restructure the pace and use of fiscal resources. The request is intended to alleviate the impact of circumstances by allowing additional time for ISBE and LEAs to resume normal operations relative to school improvement activities by extending the availability of funds through September 30, 2024, and by allowing districts additional time to access their carryover funds to support continuity of services and support learning recovery.

Information Directly Related to Waiver Request

As of June 16, 2022, ISBE had \$59,723,879 of federal School Improvement funds for LEA grants and \$2,321,647 for state school improvement activities, for a total of \$62,045,526, that are scheduled to expire on September 30, 2022. Because of the reasons provided herein, ISBE supports only two cohorts of grantees. The first cohort of schools in improvement status was identified in 2018 and the second cohort of grantees was identified in 2019, prior to the disruption of the spring assessment administration caused by the pandemic.

Within these two cohorts, ISBE currently supports 234 comprehensive schools and 683 targeted schools. Staff recognize that it will take multiple years for data to restabilize for the purposes of accountability; however, staff do project adding up to 150 new schools in a third grantee cohort to be identified in the fall of 2022. Approval of this waiver would allow the shifting of money from a time when funds were not needed as much to a time when LEAs need flexibility to plan and implement school improvement efforts that best support learning recovery at the local level.

Method to Monitor and Regularly Evaluate

Since the inception of the statewide system of technical assistance and support in 2018, ISBE has maintained a notable annual fund balance in 1003 School Improvement accounts designated for both LEA grants and for state activities. While the pandemic has impacted program fund balances at both the state and local levels, the escalating trend of annual year-end 1003 fund balances warrants a state-level cash analysis to ensure funds and resources are disbursed as effectively and expediently as possible for schools to maximize the impact. This analysis will consider projections about the new cohort of grantees to be identified in the fall of 2022 and the funds necessary to reinstate and sustain an annual cohort identification model. This review will also consider amending the business rules used to calculate annual LEA allocations based on schools in improvement status. The reconciliation between annual federal allocations and state year-end fund balances may include increased allocations to schools during the planning and implementation years of the grant.

³ [Year 3 IL-EMPOWER Annual Evaluation Report \(SY 2020-2021\), April 2022](#)

As these continuous reviews and internal reconciliations are made, ISBE will also mobilize personnel to work directly with LEAs to concentrate fiscal resources in school years 2022-23 and 2023-24 on intensive school improvement planning and implementation efforts. ISBE has [communicated and provided resources](#) to proactively encourage districts to resume normal school improvement activities as soon as practicable.

Public Notice and Opportunity to Comment

Information on this waiver request was shared with districts via multiple communications (e.g., *ISBE's Weekly Message*, the ISBE website, direct emails to grantees) from June 28 through July 19, 2022, to collect input and consider public comments.

Summary of Public Comment

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In conclusion, I am requesting this waiver on behalf of ISBE and its subgrantees because it is not possible to obligate funds on a timely basis as originally planned due to the length and impact of the COVID-19 pandemic in Illinois. If it is approved, ISBE will ensure that LEAs expend their School Improvement funds in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to this waiver request. The agency will work to mitigate any negative effects, if any, that may occur as a result of this requested waiver.

Sincerely,

Dr. Carmen I. Ayala
State Superintendent of Schools
Illinois State Board of Education