



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, ME 04333-0023

JANET T. MILLS  
GOVERNOR

PENDER MAKIN  
COMMISSIONER

May 14, 2019

Frank Brogan  
Assistant Secretary  
Elementary & Secondary Education  
US Department of Education,  
400 Maryland Ave., SW,  
Washington, DC 20202

Dear Assistant Secretary Brogan,

Request for a Tydings Amendment Waiver

Pursuant to §8401(b) of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) of 2015, the Maine Department of Education requests a Tydings Waiver applicable to Federal fiscal year (FY) 2017. The requested waiver from §421(b) of the General Provisions Act applies to \$2,578,500.00 of FY 2017 Title I, Part A funds reserved for school improvement under section 1003(a) of the ESEA as amended by ESSA. This waiver would seek to extend the period of availability of funds from September 30, 2019 to September 30, 2020.

Additional information as required by §8401(b) of the ESEA as amended by the ESSA of 2015 can be found below:

**Federal program affected by the requested waiver**

Maine's Model of Support for eligible Tier III (Comprehensive Supports and Intervention or CSI) and Tier I (Additional Targeted Supports and Intervention or ATSI) support under section 1003(a) of ESEA, as amended by the ESSA of 2015 is immediately impacted by the Department's waiver request. This request is seeking to extend the availability of \$2,578,500.00 to support eligible Maine schools. The funding will assist schools in engaging in whole-school reform by meeting school and student needs.

**Impact to Student Achievement**

Waiving §421(b) of the General Provisions Act (Tydings waiver) will directly impact student achievement by allowing the Maine Department of Education to provide increased support for school and classroom leaders during the 2019-2020 school year. Maine is committed to providing a differentiated method of support to struggling schools. Maine's Model of Support includes coaching and mentoring for school leaders, evidence-based professional learning for educators, and content-specific instructional coaching in classrooms. This process requires all eligible Tier III schools to annually partner with educators, families, and community members to complete a comprehensive needs assessment (CNA). During this process each school team analyzes local and academic and non-academic data, identifies promising practices and

concerning trends, determines root cause, creates meaningful goals and a plan for continuous improvement.

### **Monitoring**

The Department will continue to work with schools eligible to receive Tier III (CSI) and Tier I (ATSI) support to ensure funds are utilized in a manner that is reasonable, necessary and allowable under the ESEA as amended by the ESSA of 2015. The Maine Department of Education will continue to ensure proposed uses of funds align with the school's completed CNA. Schools eligible to receive Tier III (CSI) supports will continue to document all school improvement related work within DirigoStar (Indistar), the Department's online project management tool. Each school is also supported and monitored by an assigned school leadership coach. Maine DOE leadership and instructional coaches visit each Tier III eligible school several times throughout the school year.

### **Continuity of Services to Students**

Schools will continue to utilize their completed CNAs to direct and implement the work without negative impact to specific student populations. The extension to the period of availability of funds will ensure schools will have an increased opportunity to access funds to further target supports and meet the needs and goals of the schools, students, and educators as determined in the CNA. Schools will continue to share and engage with communities and families in ways they have found beneficial and which meet the needs of schools and their communities.

### **Public Comment**

Maine has provided this letter to the public via a priority notice in the Maine Department of Education (DOE) Newsroom and through the Department's Facebook page. Public comment was solicited between May 21– June 19, 2019. A summary of comments and the Department's response is attached with the waiver request.

Please don't hesitate to contact us if you require any further information. We look forward to receiving your response.

Pender Makin  
Commissioner