



COMMONWEALTH OF
PUERTO RICO
DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

July 19, 2016

Ann Whalen
Senior Advisor to the Secretary
Delegated the Duties of Assistant
Secretary for Elementary and Secondary Education
Office of Elementary and Secondary Education
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

**LETTER REGARDING TITLE I 1003(g) TYDINGS AMENDMENT REQUEST (FY2013)
WAIVER**

Dear Mrs. Whalen,

I am writing with regard to Puerto Rico's Fiscal Year (FY) 2013 funds under the School Improvement Grants (SIG) program under Section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA). Under Section 421(b) of the General Education Provisions Act (GEPA) (the "Tydings Amendment"), FY 2013 SIG funds must be obligated by September 30, 2015. Currently, Puerto Rico has \$30,474.00 in unobligated FY 2013 SIG funds.

These SIG funds remain unobligated for the 2013 state project period because PRDE was not notified of the additional action that was awarded to the Program. For the aforementioned reason, the Program was not able to draw down all of the funds as of December 30, 2015.

Therefore, I am requesting, on behalf of the Puerto Rico Department of Education, a waiver of Section 421(b) of GEPA for the unobligated portion of Puerto Rico's FY 2013 SIG funds. Specifically, I am seeking this waiver to extend the period of availability for the FY 2013 SIG funds until September 30, 2017. If the Tydings waiver is granted to PRDE, the funds would be used to fund SIG Tier 1-Cohort 2 schools.

PRDE assures that it provided notice and information regarding this waiver request to the public in the manner in which PRDE customarily provides such notice and information to the public via our site [http://de.pr.gov/asuntos-federales/1003\(g\)-tydings-waiver](http://de.pr.gov/asuntos-federales/1003(g)-tydings-waiver)

PRDE is providing such notice on August 5, 2016. To expedite its waiver request, PRDE will submit copies of any comments it receives after the comment period closes on August 12, 2016.

PRDE further assures that, if it receives the requested waiver, it will meet the following conditions:

- PRDE assures that it will use its unobligated FY 2013 SIG funds to support its FY 2013 SIG competition and will expend them in accordance with the final requirements of the SIG program (74 Fed. Reg. 65618 (Dec. 10, 2009) and 75 Fed. Reg. 3375 (Jan. 21, 2010)).
- PRDE will submit any comments it receives to USDE within 5 days of the closing of the comment period on this waiver.

Please feel free to contact Sylvette Santiago, coordinator of the Title I, Part A funds by e-mail (santiagorsy@de.pr.gov) if you have any questions regarding this request.

Thank you for your consideration.

Sincerely,



Prof. Rafael Román Meléndez
Secretary