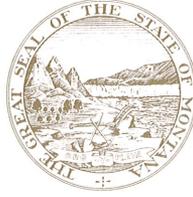


OFFICE OF PUBLIC INSTRUCTION

STATE OF MONTANA

Denise Juneau
Superintendent



www.opi.mt.gov
(406) 444-5643

December 7, 2011

Secretary Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan,

I am writing to inform you that the State of Montana will not ask the U.S. Department of Education for a waiver from certain requirements of No Child Left Behind under the ESEA Flexibility Plan.

I met with our state's educational organizations that represent our K-12 students, teachers and support personnel, school boards, school administrators, and schools of all sizes about the proposed waiver package. Each organization expressed that any policy changes or reform efforts we undertake must make sense for our students and our schools. There was consensus among Montana's educational organizations that the waiver plan, as a replacement program for current NCLB requirements, would cost the state millions of dollars to implement. None spoke in favor of going forward on Montana's application given the many additional unfunded requirements attached to the application. In fact, they join me in signing this letter declining the option to apply for the waiver.

Given the impacts on Montana's schools, the financial resources, and the capacity of my small agency to complete the "all or nothing" waiver package (an estimated 336 hours per response as outlined on the Flexibility Package cover sheet), I have determined that it does not make educational or financial sense for Montana to apply for a waiver.

Additionally, it is possible that these waiver provisions could be overruled by Congressional action, if their current actions move forward. I was heartened by the recent movement by Congress to reauthorize ESEA – at least it has been marked up and discussed in a committee.

Montana will continue to move forward with our current education reform work: promoting community-based efforts to improve graduation rates; adopting higher standards in English and Math and revising our state test to match those standards; creating a new state accountability system with public education partners; developing an evaluation framework for teachers and school leaders aligned with national professional practice standards; and administrating Montana value-added intensive turnaround efforts in our lowest-performing schools.

Secretary Arne Duncan
Page 2
December 7, 2011

Thank you for your continued advocacy at the federal level to create opportunities for ESEA to become a better law and for determinedly expressing that NCLB is broken at every opportunity. However, I wish you would have exercised your statutory waiver authority to simply freeze states' current AMOs until Congress reauthorizes the law without creating the requirement that we rework our entire accountability system. That type of waiver would have been beneficial to every state, district, and school and provided relief from the most onerous portion of the current federal law. Montana would have been near the front of the line had this been the case. Given that this is not the case, please accept our gracious decline of your waiver offer.

Sincerely,



Denise Juneau
Montana State Superintendent of Public
Instruction



Patty Meyers
Chairperson, Montana Board of Public
Education



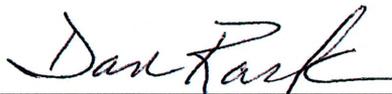
Sandra L. Boham
Chairperson, Montana Indian Education
Association



Darrell Rud
Executive Director, School
Administrators of Montana



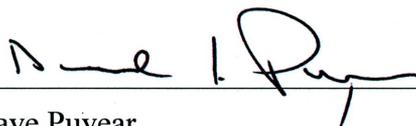
Eric Feaver
President, MEA-MFT



Dan Rask
Executive Director, Montana Small
Schools Alliance



Lance Melton
Executive Director, Montana School
Boards Association



Dave Puyear
Executive Director, Montana Rural
Education Association