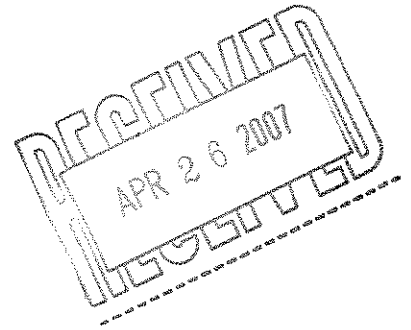




UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

APR 20 2007



Kristen Tosh Cowan
Brustein and Manasevit
Attorneys at Law
3105 South Street, NW
Washington DC 20007

Dear Ms. Cowan:

This letter is in reference to the letter you recently sent asking if a local educational agency (LEA) that is identified for improvement is permitted to use the required 10 percent reservation for professional development needs in non-Title I schools.

To further expand on my October 12, 2004 guidance letter to chief state school officers, section 1116(c) of Title I of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act, requires LEAs identified for improvement to reserve 10 percent of their Title I funds to address professional development needs of the instructional staff serving the LEA, including staff in non-Title I schools. Therefore, to the extent that there are non-Title I schools located in LEAs that have been identified for improvement, the LEAs may use funds under this reservation for professional development for staff in non-Title I schools where the data support the need for such professional development.

I hope I have clarified this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jacquelyn C. Jackson".

Jacquelyn C. Jackson, Ed.D.

Director

Student Achievement and

School Accountability Programs