



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

ASSISTANT SECRETARY

JUL 25 2011

Deborah V. H. Sigman
Deputy Superintendent
California Department of Education
1430 N Street
Sacramento, California 95814

Dear Ms. Sigman:

I am writing in response to California's requests to waive certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. After reviewing California's requests, I am pleased to grant the following waivers:

- Approving schools and LEAs identified for improvement, corrective action, or restructuring as supplemental educational services (SES) providers. I am granting a one-year waiver of 34 C.F.R. § 200.47(b)(1)(iv)(A) and (B) to permit California to approve a school or LEA identified for improvement, corrective action, or restructuring to serve as an SES provider in the 2011–2012 school year.
- Offering SES in addition to public school choice in the first year of improvement and counting the costs of both toward an LEA's 20 percent obligation. I am granting a one-year waiver of ESEA section 1116(b)(10) and 34 C.F. R. § 200.48 to permit an LEA in California to offer SES in addition to public school choice to eligible students in Title I schools in the first year of school improvement and to count the costs of providing SES to these students toward the LEA's 20 percent obligation under 34 C.F. R. § 200.48.

These waivers are granted on the condition that California will satisfy the conditions detailed in the enclosure to this letter, including the requirement to report certain information about the use of each of the waivers to the Department by September 30, 2012. Please be sure to review the enclosure carefully.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact Sharon Hall of my staff at sharon.hall@ed.gov or (202) 260-0998.

Sincerely,

Michael Yudin
Deputy Assistant Secretary for Policy and Strategic
Initiatives

CONDITIONS ON TITLE I, PART A WAIVERS

Approving schools and LEAs identified for improvement, corrective action, or restructuring as supplemental educational services (SES) providers (34 C.F.R. § 200.47(b)(1)(iv)(A) and (B))

This waiver is granted on the condition that California will submit to the Department, by September 30, 2012, a report that includes:

- The total number of LEAs identified for improvement or corrective action that were approved to be an SES provider for the 2011–2012 school year; and
- The total number of schools identified for improvement, corrective action, or restructuring that were approved to be an SES provider for the 2011–2012 school year.

Offering SES in addition to public school choice in the first year of improvement and counting the costs of both toward the 20 percent obligation (ESEA section 1116(b)(10); 34 C.F.R. § 200.48)

This waiver is granted on the condition that California will:

- Ensure that each LEA taking advantage of the waiver complies with all other statutory and regulatory requirements related to SES for the 2011–2012 school year; and
- Submit to the Department, by September 30, 2012, a report that provides the name and NCES District Identification Number for each LEA taking advantage of the waiver.