



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

**AUG 10 2010** ASSISTANT SECRETARY

Dr. Chris L. Nicastro  
Commissioner of Education  
Missouri Department of Elementary  
& Secondary Education  
205 Jefferson Street, 6th Floor  
Jefferson City, MO 65102

Dear Commissioner Nicastro:

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

- Offering SES in addition to public school choice to students attending a school 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 Missouri to offer SES in addition to public school choice to eligible students in a Title I school in the first year of school improvement and to count the costs of providing SES to these students toward meeting the LEA's 20 percent obligation under 34 C.F. R. § 200.48.
- Approving schools or local educational agencies (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 Missouri to approve a school or LEA identified for improvement, corrective action, or restructuring to serve as an SES provider in the 2010–2011 school year.

These waivers are granted on the following conditions:

- Missouri will submit to the Department a report that provides:
  - The name and NCES Identification Number for each LEA taking advantage of the waiver to offer SES in addition to public school choice to students in a Title I school in the first year of improvement and count the costs of both toward the LEA's 20 percent obligation;
  - The total number of LEAs identified for improvement or corrective action that were approved to be SES providers for the 2010–2011 school year; and
  - The total number of schools identified for improvement, corrective action, or restructuring that were approved to be SES providers for the 2010–2011 school year.

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 Zollie Stevenson, Director of Student Achievement and School Accountability Programs (SASA), at (202) 260-0826.

Sincerely,

Thelma Meléndez de Santa Ana, Ph.D.

cc: Governor Jay Nixon  
Stephen Barr