



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

**JUN 15 2010**

Honorable Keith W. Rheault  
Superintendent of Public Instruction  
Nevada Department of Education  
700 East Fifth Street  
Carson City, Nevada 89701-5096

Dear Superintendent Rheault:

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

- 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 Nevada 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.

This waiver is granted on the following conditions:

- Nevada will ensure that each LEA taking advantage of this waiver complies with all other statutory and regulatory requirements related to SES for the 2010–2011 school year; and
- Nevada will submit to the Department, by September 30, 2011, a report that includes:
  - 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.

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: Kathy St. Clair

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