



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 16 2010

THE ASSISTANT SECRETARY

Honorable Thomas J. Oster
Secretary
South Dakota Department of Education
700 Governors Drive
Pierre, South Dakota 57501-2291

Dear Secretary Oster:

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

- 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 South Dakota 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.

This waiver is granted on the following condition:

- South Dakota will submit to the Department, by September 30, 2011, 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 2010–2011 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 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

Cc: Diane Lowery
Title I Director