



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

ASSISTANT SECRETARY

AUG 17 2012

The Honorable Michael W. Kirst
President
California State Board of Education
1430 N Street, Suite 5111
Sacramento, California 95814-5901

The Honorable Tom Torlakson
State Superintendent of Public Instruction
California Department of Education
1430 N Street Sacramento
Sacramento, California 95814-5901

Dear President Kirst and Superintendent Torlakson:

I am writing in response to California's request to waive the regulatory requirements under 34 C.F.R. § 200.47(b)(1)(iv)(A) and (B) of Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. After review of California's request, I am pleased to grant a two-year waiver of 34 C.F.R. § 200.47(b)(1)(iv)(A) and (B) to permit California to approve a school or a local educational agency (LEA) identified for improvement, corrective action, or restructuring to serve as a supplemental educational service (SES) provider in the 2012–2013 and 2013–2014 school years.

This waiver is granted on the condition that California will satisfy conditions detailed in the enclosure to this letter, including the requirement to report certain information about the use of this waiver to the U.S. Department of Education (the Department) by September 30, 2013. 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 Ronald Friend of my staff by email to ronald.friend@ed.gov or by telephone at (202) 358-1440.

Sincerely,

Deborah S. Delisle

Enclosure

cc: Christine Swenson, Director
Improvement and Accountability Division

www.ed.gov

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

CONDITIONS ON TITLE I, PART A WAIVER

Approving schools and local educational agencies (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, 2013, 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 2012–2013 and 2013-2014 school years; and
- The total number of schools identified for improvement, corrective action, or restructuring that were approved to be an SES provider for the 2012–2013 and 2013-2014 school year.