



CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION  
KEVIN FANGMAN, ACTING DIRECTOR

May 26, 2010

Dr. Thelma Meléndez de Santa Ana  
Office of Elementary and Secondary Education  
400 Maryland Ave., SW  
Washington, DC 20202

Dear Dr. Meléndez:

I am writing on behalf of Iowa to request a one-year waiver to allow local educational agencies (LEAs) within Iowa with one or more schools in improvement, corrective action, or restructuring to offer supplemental educational services (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 funds spent providing SES to eligible students in those schools toward the LEA’s obligation to spend an amount at least equal to 20 percent of its Title I, Part A, Subpart 2 allocation on SES and choice-related transportation (20 percent obligation). In the absence of such a waiver, an LEA may only count funds spent providing SES to eligible students attending schools in the second year of improvement, in corrective action, or in restructuring toward its 20 percent obligation (ESEA section 1116(b)(10); 34 C.F.R. § 200.48).

Iowa believes that the requested waiver will increase the quality of instruction for students and improve the academic achievement of students by providing an incentive for an LEA to offer SES to eligible students one year earlier than the law requires, thereby enabling more students within an LEA to enroll in SES. Iowa believes that parents of children attending schools in the first year of improvement will be eager to enroll their children in SES, and that the increased enrollment in SES thus enabled by the waiver will contribute to improving student achievement.

Iowa has set the following annual measurable objectives (AMOs) in reading and mathematics, which are among the subjects that are covered by SES providers in Iowa, for the 2010–2011 school year:

Reading

Year	G3	G4	G5	G6	G7	G8	G11
2010-2011	80.5	81.0	82.5	79.6	79.0	79.0	84.5

Mathematics

Year	G3	G4	G5	G6	G7	G8	G11
2010-2011	80.6	82.0	82.3	77.3	78.7	80.0	84.5

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Iowa will determine adequate yearly progress (AYP) based on assessments administered in the 2010–2011 school year in accordance with the requirements of section 1111(b)(2) of the ESEA and in accordance with the growth model approved by the Department. Iowa believes that, ultimately, allowing LEAs to offer SES to eligible students in Title I schools in the first year of improvement and count the costs of providing SES to those students toward the LEA's 20 percent obligation may help more students within the State to reach the State's proficiency objectives.

Iowa hereby assures that, if it is granted the requested waiver, Iowa will ensure that it will implement the waiver only with respect to those LEAs that will meet all statutory and regulatory requirements related to SES in the 2010–2011 school year (other than the particular funding requirement being waived).

Prior to submitting this waiver request, Iowa provided all LEAs in the State with notice and a reasonable opportunity to comment on this request. Iowa provided such notice by sending an email to each LEA on May 6, 2010 (*see* copy of notice attached). Copies of all comments that Iowa received from LEAs in response to the notice are attached hereto. Iowa has also provided notice and information regarding this waiver request to the public in the manner in which Iowa customarily provides such notice and information to the public by posting information regarding the waiver request on its Web site (*see* attached copy of public notice).

Iowa hereby assures that, if it is granted the requested waiver, it will submit to the U.S. Department of Education, by September 30, 2011, a report that sets forth the name and NCES District Identification Number for each LEA implementing the waiver.

Please feel free to contact Paul Cahill by phone (515.281.3944) or email at [paul.cahill@iowa.gov](mailto:paul.cahill@iowa.gov) if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Kevin Fangman  
Acting Director