



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

May 12, 2014

The Honorable Deborah S. Delisle
Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: Request to Waive Provision on Approving an Identified School or LEA as an
Supplemental Educational Service Provider

Dear Assistant Secretary Delisle:

Washington's Office of Superintendent of Public Instruction (OSPI) is requesting a one-year waiver of the Title I, Part A regulatory provision that prohibits a state from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring, and local educational agencies (LEAs) identified for improvement or corrective action (34 C.F.R. § 200.47(b)(1)(iv)(A),(B)).

Under the law, OSPI may approve as an SES provider only an entity that has a demonstrated record of effectiveness in increasing student academic achievement. Washington believes that identified schools and LEAs may be able to establish that they have an effective program that can help improve academic achievement of students and should not be prevented automatically from gaining approval simply because of their improvement status.

Washington is in the process of reinstituting the attached elementary, middle, and high school state uniform bar goals in reading and mathematics for 2014. See Attachment A. This is a result of Washington's loss of the state's ESEA Flexibility Request (Waiver). Reading/language arts and mathematics are among those content areas that will be covered by SES providers in Washington for the 2014–15 school year.

Washington will determine adequate yearly progress (AYP) based on assessments administered in the 2013–14 school year in accordance with the requirements of section III(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA).

Washington believes that, ultimately, allowing some identified schools or LEAs to serve as SES providers will help more students within Washington to reach the state's proficiency objectives. If granted the requested waiver, Washington will ensure that only those LEAs and schools that meet the state's requirements for SES providers are approved to be on the state's list of approved SES providers for the 2014–15 school year.

Assistant Secretary Delisle

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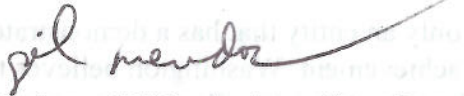
May 12, 2014

Prior to submitting this waiver request, Washington provided all LEAs in the state, and the public, with notice and a reasonable opportunity to comment on this request. Washington provided such notice by sending an email to each LEA (see attachment B) and posted a public notice online at: <http://www.k12.wa.us/TitleI/PublicNotice.aspx> (see attachment C), on April 28, 2014. Copies of all comments that Washington received from LEAs and the public, in response to this notice are attached. See Attachment D.

In summary, OSPI assures that, if granted the requested waiver, the agency will submit to the U.S. Department of Education, by September 30, 2014, a report that provides the total number of LEAs identified for improvement or corrective action that were approved to be an SES provider for the 2014–15 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 2014–15 school year.

Please feel free to contact me by phone, at (360) 725-6170 or by email gil.mendoza@k12.wa.us, if you have any questions regarding this request. Thank you for your consideration.

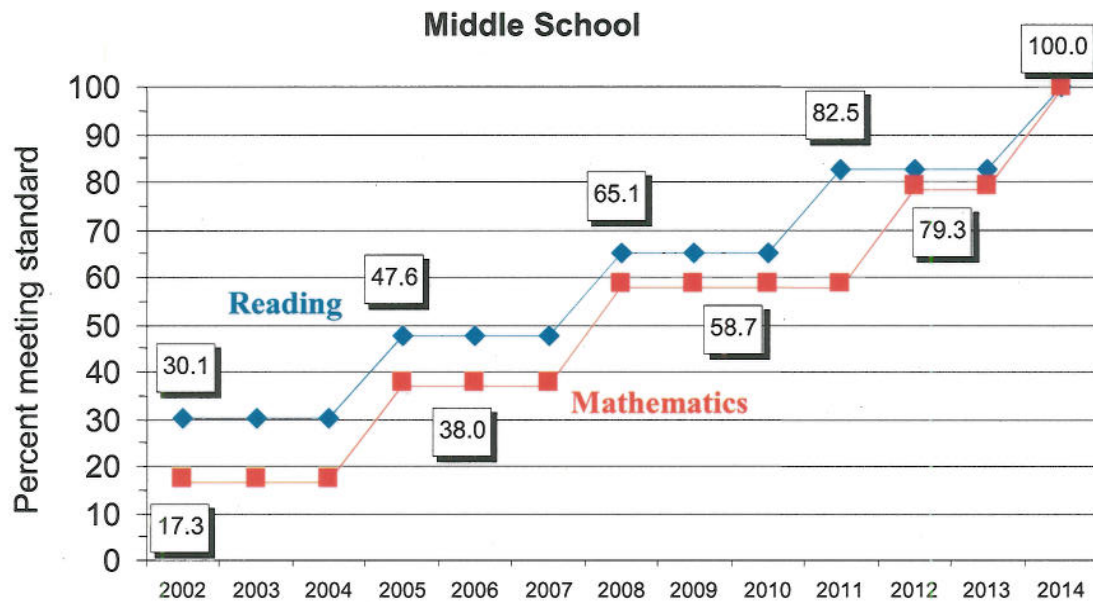
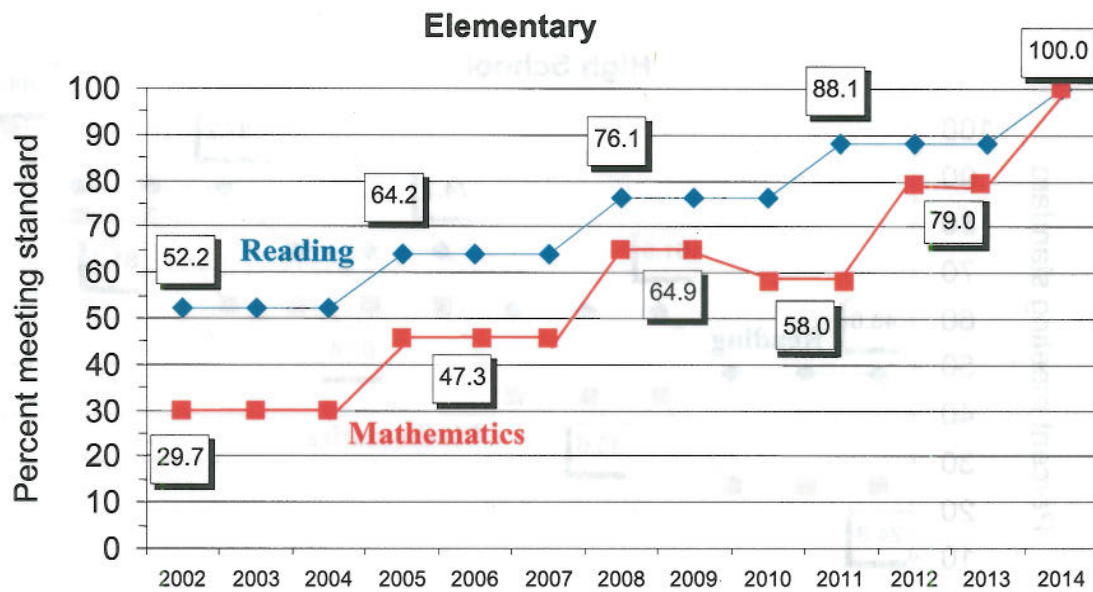
Sincerely,

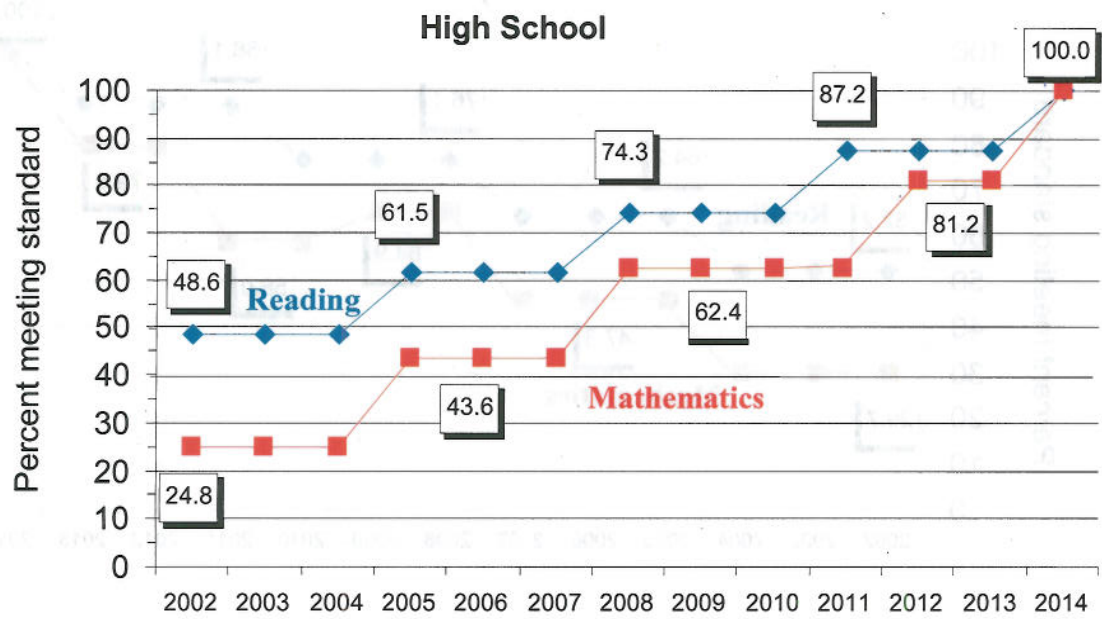


Gil Mendoza, Ed.D., Assistant Superintendent
Special Programs and Federal Accountability

cc: Gayle Pauley, Director of Title I/LAP/CPR

Elementary, Middle, and High School State Uniform Bar Goals
Baseline Based on 3-year Average 20th Percentile (2000–2002)





LEA Notice

April 28, 2014

TO: School District Title I, Part A Directors

FROM: Gayle Pauley, Director
Title I/LAP and CPR

RE: Request to Waive Provision on Approving an Identified School or LEA as a
Supplemental Educational Service Provider

The Washington Office of Superintendent of Public Instruction (OSPI) is required to notify districts that the agency is requesting from the United States Department of Education (ED) a one-year waiver of the Title I, Part A regulatory provision that prohibits a State from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring, and local educational agencies (LEAs) identified for improvement or corrective action [34 C.F.R. § 200.47(b)(1)(iv)(A),(B)]. Comments regarding this request must be submitted to OSPI by **May 2, 2014**. This information will be included in the waiver request to ED. Please direct your comments to Gayle Pauley, Director of Title I/LAP and CPR, at: gayle.pauley@k12.wa.us.

OSPI is requesting a one-year waiver of the Title I, Part A regulatory provision that prohibits a State from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring, and local educational agencies (LEAs) identified for improvement or corrective action [34 C.F.R. § 200.47(b)(1)(iv)(A),(B)].

Under the law, OSPI may approve as an SES provider only an entity that has a demonstrated record of effectiveness in increasing student academic achievement. Washington believes that identified schools and LEAs may be able to establish that they have an effective program that can help improve academic achievement of students and should not be prevented automatically from gaining approval simply because of their improvement status.

Washington is in the process of reinstituting the following elementary, middle, and high school state uniform bar goals in reading and mathematics for 2014. This is a result of Washington's loss of the state's ESEA Flexibility Request (Waiver). Reading/language arts and mathematics are among those content areas that will be covered by SES providers in Washington for the 2014–15 school year:

Julie Chace

Office of Superintendent of Public Instruction

Special Programs, Title I/LAP

(360) 725-6167

julie.chace@k12.wa.us

Public Notice

Public Notice from the Washington Office of Superintendent of Public Instruction (OSPI) for Waiver Request to the U.S. Department of Education

Notice to the public of OSPI's intent to apply to the U.S. Department of Education for a waiver to waive the provision on approving an identified school or local educational agency as a supplemental educational service (SES) provider.

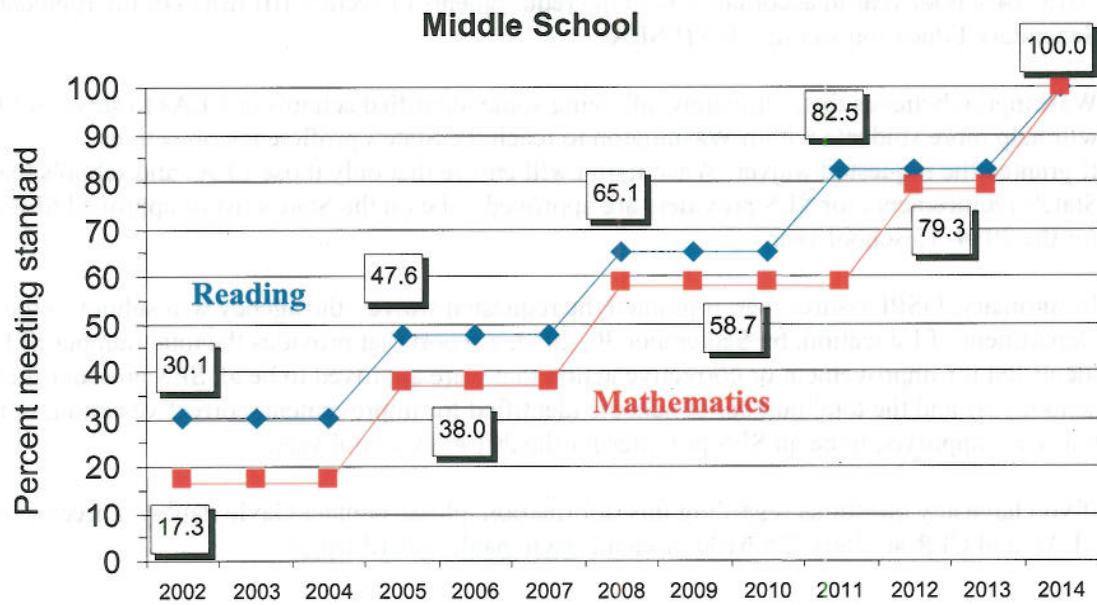
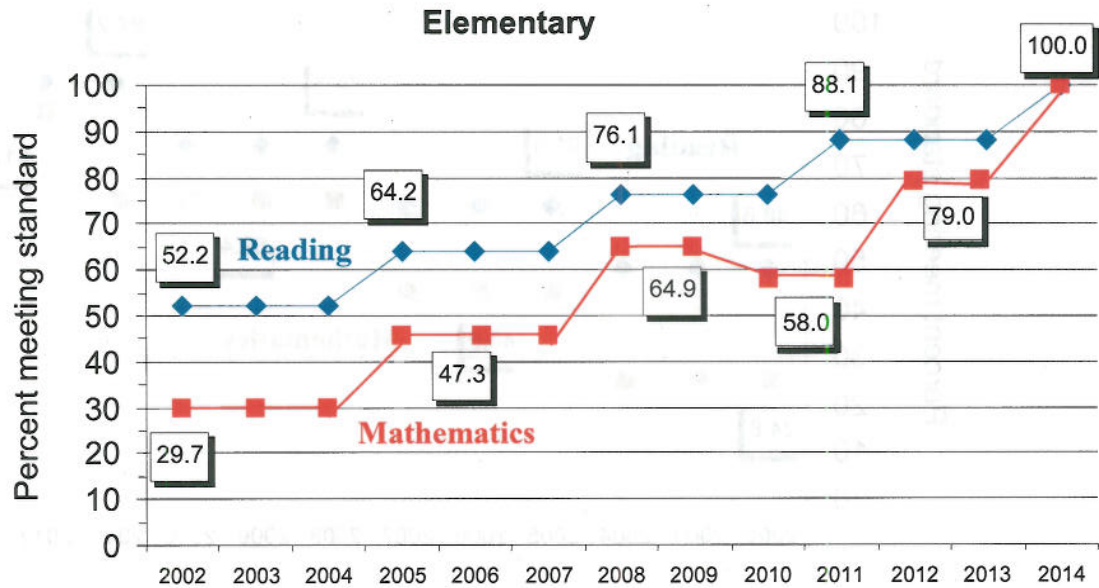
The Washington Office of Superintendent of Public Instruction (OSPI) is required to notify the public that the agency is requesting from the United States Department of Education (ED) a one-year waiver of the Title I, Part A regulatory provision that prohibits a State from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring, and local educational agencies (LEAs) identified for improvement or corrective action [34 C.F.R. § 200.47(b)(1)(iv)(A),(B)]. Comments regarding this request must be submitted to OSPI by **May 2, 2014**. This information will be included in the waiver request to ED. Please direct your comments to Gayle Pauley, Director of Title I/LAP and CPR, at: gayle.pauley@k12.wa.us.

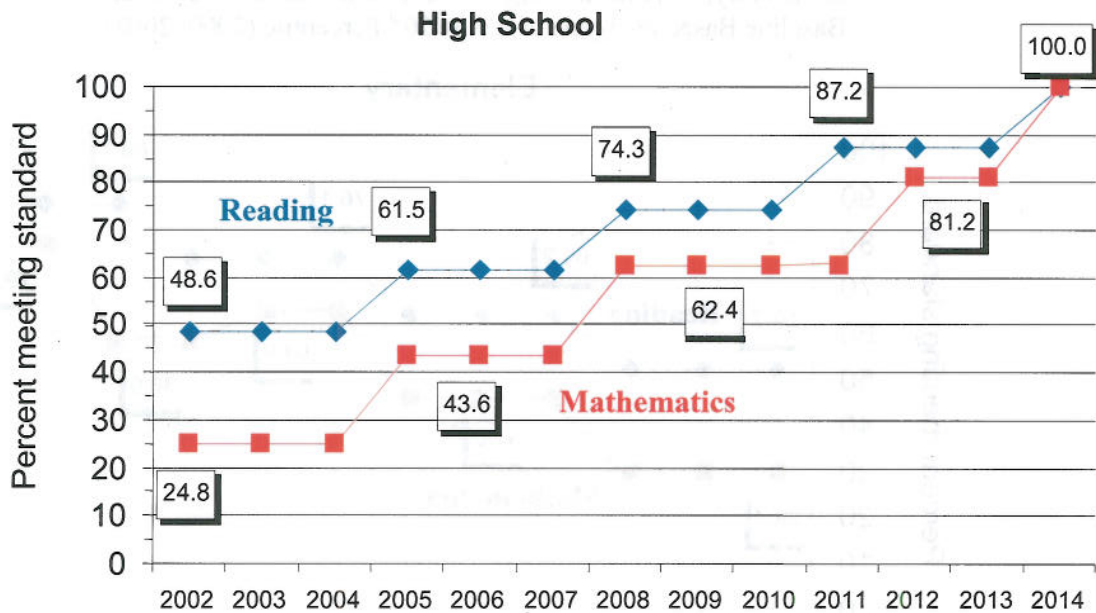
OSPI is requesting a one-year waiver of the Title I, Part A regulatory provision that prohibits a State from approving as providers of supplemental educational services (SES) schools identified for improvement, corrective action, or restructuring, and local educational agencies (LEAs) identified for improvement or corrective action [34 C.F.R. § 200.47(b)(1)(iv)(A),(B)].

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Elementary, Middle, and High School State Uniform Bar Goals
Baseline Based on 3-year Average 20th Percentile (2000–2002)





Washington will determine adequate yearly progress (AYP) based on assessments administered in the 2013–14 school year in accordance with the requirements of section III (b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA).

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If granted the requested waiver, Washington will ensure that only those LEAs and schools that meet the State's requirements for SES providers are approved to be on the State's list of approved SES providers for the 2014–15 school year.

In summary, OSPI assures that, if granted the requested waiver, the agency will submit to the U.S. Department of Education, by September 30, 2014, a report that provides the total number of LEAs identified for improvement or corrective action that were approved to be an SES provider for the 2014–15 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 2014–15 school year.

If you have any questions regarding this information, please contact Gayle Pauley, Director of Title I/LAP and CPR at (360) 725-6100 or email gayle.pauley@k12.wa.us.

LEA and Public Comments

From: Buckingham, Mary Jo [<mailto:MBuckingham@cvsd.org>]

Sent: Monday, April 28, 2014 3:38 PM

To: Gayle Pauley

Subject: WA State Waiver Request

Gayle

I support this waiver request. In our case, it is small and specific group of students who did not improve or improve to benchmark but this should not assume the school and the teachers at the school inadequate to provide supplemental education services for their school's students.

Mary Jo

Mary Jo Buckingham, Ph.D.

Director of Special Programs

Central Valley School District

From: Lorna Spear [LornaS@SpokaneSchools.org]

Sent: Tuesday, April 29, 2014 1:20 PM

To: Gayle Pauley

Subject: waiver to being a provider of SES.

SES is not an effective support to struggling students in Title I schools (see the Inspector General's report). Our teachers struggled with the time commitment and documentation required when we did act as a provider 4 years ago. Additionally, if we are a provider I have to spend funds to hire staff to monitor the activity outside the current work in Title I. I do not want to spend any part of the 20% set-aside on central staffing. I would prefer to let the vendors apply, and after the second window, release the funds to support students during the school day.

Applying for a waiver would in now way help my students and provide them the support they need during the instructional day.

Dr. Lorna L. Spear

Executive Director of Student Intervention and Support Services Spokane Public Schools

From: Harris, Heidi [<mailto:hharris@auburn.wednet.edu>]

Sent: Friday, May 02, 2014 10:28 AM

To: Gayle Pauley

Cc: Luke, Rod; kherren@auburn.wednet.edu

Subject: ASD Comment: Request to Waive Provision on Approving and Identified School or LEA as an SES Provider

Importance: High

Gayle,

Auburn School District is in support of the waiver request for LEAs and schools to become supplemental education service providers.

Please contact me for additional information if needed.

Heidi Harris

*Executive Director K-8 Student Learning
Auburn School District # 408*

Oak Harbor School District is interested in providing SES if this Waiver is received.

Sent from my iPad

From: Wyatt, Chris - Admin [<mailto:CHRISW@cksd.wednet.edu>]

Sent: Wednesday, May 07, 2014 3:20 PM

To: Gayle Pauley

Subject: Interest in being a District SES Provider

Gayle, Central Kitsap School District would like OSPI to apply for the waiver for Districts to be SES providers. We are interested in doing that next year. Thanks!

Chris Wyatt

Director of Student Services
Central Kitsap School District