

Title I Waiver

To Allow LEAs to Offer SES to Eligible Title I Students in the First Year of School Improvement

Nebraska is requesting a one-year waiver to allow local educational agencies (LEAs) within Nebraska 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).

Nebraska 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. Nebraska 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. Nebraska 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 towards the LEA's 20 percent obligation may help more students within Nebraska to reach Nebraska's proficiency objectives.

Nebraska hereby assures that, if it is granted the requested waiver, Nebraska 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).

The application process requires public notice and an opportunity for members of the public to comment. The USDE Guidance on School Improvement Grants and the ARRA School Improvement Grant Application can be found at the following link:

[http://www.nde.state.ne.us/ARRA/School Improvement Grants.html](http://www.nde.state.ne.us/ARRA/School%20Improvement%20Grants.html)

Comments are encouraged and should be submitted via email to Randy.McIntyre@nebraska.gov by 5:00 p.m. (Central Daylight) on or before May 3, 2010.