

August 6, 2013

Mr. Richard A. Carranza
Superintendent
San Francisco Unified School District
555 Franklin Street
San Francisco, CA 94102

Dear Mr. Carranza:

I am pleased to approve the San Francisco Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The San Francisco Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the San Francisco Unified School District's request.

Our decision to approve the San Francisco Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the San Francisco Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the San Francisco Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the San Francisco Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the San Francisco Unified School District's implementation of these waivers, as well as information

regarding monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the San Francisco Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the San Francisco Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the San Francisco Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the San Francisco Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the San Francisco Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the San Francisco Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the San Francisco Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The San Francisco Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education

Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the San Francisco Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of San Francisco Unified School District's <u>Request for Waivers Under ESEA Section 9401</u>		
ESEA SECTION ¹	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

¹ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of San Francisco Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Dr. John E. Deasy
Superintendent
Los Angeles Unified School District
333 S. Beaudry Avenue
Los Angeles, CA 90017

Dear Dr. Deasy:

I am pleased to approve the Los Angeles Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Los Angeles Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Los Angeles Unified School District's request.

Our decision to approve the Los Angeles Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Los Angeles Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Los Angeles Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Los Angeles Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Los Angeles Unified School District's implementation of these waivers, as well as information

regarding monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Los Angeles Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Los Angeles Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Los Angeles Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Los Angeles Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Los Angeles Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Los Angeles Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Los Angeles Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Los Angeles Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education

Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Los Angeles Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Los Angeles Unified School District's Request for Waivers Under ESEA Section 9401		
ESEA SECTION²	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

² The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Los Angeles Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Mr. Michael Hanson
Superintendent
Fresno Unified School District
2309 Tulare Street
Fresno, CA 93721

Dear Mr. Hanson:

I am pleased to approve the Fresno Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Fresno Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Fresno Unified School District's request.

Our decision to approve the Fresno Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Fresno Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Fresno Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Fresno Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Fresno Unified School District's implementation of these waivers, as well as information regarding

monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Fresno Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Fresno Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Fresno Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Fresno Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Fresno Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Fresno Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Fresno Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Fresno Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the

Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Fresno Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Fresno Unified School District's Request for Waivers Under ESEA Section 9401		
ESEA SECTION³	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

³ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Fresno Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Mr. Matt Navo
Superintendent
Sanger Unified School District
1905 Seventh Street
Sanger, CA 93657

Dear Mr. Navo:

I am pleased to approve the Sanger Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Sanger Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Sanger Unified School District's request.

Our decision to approve the Sanger Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Sanger Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Sanger Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Sanger Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Sanger Unified School District's implementation of these waivers, as well as information regarding

monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Sanger Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Sanger Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Sanger Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Sanger Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Sanger Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Sanger Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Sanger Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Sanger Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the

Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Sanger Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Sanger Unified School District's Request for Waivers Under ESEA Section 9401		
ESEA SECTION⁴	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

⁴ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Sanger Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Mr. Charles E. McCully
Interim Superintendent
Santa Ana Unified School District
1601 East Chestnut Avenue
Santa Ana, CA 92701

Dear Mr. McCully:

I am pleased to approve the Santa Ana Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Santa Ana Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Santa Ana Unified School District's request.

Our decision to approve the Santa Ana Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Santa Ana Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Santa Ana Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Santa Ana Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Santa Ana Unified School District's implementation of these waivers, as well as information regarding

monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Santa Ana Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Santa Ana Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Santa Ana Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Santa Ana Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Santa Ana Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Santa Ana Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Santa Ana Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Santa Ana Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the

Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Santa Ana Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Santa Ana Unified School District's <u>Request for Waivers Under ESEA Section 9401</u>		
ESEA SECTION ⁵	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

⁵ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Santa Ana Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Mr. Jonathan P. Raymond
Superintendent
Sacramento City Unified School District
5735 47th Avenue
Sacramento, CA 95824

Dear Mr. Raymond:

I am pleased to approve the Sacramento City Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Sacramento City Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Sacramento City Unified School District's request.

Our decision to approve the Sacramento City Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Sacramento City Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Sacramento City Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Sacramento City Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Sacramento City Unified School District's implementation of these waivers, as well as

information regarding monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Sacramento City Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Sacramento City Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Sacramento City Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Sacramento City Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Sacramento City Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Sacramento City Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Sacramento City Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Sacramento City Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education

Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Sacramento City Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Sacramento City Unified School District's Request for Waivers Under ESEA Section 9401		
ESEA SECTION⁶	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

⁶ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Sacramento City Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Mr. Christopher J. Steinhauser
Superintendent
Long Beach Unified School District
1515 Hughes Way
Long Beach, CA 90810

Dear Mr. Steinhauser:

I am pleased to approve the Long Beach Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Long Beach Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Long Beach Unified School District's request.

Our decision to approve the Long Beach Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Long Beach Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Long Beach Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Long Beach Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Long Beach Unified School District's implementation of these waivers, as well as information

regarding monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Long Beach Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Long Beach Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Long Beach Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Long Beach Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Long Beach Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Long Beach Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Long Beach Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Long Beach Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972,

Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Long Beach Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Long Beach Unified School District's Request for Waivers Under ESEA Section 9401		
ESEA SECTION⁷	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

⁷ The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

**Provisions Waived Through Approval of Long Beach Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

1116(c)(7)	Requires an LEA identified for improvement under ESEA section 1116(c)(3) to take certain required improvement actions	Waiver relieves LEA, if it is identified by the SEA for improvement under ESEA section 1116(c), from taking required improvement actions associated with that identification
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HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT

2141(a)	Requires an LEA that does not meet its HQT targets for two consecutive years to develop an improvement plan	Waiver relieves LEA that does not meet its HQT targets for two consecutive years from developing an improvement plan
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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages

August 6, 2013

Dr. Gary Yee
Acting Superintendent
Oakland Unified School District
1025 Second Avenue
Oakland, CA 94606

Dear Dr. Yee:

I am pleased to approve the Oakland Unified School District's request for waivers under section 9401 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), subject to the condition described below. The Oakland Unified School District is one of eight districts in California participating in the California Office to Reform Education (CORE) that, in collaboration with each other, submitted a joint request for flexibility with respect to certain ESEA requirements in exchange for committing to improve academic achievement and the quality of instruction for all elementary and secondary school students. I congratulate you on the approval of the Oakland Unified School District's request.

Our decision to approve the Oakland Unified School District's request for waivers under section 9401 of the ESEA, subject to meeting the condition discussed below, is based on our determination that the Oakland Unified School District has: (1) demonstrated that it has college- and career-ready expectations for all students; (2) developed, and has a high-quality plan to implement, a system of differentiated recognition, accountability, and support for all schools in the district; (3) committed to developing, adopting, piloting, and implementing teacher and principal evaluation and support systems that support student achievement; and (4) provided an assurance that it will evaluate and, based on that evaluation, revise its administrative requirements to reduce duplication and unnecessary burden on schools. Our decision is also based on the Oakland Unified School District's assurance that it will implement the high-quality plans and other elements as described in the joint request and in accordance with the timelines set forth in the request. In approving the joint request for waivers under section 9401 of the ESEA, we have taken into consideration comments from the California Department of Education and feedback from the panel of peer experts and Department staff who reviewed the joint request, as well as revisions that were made to the joint request in response to that feedback.

I am granting the requested waivers to the Oakland Unified School District pursuant to my authority in section 9401 of the ESEA. A complete list of the statutory provisions being waived is set forth in the table enclosed with this letter. Consistent with section 9401 of the ESEA, I am granting waivers of these provisions through the end of the 2013–2014 school year.

In the coming days, you will receive a letter from Deborah Delisle, Assistant Secretary for Elementary and Secondary Education, containing additional information regarding the Oakland Unified School District's implementation of these waivers, as well as information regarding

monitoring and reporting. Please note that the Department will closely monitor your district's implementation of the plans, systems, and interventions detailed in the joint request in order to ensure that all students continue to receive the assistance and supports needed to improve their academic achievement. Given the nature of the joint request, the Department will also work collaboratively with the California Department of Education and the California State Board of Education during the 2013-2014 school year to develop a plan to monitor the Oakland Unified School District's implementation in future years, if the Department extends the approval of the waivers.

Our decision to place a condition on the approval of the Oakland Unified School District's request, as outlined in the following paragraph, is based on the fact that the eight districts that submitted the joint request have not yet finalized the school quality improvement system articulated in the request or their guidelines for teacher and principal evaluation and support systems. However, we have determined that, in the 2013–2014 school year, each of the eight districts, including the Oakland Unified School District, will increase the quality of instruction and improve the academic achievement of students consistent with the criteria for granting waivers under section 9401 of the ESEA while the districts continue to finalize their new school quality improvement system and guidelines for teacher and principal evaluation and support systems.

To request approval to implement these waivers beyond the 2013–2014 school year, the districts must submit to the Department for review and approval an amended joint request incorporating: (1) the final version of the new school quality improvement system, and (2) final guidelines for teacher and principal evaluation and support systems that the Oakland Unified School District must use to continually improve instruction; meaningfully differentiate performance using at least three performance levels; determine performance levels using multiple valid measures, including as a significant factor data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); evaluate teachers and principals on a regular basis; provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and inform personnel decisions. In addition, the Oakland Unified School District must demonstrate, including by providing evidence during the Department's monitoring, that it has implemented the joint request with fidelity and in a high-quality manner. If the districts' amended joint request does not meet these requirements, or if the Department determines that the Oakland Unified School District has not implemented the request with fidelity, the waivers being granted to your district will expire at the end of the 2013–2014 school year, and the Oakland Unified School District and its schools will be required to immediately resume complying with all ESEA requirements.

The Oakland Unified School District continues to have an affirmative responsibility to ensure that it and its schools are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of these waivers as well as their implementation of all other Federal education programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the

Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

A copy of the approved joint waiver request will be posted on the Department's Web site at: <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/index.html#ca>. Again, I congratulate you on the approval of the Oakland Unified School District's joint request and thank you for the work that you and your staff have done. I look forward to continuing to support you as you implement the joint request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,

/s/

Arne Duncan

Enclosure

cc: Honorable Jerry Brown, Governor of California
Dr. Michael W. Kirst, President, California State Board of Education
Honorable Tom Torlakson, State Superintendent of Public Instruction
Rick Miller, Executive Director, CORE

Provisions Waived Through Approval of Oakland Unified School District's <u>Request for Waivers Under ESEA Section 9401</u>		
ESEA SECTION ⁸	DESCRIPTION	NOTES
WITHIN-DISTRICT ALLOCATIONS		
1113(a)(3)-(4) and (c)(1)	Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty	Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the LEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate
SCHOOLWIDE POVERTY THRESHOLD		
1114(a)(1)	Requires 40 percent poverty threshold to be eligible to operate a schoolwide program	Waiver permits LEA to operate a schoolwide program in a priority school or a focus school with less than 40 percent poverty that is implementing a schoolwide intervention
SCHOOL IMPROVEMENT REQUIREMENTS		
1116(b) (except (b)(13))	Requires LEA to identify schools for improvement, corrective action, and restructuring and to take certain improvement actions associated with those identifications	<p>Waiver relieves LEA and its schools from the requirements in ESEA section 1116(b) to take required improvement actions, although it does not relieve LEA of the obligation to identify schools for improvement, corrective action, or restructuring, as appropriate</p> <p>By continuing to identify schools for improvement, corrective action, and restructuring, the schools will remain eligible to receive funds that are contingent on that identification, such as SIG funds and funds reserved by the SEA under ESEA section 1003(a)</p> <p>1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived</p>

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**Provisions Waived Through Approval of Oakland Unified School District's
Request for Waivers Under ESEA Section 9401**

LEA IMPROVEMENT REQUIREMENTS

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LIMITATIONS ON TRANSFERABILITY OF FUNDS

6123(b)(1)	Limits to 50 percent or 30 percent, as applicable, the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A	Waiver applies to the percentage limitations, thereby allowing LEA to transfer up to 100% from a covered program, as well as to the restrictions on the use of transferred funds
6123(d)(2)	Requires modification of plans and notice of transfer	n/a
6123(e)(1)	Transferred funds are subject to the requirements of the program to which they are transferred	Waiver permits LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages