



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 1, 2020

Dear Chief State School Officer:

I am writing to offer flexibility under the Student Support and Academic Enrichment Grant Program (Title IV, Part A of the Elementary and Secondary Education Act of 1965 (ESEA)) in light of the continued disruption to learning caused by the Coronavirus Disease 2019 (COVID-19) during the national emergency declared by President Trump under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

These are challenging times, and we recognize that many schools and communities are facing unprecedented obstacles as the 2020-2021 school year continues and would benefit from greater flexibility in the use of Title IV, Part A funds. Therefore, pursuant to my authority under section 8401(b) of the ESEA, I am inviting your State to request a waiver, on behalf of your local educational agencies (LEAs), of one or more of the following requirements in Title IV, Part A of the ESEA:

- Section 4106(d) of Title IV, Part A of the ESEA, related to LEA needs assessments for the 2020-2021 school year.
- Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA, with respect to content-area spending requirements for Federal fiscal year (FY) 2020 Title IV, Part A funds.
- Section 4109(b) of Title IV, Part A of the ESEA, with respect to the fifteen percent spending limitation for technology infrastructure for FY 2020 Title IV, Part A funds.

Please note that all other requirements in Title IV, Part A of the ESEA would continue to apply.

I know that your State requested and received a waiver of these provisions for the 2019-2020 school year and FYs 2018 and 2019 Title IV, Part A funds under the waiver authority of section 3511 of the Coronavirus Aid, Relief, and Economic Security Act. However, that Act did not provide authority to extend the waiver. Accordingly, I am inviting a similar waiver under ESEA section 8401 for the 2020-2021 school year and FY 2020 Title IV, Part A funds. If your State is interested in requesting this waiver, please submit your request to OESE.Title.IV-A@ed.gov. Prior to submitting your request, as required under ESEA section 8401(b)(3)(A), you must provide the public and interested LEAs notice and a reasonable opportunity to comment in the manner in which the State educational agency (SEA) customarily provides similar notice and opportunity to comment to the public.

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

For your convenience, enclosed please find an optional template that you may use to submit your request. Please note that if your request is granted, we will follow up with you to learn how these waivers are being used, what challenges you might be facing, what adjustments, if any, might be helpful to consider, and how we can continue to support your efforts to provide appropriate flexibility to districts and schools to help them meet student academic needs.

The Department is committed to ensuring that learning continues for all students during this difficult time. I encourage you to continue to monitor information regarding COVID-19 from the Centers for Disease Control and Prevention at www.cdc.gov/coronavirus and on the Department's webpage at www.ed.gov/coronavirus.

Thank you for your continued commitment to our nation's students during these extraordinary circumstances.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

Enclosure

cc: Title IV-A State Coordinators