

## ESEA/ESSA Federal Funds Waiver Request Form in Response to 2020 COVID-19 School Closures

Use this form to submit a waiver request for the requirements noted below by **September 30, 2020**. Note that the Tennessee Department of Education (department) will automatically accept and approve all appropriate completed waiver requests. LEAs should upload this form in [ePlan](#) to the *FY21 LEA Document Library > Consolidated Funding Application Documents > ESEA Waiver Request Letter* folder. Waiver approvals will be uploaded in this same folder in ePlan and should also be retained for your records. For technical assistance, please contact your assigned [divisional coordinator](#) or find additional information in the [ESEA/ESSA Federal Waiver Guidance](#) document.

**LEA Name:** \_\_\_\_\_

***Please check all requested waivers:***

- Waiver of the 15 percent Title I, Part A carryover limitation in the Elementary and Secondary Education Act of 1965 (ESEA) § 1127(a) to no more than once every three years (Carryover limitation in ESEA § 1127(b) for federal fiscal year (FFY) 2019 [funds awarded to LEAs July 1, 2019, for the **2019–20 school year**] Title I, Part A funds that will become carryover funds on Oct. 1, 2020).
- Waiver of the 25 percent Title III, Part A state carryover limit (Carryover limitation for FFY19 [funds awarded to LEAs July 1, 2019, for the **2019–20 school year**] Title III, Part A funds that will become carryover funds on Oct. 1, 2020).
- Waiver of the 25 percent Title IX, Part A McKinney-Vento state carryover limit (Carryover limitation for FFY19 [funds awarded to LEAs July 1, 2019, for the **2019–20 school year**] Title IX, Part A McKinney-Vento funds that will become carryover funds on Oct. 1, 2020).
- Waiver of the 15 percent Title I, Part A—Neglected state carryover limit (Carryover limitation for FFY19 [funds awarded to LEAs July 1, 2019, for the **2019–20 school year**] Title I, Part A—Neglected funds that will become carryover funds on Oct. 1, 2020).
- Waiver of the period of availability of funds in General Education Provisions Act (GEPA) § 421(b) to extend the period of availability of FFY18 (funds awarded to LEAs July 1, 2018, for the **2018–19 school year**) funds for programs in which the LEA participates under its approved district plan. The programs are (check all that apply):
  - Title I, Part A (Improving Basic Programs Operated by LEAs), including ESEA § 1003, § 1003A, if applicable
  - Title I, Part D, Subpart 2 of the ESEA (LEA funds for Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
  - Title II, Part A (Supporting Effective Instruction)
  - Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement)
  - Title IV, Part A (Student Support and Academic Enrichment Grants)
  - Title V, Part B, Subpart 2 (Rural and Low-Income School Program)
  - McKinney-Vento Education for Homeless Children and Youth Program

- Waiver of the following requirements in Title IV, Part A (check those that apply).
  - Needs assessment requirements in ESEA § 4106(d) for the **2019–20 school year**.
  - Content area spending requirements in ESEA § 4106(e)(2)(C-E): the requirements to use a minimum percentage of Title IV, Part A funds for activities under ESEA § 4107, § 4108 and § 4109 for FFY19 (funds awarded to LEAs July 1, 2019, for the **2019–20 school year**) funds and any available FFY18 (funds awarded to LEAs July 1, 2018, for the **2018–19 school year**) carryover funds.
  - Spending limitation in ESEA § 4109(b): the 15 percent limit on the use of funds under ESEA § 4109 to purchase technology infrastructure for FFY19 (funds awarded to LEAs July 1, 2019, for the **2019–20 school year**) funds and any available FFY18 (funds awarded to LEAs July 1, 2018, for the **2018–19 school year**) carryover funds.
  
- Waiver of the definition of [professional development](#) in ESEA § 8101(42) for the **2019–20 school year**.

By completing this form, the LEA is requesting these waivers because it is not possible to obligate funds in a timely basis as originally planned due to extensive school closures in the state. In addition, the LEA is seeking increased flexibility in the use of Title IV, Part A funds to support continuity of services due to school closures. In seeking these waivers, the LEA assures that it will:

- use, and ensure that funds under the respective programs are utilized in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers; and
- work to mitigate any negative effects, if any, that may occur as a result of the requested waivers.

**By signing or typing my name here, I am affirming submission of this waiver on behalf of the LEA.**

**LEA Name:** \_\_\_\_\_

**Director of Schools Digital Signature:** \_\_\_\_\_

***OR*** *Typed Name and Date:* \_\_\_\_\_