



DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

CARES Act Subgrantee Fiscal Waiver Request Form

Pursuant to §3511 of Division A of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136 (H.R. 748), 34 Stat. 281 (Mar. 27, 2020), the District of Columbia Office of the State Superintendent of Education (OSSE) is issuing this document to enable local education agencies (LEAs) and other entities that receive federal funding as subgrants from the state education agency (SEA) to apply for waivers of certain grant requirements. Please submit completed forms to OSSE.CARES@dc.gov.

Please select all that apply:

We request a waiver of:

Elementary and Secondary Education Act (ESEA) Carryover Limitation

- The carryover limitation in section 1127(a) of ESEA for federal fiscal year 2019/OSSE fiscal year 2020 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2020) that prohibits a local educational agency (LEA) from carrying over more than 15 percent of the Title I, Part A funds allocated to it for any fiscal year.

Fund Availability

The period of availability of funds in section 421(b) of the General Education Provisions Act (GEPA). Specifically, we are requesting an extension of the period of availability of federal fiscal year 2018/OSSE fiscal year 2019 funds that would be expiring on September 30, 2020 to September 30, 2021:

- ESEA Title I, Part A (Improving Basic Programs Operated by LEAs)
Includes the portions of the SEA's Title I, Part A award used to carry out §1003 school improvement
- ESEA Title I, Part D, Subpart 1 (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
- ESEA Title II, Part A (Supporting Effective Instruction)
- ESEA Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement)
- ESEA Title IV, Part A (Student Support and Academic Enrichment Grants)

- IDEA Part B - Section 611
- IDEA Part B – Section 619

I am requesting this waiver/these waivers because it is not possible to obligate funds on a timely basis as originally planned due to extensive school closures in the District of Columbia.

Title IV, Part A

The following requirements in Title IV, Part A of the ESEA. Note: These requirements are only applicable to LEAs that received \$30,000 or more in Title IV, Part A funds:

- §4106(e)(2)(C), (D), and (E) content area spending requirements for using a minimum percentage of Title IV, Part A funds for activities under §4107, 4108 and 4109 for FY19 funds and any available federal fiscal year 2018/OSSE fiscal year 2019 carryover funds
- §4109(b) spending limitation placing 15% limit on the use of funds to purchase technology infrastructure for FY19 funds and any available federal fiscal year 2018/OSSE fiscal year 2019 carryover funds
- §4106(d) needs assessment requirements for the 2019-2020 school year.

In addition, my LEA needs increased flexibility in the use of Title IV, Part A funds to support continuity of services due to these school closures.

Professional Development

The following requirements in the ESEA:

- §8101(42) professional development definition for the 2019-2020 school year for Title funds.

The school closures also present unique needs with respect to professional development for educators and staff to meet the immediate needs of children whose education has been severely disrupted by school closures.

These closures are in response to extraordinary circumstances for which a national emergency has been duly declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and will protect the health and safety of students, staff, and our communities.

In seeking these waivers, I assure that:

- We will use funds under the respective program(s) in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers,
- We will work to mitigate any negative effects, if any, that may occur as a result of the requested waiver(s), and
- We will provide the public with notice of, and the opportunity to comment on, this request by posting information regarding the waiver request on our website.

By typing my name and signing below, I am affirming submission of this waiver on behalf of my LEA or organization.

Head of School or Organization (or Authorized Representative) Name, typed

Head of School or Organization (or Authorized Representative) Signature

Contact Phone

Contact Email

LEA or Organization Name

Date