**Public Notice from the Office of Superintendent of the State Superintendent of Education (OSSE) for Waiver Request to the U.S. Department of Education**

**Notice to the public of OSSE’s intent to apply to the U.S. Department of Education for a waiver to waive the provision that prohibits an SEA from granting to an LEA a waiver of the carryover limitation more than once every three years.**

The Office of the State Superintendent of Education (OSSE) is required to notify the public that the agency is requesting a waiver from the United States Department of Education (ED) to allow OSSE to grant an LEA a waiver of the 15 percent carryover limitation rule. Comments regarding this request must be submitted to OSSE by May 6, 2013. This information will be included in the waiver request to ED. Please direct your comments to Iris Bond Gill, Director of Federal Grants, at [Osse.grantscompliance@dc.gov](mailto:Osse@dc.gov).

OSSE is requesting a waiver of the limitation in Section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) that prohibits a state educational agency (SEA) from granting to a district a waiver of the carryover limitation in Section 1127(a) of ESEA more than once every three years. Section 1127(b) permits an SEA to waive the limitation in Section 1127(a) once every three years if: (1) the district’s request is reasonable and necessary; or (2) a supplemental Title I, Part A appropriation becomes available. In accordance with these provisions, OSSE is requesting a waiver to allow OSSE to waive the carryover limitation more than once every three years for a LEA that needs the additional waiver(s) in an effort to mitigate somewhat the unanticipated impact of sequestration on a LEA’s ability to expend Title I, Part A funds to support students in need of additional educational assistance. OSSE is requesting this waiver for a period of one year (i.e., to apply to LEA requests to carry over fiscal year (FY) 2012 Title I, Part A funds in excess of the carryover limitation).

OSSE believes that the requested waiver will provide the agency with the ability to grant an LEA the flexibility it needs to spend its Title I, Part A funds, thoughtfully, over the course of the remainder of the 2013–14 school year on activities that are most likely to improve the academic achievement of low-achieving students.