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Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**  
Chris Reykdal, Superintendent

December 9, 2020

Notice to public and school districts of the Office of Superintendent of Public Instruction's (OSPI's) intent to apply to the U.S. Department of Education (ED) for a waiver from specific program requirements in Title IV, Part A under the Elementary and Secondary Education Act of 1965 as reauthorized by the Every Student Succeeds Act (ESSA) of 2015.

In April 2020, OSPI requested and received a waiver for the 2019–20 school year and fiscal years (FYs) 2018 and 2019 Title IV, Part A funds under the waiver authority of section 3511 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. However, that Act did not provide authority to extend the waiver. The U.S. Department of Education is inviting, and OSPI is requesting, a similar waiver under ESEA section 8401 for the 2020–21 school year and FY 2020 Title IV, Part A funds.

OSPI is required to notify the public and all local education agencies (LEAs)/school districts of Washington state's intent to request this waiver. Districts are asked to provide comment on the waiver request to OSPI. Comments from districts will be included in OSPI's request to the ED.

**Please send comments to Cara Patrick, at [cara.patrick@k12.wa.us](mailto:cara.patrick@k12.wa.us), by close of business on Monday, December 21, 2020.**

OSPI has requested, on the behalf of all LEAs, the following waivers:

- Section 4106(d) of Title IV, Part A of the ESEA, related to LEA needs assessments for the 2020–21 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.

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In seeking these waivers, the state assured that:

- The SEA will use, and ensure that its LEAs use, Title IV, Part A funds in accordance with all other provisions of Title IV, Part A of the ESEA, and all applicable regulations, program plans, and applications.
- The SEA will provide the public and all LEAs in the state with notice of, and the opportunity to provide comments on this request by posting information regarding the waiver request and the process for commenting on the state website. OSPI will enclose any comments received, if any, and a description of how the SEA addressed such comments with the waiver request to the ED.

This notice can be found on the [Public Notices & Waiver Requests to the U.S. Department of Education website](#).