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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

October 4, 2021

(X) Action Required
Due date: October 21, 2021
() Informational

BULLETIN NO. 077-21 SPECIAL PROGRAMS & FEDERAL ACCOUNTABILITY

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: 2021 Fiscal Waiver for 2019–20 School Year

CONTACT: Jon R. Mishra, Executive Director, Special Programs & Federal Accountability
360-725-6096, jon.mishra@k12.wa.us

PURPOSE/BACKGROUND

On August 12, 2021, the Office of Superintendent of Public Instruction (OSPI) sent a request to the U.S. Department of Education (ED) to waive, pursuant to Section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), the requirements enumerated below on behalf of Washington and its subgrantees (e.g., local educational agencies (LEAs)) because of the ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19).

- Carryover limitation in Section 1127(b) of ESEA for federal fiscal year (FY) 2020 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2021): to waive the requirement that limits a State Education Agency's (SEA's) ability to grant to its LEAs a waiver of the 15 percent Title I, Part A carryover limitation in Section 1127(a) to once every three years.
- Period of availability of funds in Section 421(b) of the General Education Provisions Act (GEPA): to extend the period of availability of FY 2019 funds for programs in which Washington participates under its approved consolidated state plan until September 30, 2022. The programs are:

- Title I, Part A of ESEA (Improving Basic Programs Operated by LEAs), including the portions of the SEA's Title I, Part A award used to carry out Section 1003 (School Improvement), Section 1003A (Direct Student Services, if applicable), and Title I, Part D, Subpart 2
- Title I, Part B of ESEA (State Assessment Formula Grants)
- Title I, Part C of ESEA (Education of Migratory Children)
- Title I, Part D, Subpart 1 of ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
- Title II, Part A of ESEA (Supporting Effective Instruction)
- Title III, Part A of ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement)
- Title IV, Part A of ESEA (Student Support and Academic Enrichment Grants)
- Title IV, Part B of ESEA (21st Century Community Learning Centers)
- Title V, Part B, Subpart 2 of ESEA (Rural and Low-Income School Program)
- McKinney-Vento Education for Homeless Children and Youth Program

ED granted the waiver on September 10, 2021. Using this waiver will count towards the LEA's once every three-year waiver limit. If the LEA claims this waiver, the LEA would not be eligible to claim a carryover waiver again until 2023–24 (funds from 2022–23 school year carryover to 2023–24). LEAs will indicate use of the waiver on the iGrants Form Package 200 (Title I, Part A Carryover Form), which opens in February.

For LEAs that have applied for the waiver using the survey and have 2019–20 carryover available, we anticipate launching iGrants form packages in December 2021 for LEAs to use these funds. In order for OSPI to prepare, we are asking LEAs to complete this [Waiver Survey](#) by Friday, October 21, 2021.

INFORMATION AND ASSISTANCE

For questions regarding the waivers or the survey, please contact Jon Mishra, Executive Director of Special Programs and Federal Accountability, at 360-725-6096, or jon.mishra@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

Jon R. Mishra, Ed.D.
Executive Director
Special Programs & Federal Accountability

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