

DATE:	June 17, 2021
SUBJECT:	ESSA Waiver Requests to USDE
CATEGORY:	Notice
NEXT STEPS:	Share with district leadership and submit applicable comments by June 30, 2021

The novel coronavirus (COVID-19) continues to impact operations in over 1,200 local educational agencies (LEAs), as well as private schools, in Texas. It is anticipated that LEAs may need additional flexibility under the Every Student Succeeds Act (ESSA) programs like the waivers that were offered by USDE in the prior school year.

To assist LEAs affected by COVID-19 preparedness and mitigation activities, TEA is requesting, on behalf of Texas and its LEAs, waivers of the following requirements under ESSA. The state believes that the waivers will provide LEAs with greater flexibility to effectively implement their federal education grants to serve the intended beneficiaries.

1. **Title I, Part A Carryover:** To allow fiscal year (FY) 2021 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2021) to exceed the 15% statutory limitation.
2. **Period of Availability:** To extend the period of availability of FY 2020 funds (i.e., the funds that would expire September 30, 2021) for 12 additional months for the programs included below:
 - a. Title I, Part A, including Section 1003 school improvement, Section 1003A direct student services, if applicable, and Title I, Part D, Subpart 2
 - b. Title I, Part B
 - c. Title I, Part C
 - d. Title I, Part D, Subpart 1
 - e. Title II, Part A
 - f. Title III, Part A
 - g. Title IV, Part A
 - h. Title IV, Part B
 - i. Title V, Part B, Subpart 2
3. **Professional Development:** To include virtual training in the definition of professional development allowable under ESSA programs for the 2020-2021 and 2021-2022 school years.

Note that the authority available to TEA to request these waivers exists only under the ESSA statute. There is no corresponding waiver authority for IDEA or Perkins CTE programs.

Please submit any comments on these proposed waivers [electronically](#) by **5:00 p.m., June 30, 2021**, to be included in the state's waiver application to USDE.

If you have questions regarding these waiver requests, please contact the Department of Grant Compliance and Administration via electronic mail at GrantSupport@tea.texas.gov.

Sincerely,



Cory Green, Associate Commissioner and Chief Grants Officer
Department of Grant Compliance and Administration