

Notice to the public and school districts of the Office of Superintendent of Public Instruction's (OSPI's) application to the U.S. Department of Education (ED) to apply for waivers as provided under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116-136 (March 27, 2020). The waivers requested will provide substantial relief to children and educators who have been profoundly affected by the Novel Coronavirus Disease (COVID-19). The waivers provide flexibility in K–12 education funding and to specific program requirements under the Elementary and Secondary Education Act of 1965 as reauthorized by the Every Student Succeeds Act of 2015 (ESSA).

The Office of Superintendent of Public Instruction has requested on the behalf of all Local Educational Agencies (LEAs) the following waivers:

- Section 1127(b) of Title I, Part A of the ESEA waives the 15 percent carryover limitation which may be granted to LEAs once every three years.
- Section 421(b) of the General Education Provisions Act (GEPA) extends the period of availability of FY 2018 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2021.
- Section 4106(d) of Title IV, Part A of the ESEA waives the requirement for the local educational agency (LEA) to conduct a needs assessment for the 2019-2020 school year.
- Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA waives the content-area spending requirements for FYs 2018 and 2019 Title IV, Part A funds.
- Section 4109(b) of Title IV, Part A of the ESEA waives the spending limitation for technology infrastructure for FYs 2018 and 2019 Title IV, Part A funds.
- Section 8101(42) of the ESEA, waives components of "professional development," allowing districts to conduct time-sensitive, one-time or stand-alone professional development focused on supporting educators to provide effective distance learning.

In seeking these waivers, the State assured that:

- The SEA will use, and ensure that its subgrantees use, funds under the respective programs in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers.
- The SEA will work to mitigate, and ensure that its subgrantees work to mitigate, any negative effects, if any, that may occur as a result of the requested waivers.
- The SEA will provide the public and all LEAs in the State with notice of, and the opportunity to comment on, this request by posting information regarding the waiver request and the process for commenting on the State website.

OSPI as required is notifying all Washington LEAs and the General public of the state's waiver requests. LEAs and the public are asked to provide comment on the waiver requests to OSPI.

Please send comments to Carrie Hert, Special Programs and Federal Accountability Executive Assistant, at carrie.hert@k12.wa.us, by 5 pm on Wednesday, April 15, 2020.

Comments from districts and the public will be provided to ED as required.

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