

This template is an example that may be used for the submission of a request for waivers of certain fiscal requirements under the Elementary and Secondary Education Act of 1965, as amended. Note that a State educational agency is not required to use this template; for assistance, please contact OESE.TitleI-a@ed.gov.

The Honorable Adam Schott
Deputy Assistant Secretary,
Delegated the Authority to Perform the Functions and
Duties of the Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Deputy Assistant Secretary Schott:

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

State: Kentucky

Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2024 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2025): to waive the requirement that limits an 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 2023 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2026. The programs are:

- Title I, Part A of the 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 the ESEA (State Assessment Formula Grants)
- Title I, Part C of the ESEA (Education of Migratory Children)
- Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
- Title II, Part A of the ESEA (Supporting Effective Instruction)
- Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement)

- Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants)
- Title IV, Part B of the ESEA (21st Century Community Learning Centers)
- Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program)

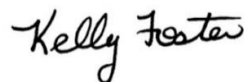
I am requesting these waivers because it is not possible to obligate funds on a timely and responsible basis. These waivers will enable districts and the Kentucky Department of Education (KDE) to continue to fund effective strategies to increase student achievement after the period of availability for COVID-relief funds has ended. Schools and districts are required to conduct needs assessments to determine the needs in their buildings; the opportunity to continue to use these funds will ensure they can maintain funding for the identified priorities. While funds can be used for a variety of purposes depending on needs, examples could include paying for strategies such as additional tutoring for students, professional development for teachers, summer and enrichment programs, and curriculum materials. If granted, these waivers also will benefit communities, since schools and districts often use some of their program funds on strategies to build relationships and engagement between schools, families, and community partners. If the waiver is granted, KDE will communicate to districts that the funds must continue to be used to assist the same student populations served by the programs for which the waivers are being requested.

In seeking these waivers, I assure 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 that may occur as a result of the requested waivers.
- The SEA has provided 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 in the manner in which the SEA customarily provides such notice and opportunity to comment and has enclosed with this waiver request any comments received and a description of how the SEA addressed such comments.

Thank you for your consideration.

Sincerely,



Typed Name and Date

Kelly Foster
March 19, 2025

By typing my name here, I am affirming submission of this waiver on behalf of the State.

OMB Number: 1810-NEW

Expiration Date: Month XX, 2021

Public Burden Statement: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-NEW. Public reporting burden for this collection of information is estimated to average X hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is voluntary. If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact the Office of School Support and Accountability, 400 Maryland Avenue, SW, LBJ Federal Office Building, Washington, DC, 20202 or OESE.Titlei-a@ed.gov.