

DR. CADE BRUMLEY
STATE SUPERINTENDENT



CLAIBORNE BUILDING
1201 N 3RD ST.
BATON ROUGE, LA 70802

LOUISIANA DEPARTMENT OF EDUCATION

March 25, 2024

The Honorable Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs,
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 Rosenblum:

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 spending down of Elementary and Secondary School Emergency Relief (ESSER) funding.

State: Louisiana

Please check all that apply:

- Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2023 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2024): 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 2022 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2025.

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The programs are *(please check all that apply)*:

- 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)
- McKinney-Vento Education for Homeless Children and Youth Program

I am requesting this/these waiver(s) because it is not possible to obligate funds on a timely and responsible basis.

Consistent with the requirements of ESEA section 8401(b)(1)(C) and (F), describe how the waiving of such requirements will advance student academic achievement and how schools will continue to provide assistance to the same populations served by programs for which waivers are requested.

We are requesting these waivers because it is not possible to obligate funds on a timely basis as originally planned, due to student instructional interruptions in response to COVID-19 pandemic. Our state is encouraging all school systems to obligate all COVID-19 relief funding within the required timelines to continue implementing mitigation protocols and to address student learning loss across the state. Instructional loss presented unique student learning challenges thereby increasing the need to provide evidence-based instructional strategies to support learning loss and to provide educators with targeted

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professional development. This waiver will provide continued support to the statewide instructional focus areas that include literacy, STEM, and college and career activities. The state has already witnessed positive gains regarding student learning loss recovery efforts.

In seeking these waivers, I assure that (please check all assurances):

- 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,

A handwritten signature in black ink that reads "Pent Care Brumley". The signature is written in a cursive, flowing style.

Dr. Cade Brumley

Chief State School Officer (or Authorized Representative)

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OMB Number: 1810-0760

Expiration Date: January 31, 2022

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