



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: July 14, 2021

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Kyle Guarrant, Deputy Superintendent *KG*
Division of Finance and Operations

Delsa D. Chapman, Ed.D., Deputy Superintendent *DDC*
Division of Educator, Student, and School Supports

SUBJECT: Public Comment Period on Approved Waivers for Title Funds During
the 2020 COVID-19 Crisis - MEMO #COVID-19-203

The Michigan Department of Education (MDE) requested and has been granted waivers, pursuant to Section 3511 of Division A of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136 (H.R. 748), 34 Stat. 281 (Mar. 27, 2020), on behalf of local education agencies (LEAs), both traditional public school districts and public school academies (PSAs), regarding the use of federal Title funds. Please see the waiver request [here](#).

These waivers provide LEAs with flexibility for the 2021-22 academic year funds. The approved waivers include:

- Carryover limitation in Section 1127(b) of the Elementary and Secondary Education Act of 1965 (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 the ability of a state education agency (SEA) 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 the SEA participates under its approved consolidated state plan until September 30, 2022. 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

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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

As part of the waiver process for the federal Every Student Succeeds Act (ESSA), LEAs and the public are invited to provide comment between now and two weeks from the date of this memo. For those wishing to comment on the granted waiver, please email comments to mde-essa@michigan.gov. Please indicate "2021-22 Title Funds Waiver" in the subject line. All comments will be given consideration by MDE and attached to the request sent to the United States Department of Education.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors