



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

James F. Lane, Ed. D.
Senior Advisor, Office of the 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 Dr. Lane:

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 systems transition from the current Michigan Electronic Grant System Plus (MEGS+) platform to the new NexSys platform.

State: **MICHIGAN**

- Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal 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, 2022): 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 2020 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2023. 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)

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- 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 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 these waivers 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), the waivers will provide eligible LEAs extended opportunity to utilize available carryover funds to provide supplemental programs and services to identified students with intentionality and fidelity; as well as allow the SEA the opportunity to provide the necessary technical assistance and support to those eligible LEAs regarding program evaluation and monitoring of such services.

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,

Michael F. Rice, Ph.D.
State Superintendent