



## Arizona Department of Education

Office of Superintendent Kathy Hoffman

June 11, 2021

The Honorable Frank T. Brogan  
Assistant Secretary for Elementary and Secondary Education Office of Elementary and Secondary Education  
U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202

Dear Assistant Secretary Brogan:

I am writing to request waivers on behalf of the Arizona Department of Education (ADE) and its subgrantees, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), for the requirements outlined below.

- 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: 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) more than 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 section 1003 school improvement, section 1003A direct student services, if applicable, and Title I, Part D, Subpart 2
- 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

Waiving these requirements will provide the ADE and its subgrantees with the flexibility needed to continue to support continuity of academic and support services during the recovery period of the COVID-19 pandemic. In seeking these waivers, the ADE will use and ensure that its subgrantees use funds under the respective programs in accordance with the provisions of all the applicable statutes, regulations, program plans, and applications not subject to these waivers, and 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.

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**Kathy Hoffman, Superintendent of Public Instruction**

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The ADE provided the public and all local educational agencies in the state with notice of, and the opportunity to comment on, this request in the manner in which the ADE customarily provides such notice and opportunity to comment and has enclosed with this request the comments received.

Please contact Kelly Koenig at (602) 364-2811 or [Kelly.Koenig@azed.gov](mailto:Kelly.Koenig@azed.gov) if you have any questions or need additional information about this request for waivers.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hoffman". The signature is written in a cursive, flowing style.

Kathy Hoffman, MS, CCC-SLP  
Superintendent of Public Instruction