



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 26, 2024

The Honorable Cade Brumley  
Superintendent of Education  
Louisiana Department of Education  
P.O. Box 94064  
Baton Rouge, LA 70804

Dear Superintendent Brumley:

I am writing in response to Louisiana's request on July 16, 2024, that the U.S. Department of Education (Department) waive, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), section 421(b) of the General Education Provisions Act to extend the period of availability of State administrative funds that the State consolidates under section 8201 of the ESEA through September 30, 2025.

Specifically, Louisiana's request to waive the period of availability of consolidated State administrative funds under ESEA section 8201 includes State administrative funds from the following programs:

- American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund (ARP ESSER) (S425U210003)
- American Rescue Plan Homeless Children and Youth (ARP-HCY) (S425W210019)
- Federal fiscal year (FY) 2022 Title I, Part A of the ESEA (Improving Basic Programs Operated by Local Education Agencies (LEAs)) (S010A220018)
- FY 2022 Title I, Part C of the ESEA (Education of Migratory Children) (S011A220018)
- FY 2022 Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk) (S013A220018)
- FY 2022 Title II, Part A of the ESEA (Supporting Effective Instruction) (S367A220017)
- FY 2022 Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants) (S424A220019)
- FY 2022 Title IV, Part B of the ESEA (21st Century Community Learning Centers) (S287C220018)
- FY 2022 Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program) (S358B220018)

Additionally, I am writing in response to Louisiana's request that the Department waive, pursuant to section 8401 of the ESEA, the requirement(s) enumerated below on behalf of Louisiana:

- The requirement in ESEA section 1127(b) that limits a State educational agency's ability to grant to its LEAs a waiver of the 15 percent Title I, Part A carryover limitation in section 1127(a) of the ESEA to once every three years.
- Period of availability of funds in section 421(b) of the General Education Provisions Act to extend the period of availability for FY 2022 funds for the following ESEA programs until September 30, 2025:

400 MARYLAND AVE., SW, WASHINGTON, DC 20202

<http://www.ed.gov/>

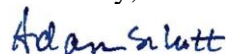
*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

- FY 2022 Title I, Part A of the ESEA (Improving Basic Programs Operated by LEAs) (S010A220018)
- FY 2022 Title I, Part B of the ESEA (State Assessment Formula Grants) (S368A220009)
- FY 2022 Title I, Part C of the ESEA (Education of Migratory Children) (S011A220018)
- FY 2022 Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk) (S013A220018)
- FY 2022 Title II, Part A of the ESEA (Supporting Effective Instruction) (S367A220017)
- FY 2022 Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement) (S365A220018)
- FY 2022 Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants) (S424A220019)
- FY 2022 Title IV, Part B of the ESEA (21st Century Community Learning Centers) (S287C220018)
- FY 2022 Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program) (S358B220018)

After reviewing Louisiana's request and consulting with the Office of English Language Acquisition, I am approving a waiver of these requirements for the programs listed above under my authority in section 8401 of the ESEA. As part of these waiver request, Louisiana assured that the State will use consolidated State administrative 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 Department does not have the authority to extend the period of availability for ARP Emergency Assistance to Non-Public Schools (EANS), ARP ESSER, and ARP-HCY program funds. Those funds must be obligated by September 30, 2024. Additionally, the State may not use consolidated State administrative funds for the administration of any programs that are not included in the consolidation under ESEA section 8201, including reverted EANS funds.

Thank you for the work you are doing to support students in Louisiana. If you have any questions about the approval of this waiver, please contact Brandon Webber at [Louisiana.OESE@ed.gov](mailto:Louisiana.OESE@ed.gov).

Sincerely,



Adam Schott  
Principal Deputy Assistant Secretary  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

Cc: Bernell Cook, Executive Director of Federal Support and Grantee Relations, Louisiana Department of Education