California Department of Education

Executive Office

SBE-004 (REV. 11/2017)

addendum02-may20item03

# **ITEM ADDENDUM**

**DATE:** May 5, 2020

**TO:** MEMBERS, State Board of Education

**FROM:** TONY THURMOND, State Superintendent of Public Instruction

**SUBJECT:** Item 3 - Federal Funding Flexibility Requirements Waiver Summary of Public Comment

## Attachment(s)

Attachment 2: Summary of Public Comments for the Federal Funding Flexibility Waiver (1 page).

**Attachment 2**

## Summary of Public Comments for the Federal Funding Flexibility Waiver

### Background

The United States Department of Education (ED) approved California’s Federal Funding Flexibility Waiver request on April 22, 2020. Under the Elementary and Secondary Education Act (ESEA) Section 8401(b), California requested a waiver for the 2019–20 school year of the following sections:

* Section 1127(b) of Title I, Part A of the ESEA so that the CDE may waive, more than once every three years, if necessary, the 15 percent carryover limitation in ESEA section 1127(a) for FY 2019 Title I, Part A funds.
* Section 421(b) of the GEPA to extend the period of availability of FY 2018 funds for programs in which the CDE participates under its approved consolidated State plan until September 30, 2021.
* Section 4106(d) of Title IV, Part A of the ESEA related to local educational agency (LEA) needs assessments for the 2019–2020 school year.
* Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA with respect to content-area spending requirements for FYs 2018 and 2019 Title IV, Part A funds.
* Section 4109(b) of Title IV, Part A of the ESEA with respect to the spending limitation for technology infrastructure for FYs 2018 and 2019 Title IV, Part A funds.
* Section 8101(42) of the ESEA, which defines “professional development,” for activities funded for the 2019–20 school year.

### Summary

The State held a public comment period for all stakeholders and local education agencies (LEAs) through May 1, 2020. No public comments were received during this time.