



STATE BOARD *of* EDUCATION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

The U.S. Department of Education is providing states with funding flexibilities to best meet the needs of students and educators during the COVID-19 national emergency. The new flexibilities, authorized under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, allow schools to repurpose existing K-12 education funds for technology infrastructure and teacher training on distance learning, among other flexibilities to move resources to areas of highest need during the national emergency. Oklahoma submitted this waiver to the U.S. Department of Education on April 6, 2020, received approval the next day to begin implementation of the requested waiver(s) and received notification of [formal approval on April 22, 2020](#). This allows Oklahoma to waive the following:

1. Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2019 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2020): 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.
2. Period of availability of funds in section 421(b) of the General Education Provisions Act (GEPA): to extend the period of availability of FY 2018 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2021.
 - A. 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
 - B. Title I, Part B of the ESEA (State Assessment Formula Grants)
 - C. Title I, Part C of the ESEA (Education of Migratory Children)
 - D. Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
 - E. Title II, Part A of the ESEA (Supporting Effective Instruction)
 - F. Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement)

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- G. Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants)
 - H. Title IV, Part B of the ESEA (21st Century Community Learning Centers)
 - I. Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program)
 - J. McKinney-Vento Education for Homeless Children and Youth Program
3. The following requirements in Title IV, Part A of the ESEA (Note: Requirements a. and b. are only applicable to LEAs that received \$30,000 or more in Title IV, Part A funds):
- A. Needs assessment requirements in section 4106(d) for the 2019-2020 school year.
 - B. Content area spending requirements in section 4106(e)(2)(C), (D), and (E): the requirements to use a minimum percentage of Title IV, Part A funds for activities under sections 4107, 4108 and 4109 for FY 2019 funds and any available FY 2018 carryover funds.
 - C. Spending limitation in section 4109(b): the 15 percent limit on the use of funds under section 4109 to purchase technology infrastructure for FY 2019 funds and any available FY 2018 carryover funds.
4. The definition of professional development in section 8101(42) of the ESEA for the 2019-2020 school year.

The Oklahoma Department of Education is providing all LEAs in the State with a notice and an opportunity to comment on this request. Comments are due via email to Lori.Murphy@sde.ok.gov by May 24, 2020.