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November 12, 2024

The Honorable Adam Schott
Deputy Assistant Secretary for Policy and Programs
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Deputy Assistant Secretary Schott,

The Kansas State Department of Education (KSDE) request a Tydings waiver to extend the period of availability of for the following funds through September 30, 2025:

- 1) **FY 2022 SUPPORTING EFFECTIVE INSTRUCTION (CFDA 84.367A)**
- 2) **FY 2022 STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS (CFDA 84.424A)**
- 3) **FY 2021 AMERICAN RESCUE PLAN - ELEMENTARY AND SECONDARY SCHOOLS EMERGENCY RELIEF FUND (ARP-ESSER) (84.425U)***
- 4) **FY2021 AMERICAN RESCUE PLAN - EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS (84.425V)***
- 5) **FY2021 AMERICAN RESCUE PLAN ELEMENTARY AND SECONDARY SCHOOLS EMERGENCY RELIEF FUND - HOMELESS CHILDREN AND YOUTH (ARP-HCY) (84.425W)***
- 6) **FY 2019 IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES (CFDA 84.010A)**
- 7) **FY 2020 IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES (CFDA 84.010A)**
- 8) **FY 2021 IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES (CFDA 84.010A)**

* The KSDE consolidated ARP ESSER, ARP EANS, and ARP-HCY administrative funds under section 8201 of the Elementary and Secondary Education Act of 1965, and therefore requests the Tydings Waiver only for those portions of the applicable awards that have been consolidated.

**9) FY 2022 IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES
(CFDA 84.010A)**

The KSDE requests this waiver, as authorized by section 421(b) of the General Provisions Act.

Consistent with the requirements of ESEA section 8401(b)(1)(C) and (F), the KSDE has provided the following details supporting how the waiving of such requirements will advance student academic achievement and how schools will continue to provide assistance to the same populations served by program for which waivers are requested.

- The extension of the period of availability of these funds will allow the KSDE to better coordinate school improvement resources in response to interruptions and delays that are a result of ongoing COVID-19 relief and recovery efforts. This flexibility will ensure that schools are able to provide effective, evidence-based supports as part of a coherent and sustainable framework that results in systemic improvement in student outcomes. Granting this additional extension in the period of availability enables the KSDE and Kansas schools to continue to coordinate these resources in a manner that is responsive to the ongoing COVID-19 pandemic, and the additional challenges it has presented.
- Local Education Authorities (LEAs) that were not able to effectively spend their allocations will be able to better plan and use these funds in conjunction with relief funds and state and local funds to plan on providing students the needed support for remediation and/or enrichment. LEAs have worked on identifying areas of need for their students following the pandemic. LEAs will continue to identify those students most in need of support for the ESEA programs and will provide services to the students and professional development to teachers and staff in identifying the needs and providing the resources to the students.

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,

A handwritten signature in black ink, appearing to read "Randy Watson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Randy Watson

Commissioner of Education