Public Comment Period

**NYSED Request for Public Comments on Waiver to Extend Availability of
Federal FY 2018 Perkins and Adult Education/Family Literacy Funds**

May 5, 2020

The New York State Education Department (NYSED) has submitted a request for a waiver of section 421(b) of the General Education Provisions Act (GEPA), to extend the period of availability of Fiscal Year (FY) 2018 funds until September 30, 2021 for State grants authorized by Title I of the Carl D. Perkins Career and Technical Education Act of 2006 and State grants authorized by Title II of the Workforce Innovation and Opportunity Act (i.e., the Adult Education and Family Literacy Act).

NYSED has requested this waiver because it is not possible to obligate funds on a timely basis, as originally planned, due to extensive school and program disruptions in the State. These disruptions are in response to extraordinary circumstances for which a national emergency related to the COVID-19 pandemic has been duly declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 100-707, and will protect the health and safety of students, staff, and our communities.

In seeking this waiver, NYSED was required to provide assurance that NYSED and our Local Educational Agencies (LEAs) will 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, and that NYSED will work to mitigate, and ensure that our LEAs will work to mitigate, any negative effects, if any, that may occur as a result of the requested waivers.

Additionally, NYSED is required to provide the public and all Local Educational Agencies (LEAs) in the State with notice of and the opportunity to comment on this request. Comments may be submitted via email to FundingFlexibilities@nysed.gov with "Waiver Comments from (sender/organization name)" in the subject line. Comments will be accepted through May 19, 2020.