

September 24, 2026

The Honorable Ian Rosenblum
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education 400
Maryland Avenue, SW
Washington, DC 20202

Dear Deputy Assistant Secretary Rosenblum:

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to changes in leadership and transitioning of roles in the Office of Federal and State Accountability and the restructuring of some charter school districts within the state.

Please check all that apply:

- ☐ Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2022 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2023): to waive 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) to once every three years.

Period of availability of funds in section 421(b) of the General Education Provisions Act (GEPA): to extend the period of availability of FY 2021 funds for programs in which the SEA participates under its approved consolidated State plan until September 30, 2024.

The programs are (*please check all that apply*):

- ☒ 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
- ☐ Title I, Part B of the ESEA (State Assessment Formula Grants)
- ☒ Title I, Part C of the ESEA (Education of Migratory Children)
- ☐ Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
- ☒ Title II, Part A of the ESEA (Supporting Effective Instruction)
- ☒ Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement)
- ☒ Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants)
- ☐ Title IV, Part B of the ESEA (21st Century Community Learning Centers)
- ☐ McKinney-Vento Education for Homeless Children and Youth Program

The South Carolina Department of Education requests an extension of the period of availability from September 30, 2026, to September 30, 2027, to ensure that remaining Title I, Part A; Title I, Part C; Title II, Part A; Title III, Part A; and Title IV, Part A funds are obligated responsibly and used for their intended purposes. The additional time will allow SCDE, districts, and subgrantees to continue providing essential services to students and educators during the 2026–27 school year and summer 2027. These services include academic support and tutoring; professional learning and educator support; assistance for English learners; safe, well-rounded learning opportunities; and identification and recruitment activities for migratory children, with priority for services given to students with the greatest needs. The extension will preserve continuity of support while aligning expenditures with documented needs, approved program plans, and applicable requirements.

If approved, SCDE will maintain active oversight of the extended funds and work with subgrantees, local educational agencies, and state-level staff to ensure expenditures are timely, reasonable, necessary, and consistent with all applicable requirements. SCDE will provide targeted technical assistance and monitor implementation so that remaining funds support allowable, high-quality services under each program and continue to benefit the students and educators for whom the funds were awarded.

In seeking these waivers, I assure that *(please check all assurances)*:

- ☒ 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.

Sincerely,

Ellen Weaver
State Superintendent