



**STATE OF SOUTH CAROLINA**  
**DEPARTMENT OF EDUCATION**

**MOLLY M. SPEARMAN**  
*STATE SUPERINTENDENT OF EDUCATION*

**MEMORANDUM**

**TO:** Superintendents  
District Instructional Leaders  
Chief Financial Officers  
Title I, Part A Coordinators  
Title I, Part C, Migrant Coordinators  
ESEA Title I, Part D, N&D Coordinators  
ESEA Title II Coordinators  
ESEA Title III Coordinators  
Title IV-A Coordinators  
Title IV, Part B Coordinators  
Title V (REAP) Coordinators  
McKinney-Vento Homeless Liaisons  
Grants

**FROM:** Molly M. Spearman  
State Superintendent of Education

**DATE:** September 14, 2021

**RE:** South Carolina's ESEA Fiscal Waiver Approved

We are pleased to announce that the United States Department of Education (USED) is waiving, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), the requirements enumerated below on behalf of the South Carolina Department of Education (SCDE) and its subgrantees (e.g., local educational agencies (LEAs)) as a result of the ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

- Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2020 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on **October 1, 2021**, or State FY 2021 funds): 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 Federal FY 2019 funds (i.e., State FY 2020 funds) for programs in which South Carolina participates under its approved consolidated State plan until **September 30, 2022**. The programs are:
  - 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 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);
  - Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program); and
  - McKinney-Vento Education for Homeless Children and Youth Program.

As a result of the recent health crisis, schools and communities have faced unprecedented obstacles, and the SCDE believes that by providing additional flexibilities in the use of federal funds, student academic achievement will be advanced by helping schools address their critical needs.

Very soon, the applicable SCDE program offices will provide additional details related to these flexibilities, including revised grant award notifications (GANs). If you have any questions in the meantime, please contact Sarah Longshore at [sclongshore@ed.sc.gov](mailto:sclongshore@ed.sc.gov) or 803-734-8118.