



#093-21

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #093-21**

DATE: April 9, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: **Title I, Part A, Carryover Provisions and Reallocation Procedures under the *Elementary and Secondary Education Act of 1965 (ESEA)*, as Amended**

Section 1127 of the *Elementary and Secondary Education Act of 1965 (ESEA)*, as amended, allows school divisions to carry over up to 15 percent of their Title I, Part A, allocation for any federal fiscal year (FFY). School divisions must encumber 85 percent of each award year's Title I, Part A, allocation by September 30 of the following year (within 15 months). This section also allows school divisions to apply for a waiver to exceed the 15 percent limitation once every three years if: 1) the state agency determines that the request of a local educational agency is reasonable and necessary; or 2) supplemental appropriations become available. School divisions that receive less than \$50,000 under this subpart are excluded from the carryover limitation.

For FFY 2019, the Virginia Department of Education (VDOE) received a U.S. Department of Education (USED) waiver that permitted any division to apply to waive the carryover limitation regardless of when the division last received a waiver. For FFY 2020, the Virginia Department of Education has requested a USED waiver that, if granted, would again allow any division to apply for a carryover waiver. At this time, the status of the waiver request is pending. The VDOE will notify school divisions when a response is received from USED. Eligible school divisions that wish to apply for a waiver must submit the request by September 30 of

the year following the award year. The request must be signed by the division superintendent and should be submitted as a scanned attachment to Shyla.Vesitis@doe.virginia.gov.

Section 1126(c) of the ESEA requires the state educational agency (SEA) to develop procedures for the reallocation of Title I, Part A, funds that have not been expended within the allotted 15-month period of each award year. The procedures for reallocation of Title I, Part A, funds are provided in Attachment A.

For more information

Contact Shyla.Vesitis@doe.virginia.gov for more information at (804) 225-3711.

JFL/sv

- A. Attachment: [Procedures for Reallocation of Title I, Part A, Funds](#) (DOCX)