



COMMONWEALTH of VIRGINIA
DEPARTMENT OF EDUCATION

DATE: May 11, 2023
TO: Division Superintendents
FROM: Dr. Lisa Coons, 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**

The purpose of this memo is to notify Superintendents that 85 percent of their Title I, Part A, allocation for Federal Fiscal Year 2022 must be encumbered by **September 30, 2023**, as required by the *Elementary and Secondary Education Act of 1965* (ESEA).

Section 1127 of 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. 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). The law 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.

School divisions that have not requested a carryover waiver in the past three years that wish to apply for a waiver are eligible. Those divisions may request a waiver in **October** of the year following the award year. A Superintendent's Email will be sent to any division that has not submitted reimbursements for 85 percent of their FFY22 funds by **September 30, 2023**, outlining the procedures for certifying that 85 percent of funds have been encumbered or

applying for a waiver. The request must be signed by the division superintendent and should be submitted as a scanned document to the ESEA SharePoint site. Directions for submission of the Certification of Obligation will be provided with the Superintendent's Email in **October**.

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.

If you have questions or need additional information, please contact Tiffany Frierson, Title I Coordinator, Office of ESEA Programs, at (804) 371-2682 or Tiffany.Frierson@doe.virginia.gov.

LC/MM/tjf

Attachment:

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