UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Paolo DeMaria
Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, OH 43215

Dear Superintendent DeMaria:

I am writing in response to your letter on November 9, 2020, requesting to waive, for the 2020-2021 school year, the requirement in section 4201(b)(1)(A) of the Elementary and Secondary Education Act of 1965 (ESEA) that restricts activities provided by a program funded under the Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) program to activities provided only during non-school hours or periods when school is not in session (such as before and after school or during summer recess). You are requesting this waiver to provide flexibility for your subgrantees to address challenges this school year due to the impact of the Coronavirus Disease 2019 (COVID-19).

After reviewing Ohio's request, I am pleased to approve, pursuant to my authority under section 8401(b) of the ESEA, a waiver of the requirement in section 4201(b)(1)(A) of the ESEA for the 2020-2021 school year. This waiver enables you to approve a 21st CCLC subgrantee in your State to provide supplemental activities when school is in session but students are not receiving in-person instruction, such as by permitting a teacher to provide additional academic supports during remote learning. As part of this waiver, Ohio assures that it will use, and ensure that its subgrantees use, 21st CCLC funds in accordance with all other provisions of Title IV, Part B of the ESEA and all applicable regulations, program plans, and applications.

I know that you are doing all in your power to support your 21st CCLC programs in districts, schools, and communities to ensure the health and well-being of students, educators, and 21st CCLC staff. The U.S. Department of Education is committed to continuing to support you. If you have any questions about this waiver, please contact my staff at 21stCCLC@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Shannon D. Teague, Assistant Director, Office of Improvement and Innovation